Development Control Committee B – 12 July 2017

ITEM NO. 4

WARD:	Avonmouth & Lawrence Weston	**CONTACT OFFICER:**	Susannah Pettit
SITE ADDRESS:	Accolade Park Kings Weston Lane Avonmouth Bristol BS11 9FG		

APPLICATION NO:	17/02240/F	Full Planning
DETERMINATION DEADLINE:	16 June 2017	

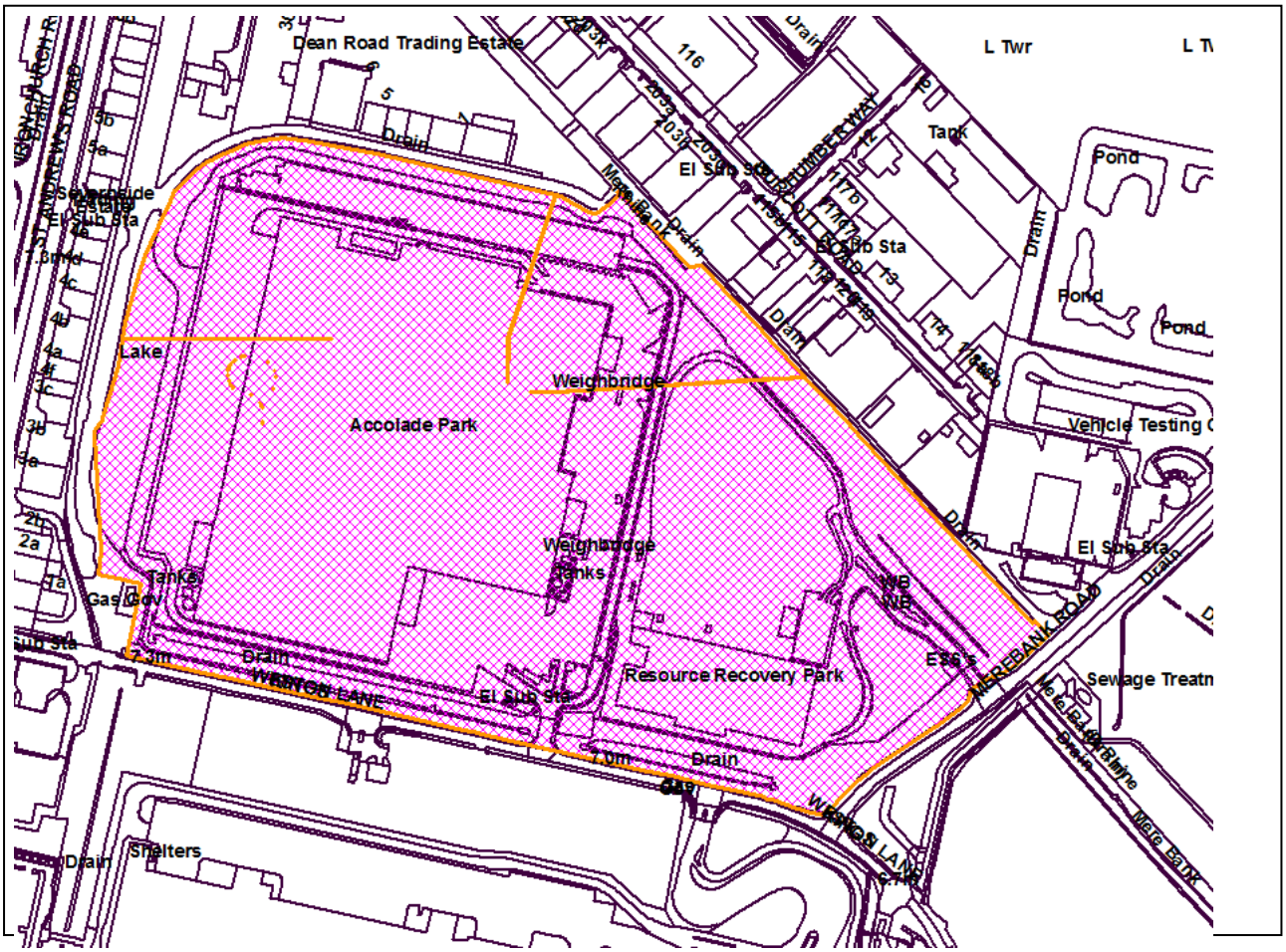
Proposed single wind turbine (130m high), along with associated infrastructure including electrical housing.

RECOMMENDATION: Grant subject to Condition(s)

APPLICANT: Clean Earth
Unit 2A Bess Park Road
Trenant Industrial Estate
Wadebridge
PL27 6HB

The following plan is for illustrative purposes only, and cannot be guaranteed to be up to date.

LOCATION PLAN:



Development Control Committee B – 12 July 2017
Application No. 17/02240/F: Accolade Park Kings Weston Lane Avonmouth Bristol BS11 9FG

SUMMARY

The application relates to Merebank (M1) which contains a recently constructed industrial unit now occupied by Accolade wines. The application is for a wind turbine 130m tall (to blade tip). The turbine would provide 90% of its energy for Accolade Wines, which would make up 40% of their requirements. Due to the existence of a Written Ministerial Statement of June 2015, LPA can only grant permission for wind turbines where they are on sites which have been specifically designated for wind farm development, AND where they have the support of the local community. Bristol has no such allocations, therefore any decision to grant approval for this development could be at risk of legal challenge.

Whilst there are no allocations, the planning impacts have been assessed and there is much local support including support from the Lawrence Weston Neighbourhood Forum. The legal and policy background to this is set out in Key Issue (A) - National and Local Land Use issues, of this report.

There is one objection from the occupier of an office to the north west of the development site raising concerns about shadow flicker. Key Issue (D) of this report sets out that these concerns can be mitigated by condition which requires the turbine to be fitted with software to enable it to shut down in the event that shadow flicker conditions occur.

Officers are therefore concluding that due to the level of local support, and the fact that the development is in accordance with policies in the local plan, (as assessed in detail below), despite the absence of a formal designation, there is no reason to withhold planning permission. In addition to this it is likely that Avonmouth could be considered an appropriate area for wind turbine development, in view of the fact that there are already a number of wind turbines in the area, as well as the relative lack of sensitive receptors. The applicant's Landscape and Visual Impact Assessment also sets out that there would be no severe impact on Kings Weston House and other areas where it might be viewed from.

SITE DESCRIPTION

The application site forms part of 'Merebank' which is located to the north of Kings Weston Lane and forms part of the wider Cabot Park development in Avonmouth. The wider Merebank site comprises approximately 31 hectares in size and has been the subject of various planning consents over recent years.

Following earlier outline and reserved matters consents, the application site (former M1 plot) received reserved matters consent in 2007 for a large industrial unit (approximately 71,071 square metres) and is currently occupied and used as a regional storage and distribution centre.

Kings Weston house is some 3km from the site, and is a Grade I listed building set within Regionally Important Geological Site, Local Historic Park and Garden, Important Open Space, Site of Nature Conservation Interest, Kings Weston and Trym Valley Conservation Area, and a Registered Park and Garden.

RELEVANT HISTORY

A series of planning permissions have been granted for the Merebank area since the early 1990s. Outline permission was granted in 2006 to regenerate the Merebank area for Industrial (B2) and Warehouse (B8) development (planning permission 05/04807/P). Three phases or plots are identified in the approved master plan. These comprise area M1, (the application site and Accolade Wine warehouse); area M2 a single large building; and area M3, a series of smaller buildings. Area M2

received reserved matter approval in October 2007 (07/03426/M) for a 25,886 square metre building for distribution/warehousing (B8). M3, a smaller building (2,210 square metres) received reserved matters approval in May 2006 (06/00077/F) and has since been constructed and occupied.

12/05132/F Extensions to the existing regional Distribution Centre (Use Class B8) to provide an additional 8390 sq.m of floorspace including the erection of 2no. storey/decked car park to reprovide existing car parking spaces. (Major Application)
Date Closed 22 March 2013 PG
The above permission has not been implemented and has expired.

16/04889/F Proposed Portakabin toilet block and relocation of existing smokers' shelter.
Date Closed 1 November 2016 PG

16/05826/F Revised landscaping and parking layout to provide 9 additional car parking spaces (retrospective).
Date Closed 19 December 2016 PG

17/00064/SCR: A screening opinion relating to the wind turbine subject of this application was issued on 24 February 2017, confirming that the development was not EIA development, but requiring an Ecological Environmental Impact Assessment to be submitted with any planning application. This has been done.

13/01881/F: St Andrews Road, Avonmouth.
Most recent decision taken in Bristol on a wind turbine. Planning permission granted on 22.04.14 for a wind turbine of 63.1m to blade tip. This site is approximately 800m from the application site.

APPLICATION

The application is for the erection of a 130m (maximum) wind turbine to the front entrance area of the Accolade Wine warehouse. This is from ground to blade-tip - the hub height would be 85m.
The applicant is Clean Earth energy and they have been appointed by Accolade Wines to deliver the wind turbine on the Accolade Wines site, and they would use a total of 90% of the energy generated by the wind turbine. This in turn would make up 40% of the building's energy requirements.

The application includes the following documentation to enable assessment of the application:

- Detailed drawings and sections showing the turbine and its mechanisms, including dimensions and colour.

- Full Views Impact Analysis from a number of plotted locations, including one from Kings Weston House.

- Planning Statement

- Airwave Network Interference Assessment

- Construction Transport Management Plan

- Ecological Impact Assessment + Habitat Regulations Assessment + Bird Vantage Point Surveys and Collision Risk Modelling

- Noise Assessment

- Shadow Flicker Assessment

The Planning Statement notes that the proposed wind turbine would be in place for a fixed term of 27 years, at the end of which the development would be removed and the land reinstated to its original condition.

PRE APPLICATION COMMUNITY INVOLVEMENT

Due to its size, the application is required to be accompanied by a Statement of Community Involvement. Guidance and good practice examples exist to inform the choice of appropriate methods in order to help ensure effective, efficient, transparent and accountable community involvement. Those responsible for undertaking community involvement are expected to reflect such good practice to ensure inclusive, fair and effective initiatives. Failure to do so may limit the validity and relative credibility of the involvement undertaken.

In this context, the applicant has included a Community Involvement Statement in their Planning Statement. This was also undertaken in the context of the Written Ministerial Statement (See Key Issue A). The CIS has been assessed, and is summarised below:

i) Process - which would be NPN's CI summary

The applicant held an open public consultation event on Wednesday 22 March between 3:30pm-6:30pm at the Avonmouth Community Centre. Seven community meetings were also attended by the applicant during February and March 2017. These are listed in the applicant's Planning Statement. The applicant also set up a website and email address for people to direct any questions to following the events. A mail-out to 1,008 residents took place, along with advertisements within the Bristol Post online and print editions.

ii) Fundamental Outcomes - CIS

The Planning Statement reports that 100% respondents supported the proposal;
50% believed that a single turbine would fit in well with the existing turbines;
37.5% cite the position of the turbine far from residential properties as their reason for supporting the proposal;
Some reasons for support included reduction of Accolade's running costs;
One was supportive but raised concern on the impact on birds.

RESPONSE TO PUBLICITY AND CONSULTATION

The application was advertised by letters sent to 112 nearby neighbours on 22.05.2017. A site notice was also posted near to the site on 31.05.2017. The final date for comment was 29.06.2017.

One objection was received from a local business (Tercon):

“Our office is located well within the 820m zone to be considered and I have shown the elevations of our property which have ground and first floor office windows. These windows are East and South facing, and well within the 130 degrees of North area of effect so are likely to have the sun behind the turbine through most of the day. Our offices are at significant risk of shadow flicker from this proposal”

Case officer note: Since this objection was made, the applicant prepared a revised Shadow Flicker report which took into account the impact on this office. This is assessed at Key Issue (D) – Amenity.

In addition to the above to comments from ward members, 24 letters of support from nearby neighbours were received, all welcoming the development due to it being sustainable, and located on a site seen to be appropriate due to the surrounding industrial uses.

There were also responses received from telecommunications operators, response to the applicant's Airwave Network Interference Assessment, confirming that this would not impact on their facilities. These responses were forwarded by the applicant rather than in response to the planning consultation. These were from BT, Vodafone, OFCOM, JRC (a company that analyses the potential to interfere with radio systems operated by utility companies) and Co-Channel (radio communication systems).

WARD MEMBERS

Councillor Donald Alexander: SUPPORT
Very pleased to see this application as it is in line with our sustainability policy.

Councillor Jo Sargent: SUPPORT
I support the building of this wind turbine. We should support local businesses in their attempts to produce sustainable and clean energy. The existing wind turbines are an interesting feature on the local landscape and a sign of a progressive enterprise area and there is no reason to object to adding a few more.

Councillor Matt Melias: SUPPORT
I fully encourage more wind turbines in the industrial part of Avonmouth.

OTHER COMMENTS

Department For Communities And Local Government has commented as follows:-

No comments received.

North Somerset District Council has commented as follows:-

No comments received.

South Gloucestershire Council has commented as follows:-

I would draw your attention to the presence of other wind turbines in the locality within the administrative area of South Gloucestershire Council but have no specific comments to make.

Landscape has commented as follows:-

In general the conclusions of the LVIA are accepted. The most significant visual harm is caused to viewpoint 5 - the historic view from Kingsweston House.

Historic England has commented as follows:-

Thank you for your letter of 11 May 2017 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

Nature Conservation Officer has commented as follows:-

1. Habitats Regulations Assessment (HRA). The Conservation of Habitats and Species Regulations 2010 and the Conservation of Habitats and Species (Amendment) Regulations 2012 with respect to the Severn Estuary Special Protection Area (SPA) and Ramsar Site.

The analysis contained within the (Shadow) Habitats Regulations Assessment dated April 2017 is considered acceptable. Because the analysis of bird collision risk is based on modelling, the following planning condition is recommended.

Condition: Prior to the commencement of development, details of an ecological monitoring strategy to assess the impact of the turbine on birds in the area shall be submitted to and approved in writing by the Local Planning Authority. The monitoring shall take place in accordance with the approved strategy, during years 1, 2, 3, 5, 10, 15 and 20 of the life of the turbines, unless otherwise agreed in writing by the Local Planning Authority. The need for and scope of this ongoing programme of monitoring shall be reviewed after the second year and each subsequent year of monitoring.
Reason: In the interests of monitoring the impact of the proposed turbines on wildlife in the area.

In addition a planning condition should be applied which addresses the need to remove and decommission the turbines after their working life has expired.

2. Other ecological considerations

The proposal comprises an area of concrete hardstanding within an existing warehouse facility. Potential ecological impacts have been considered within the Preliminary Ecological Appraisal dated April 2017. In this instance I have no further ecological comments.

Natural England has commented as follows:-

No objection

Natural England notes and supports the advice of the Council's Nature Conservation Officer (email dated 22nd May 2017) regarding the need for an ecological monitoring strategy to assess the impact of the turbine on birds and the need to address the decommissioning and removal of the turbines after their working life has expired.

Contaminated Land Environmental Protection has commented as follows:-

No objections, subject to certain conditions.

Lower Severn Internal Drainage Board has commented as follows:-

No comments received.

Lawrence Weston Neighbourhood Planning Forum has commented as follows:-

Lawrence Weston Planning forum supports this application in full.

After carrying out our own community consultation for renewable energy and on shore wind turbines, and taking into account our own Neighborhood Development Plan and Design Statement, we can evidence strong local support for this development.

When we were surveying local residents from the Avonmouth area on the 11/09/2016 our findings showed overwhelming support, 96.2% of 53 residents surveyed were in favour, and 97% of 130 Lawrence Weston residents surveyed on 27/05/2016 also showed the same high level of support.

Wales & West Utilities has commented as follows:-

Wales & West Utilities has pipes in the area. Our apparatus may be affected and at risk during construction works.

Should the planning application be approved then we require the promoter of these works to contact us directly to discuss our requirements in detail before any works commence on site. Should diversion works be required these will be fully chargeable.

You must not build over any of our plant or enclose our apparatus.

Transport Development Management has commented as follows:-

We have no objection to the proposal - it is sited far back enough within the site not to affect the highway.

The construction management plan shows awareness of the requirement to have accompanied abnormal loads, which will be programmed with an escort. M5 to St Andrews Road is an abnormal loads route.

There are concerns about the turn into the Accolade site itself, though, and there may be requirements to close the road to allow for cranes to lift the structures into the site. Further details on this should be subject to a condition - the Construction Management Plan should be updated to reflect how the structures will be brought into the Accolade Wines site itself.

Sustainable Cities Team has commented as follows:-

I am pleased to support the application.

As stated in the Planning Statement much of the content of policies BCS13-15 relates to the construction or refurbishment of residential and non-residential buildings, and therefore does not apply in this case. However, if constructed the turbine will contribute to Bristol's stated commitment to reduce emissions of carbon dioxide (BCS13 Core Strategy 4.13.4), and the development of renewable energy and low carbon energy (BCS14 Core Strategy 4.14.2).

Shadow Flicker: As noted in the Shadow Flicker Assessment, at certain times of the year, under specific weather conditions shadow flicker may be experienced by some of the commercial properties in the vicinity of the turbine. As noted there are several mitigation measures which can be deployed to minimise or eliminate shadow flicker including software to turn the turbine off at the specific times and conditions when this is an issue.

Though not material to the application, I would encourage the applicant to consider the educational opportunities the turbine presents. For example publishing or streaming information on the energy generated, displaying energy output so that it is accessible to staff and visitors to the site and participating in the annual Open Doors event.

RELEVANT POLICIES

National Planning Policy Framework – March 2012
Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocation and Development Management Policies (Adopted July 2014) and (as appropriate) the Bristol Central Area Plan (Adopted March 2015) and (as appropriate) the Old Market Quarter Neighbourhood Development Plan 2015 and Lawrence Weston Neighbourhood Development Plan 2017.

In determining this application, the Local Planning Authority has had regard to all relevant policies of the Bristol Local Plan and relevant guidance.

KEY ISSUES

(A) NATIONAL AND LOCAL LAND-USE POLICY

(i) NPPG; and NPPF Chapter 10, footnote 17

National policy in relation to wind energy development, is written in such a manner as to guide the formulation of plan policies and site allocations, rather than for assessing individual applications for such developments that have been submitted without the benefit of such policy designations.

The NPPG calls for a criteria-based approach when creating local plan policies for renewable energy. Local topography and the need to protect the setting of heritage assets, as well as local amenity are seen as key considerations.

The NPPF at footnote 17 states:
"In assessing the likely impacts of potential wind energy development when identifying areas, and in determining planning applications for such development, planning authorities should follow the approach set out in the National Policy Statement for Renewable Energy Infrastructure (read with the relevant sections of the Overarching National Policy Statement for Energy Infrastructure, including on aviation impacts). Where plans identify areas as suitable for renewable and low-carbon energy development, they should make clear what criteria have determined their selection, including for what size of development the areas are considered suitable."

Overarching National Policy Statement for Energy (2011) (EN-1): Sets out the Government's policy for delivery of major energy infrastructure, decisions which are largely determined by the Infrastructure Planning Commission. This is within the context of its aim to cut greenhouse gas emissions by at least 80% by 2050. It also includes a list of assessment principles common to all types of infrastructure (including health, wildlife, safety, aviation, historic environment, flood risk, noise etc.)

National Policy Statement for Renewable Energy (2011) (EN-3): Contains advice on Onshore Wind, and is written in a manner which is aimed to guide LPAs in plan-making. The document also sets out that information and supporting documents for planning applications must be consistent with the instructions and guidance in the NPS and EN-1.

The application and supporting documents before Members has followed the instructions in the above guidance.

(ii) WRITTEN MINISTERIAL STATEMENT (HCWS42)

The Government issued a Written Ministerial Statement (WMS) on 18 June 2015, which sets out revised considerations to be applied to planning decisions for wind energy development. It says that in determining planning applications for wind energy development, LPAs should only grant planning permission if:

- the development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan; and

- following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.

The WMS contains advice on what an LPA should do if a valid application for a wind energy development has already been submitted to an LPA, and the development plan does not identify suitable sites. In this situation, it states that the LPA can only find the proposal acceptable if, following consultation, they are satisfied it has addressed the planning impacts identified by affected communities and therefore has their backing. The WMS is given significant weight in this

assessment, in the following paragraph.

(ii) BRISTOL LOCAL PLAN POLICY

Whilst Bristol does not have any specific site allocations for wind energy development, either through the Local Plan or through Neighbourhood Plans, the Core Strategy includes reference to the Avonmouth and Bristol Port area being suitable for wind energy.

Policy BCS4 (Avonmouth and Bristol Port) states that;
"Avonmouth is identified by the Bristol Citywide Sustainable Energy Study as having significant potential for renewable and low carbon energy installations - for example, wind, biomass and waste to energy. Whilst this strategy encourages these types of environmental technologies, proposals will be expected to demonstrate how they protect the area's environmental assets and, specifically, comply with the Habitats Regulations to avoid significant adverse effect on the Severn Estuary."

The Council's legal advice is that this does not hold the same weight as a specific allocation. There would be no opportunity to introduce any site allocations through a review process for the local plan for a considerable period of time (until 2019).

The applicant's Planning Statement looks into the challenges that would arise for Bristol if it were to designate land for wind energy development within the local plan now. It describes the complex and difficult process of determining a suitable location for wind development, and the lengthy process it would be to designate areas within Neighbourhood Plans. It also reports that the WMS lacks any real guidance on helping a decision-maker establish what constitutes a 'suitable' area (although this is contained within the National legislation described above).

The Planning Statement advises that, for the period when there are no designated areas for wind turbines, the LPA must determine how much weight should be given to the WMS and makes reference to the NPPF's presumption in favour of sustainable development. It recommends that in the absence of site-specific allocations for wind energy in the Local Plan, planning applications should be determined in accordance with the presumption in favour of sustainable development and points to the reference in the Core Strategy on Avonmouth's potential for wind development. It concludes that sufficient weight should be applied to this part of the Core Strategy, and to the individual planning merits of the proposal.

Setting this aside, in the context of the WMS, the absence of allocated sites for wind energy means that any planning permission granted for such development would not fully align with national policy and therefore there is a risk of challenge. Because of this, it is therefore necessary to set out that the planning impacts (identified by affected communities) have been fully addressed. The proposed development does, however, have strong local support and represents a sustainable development.

As can be seen from the consultation section of this report, there was much local support for the development subject of this application, with one objection regarding concerns relating to shadow flicker. This is assessed in the Amenity paragraph at Key Issue D below. The full planning assessment is set out in the following paragraphs.

Policy BCS4 does indicate that Avonmouth is viewed as an appropriate location for wind turbines due to its open-ness and relative absence of nearby sensitive uses, and the area has seen the most significant development of these facilities for recent years. Consideration also needs to be given, however, to the impact on wildlife, as well as other material planning implications.

(B) HAS THE APPLICATION ADEQUATELY ASSSESSED THE IMPACT ON ECOLOGY?

Core Strategy policy BCS4 describes the environmental assets Avonmouth area. The Severn Estuary has internationally important habitats which support important populations of waterfowl, waders

invertebrates and fish. The site is located next to the Severn Estuary Special Protection Area (SPA); the Severn Estuary Ramsar Site; the Severn Estuary Special Area of Conservation (SAC); and the Severn Estuary Site of Special Scientific Interest (SSSI).

Due to the proximity of the proposed development to the Severn Estuary, it has potential to affect the designated national and international features of nature conservation interest. In particular the development has the potential to adversely affect populations of bird species associated with the Severn Estuary national and European protected site in terms of potential collision risk and/or displacement effects. These impacts therefore require assessment.

The Screening Opinion issued by the LPA earlier this year advised the applicant that whilst the development was not deemed to be EIA development, the impacts on ecology would need to be fully assessed within the application in the form of an Ecological Impact Assessment (EcIA). This was to enable BCC to comply with its duties under the Habitats Directive in relation to assessing the impacts on the Severn Estuary SAC, SPA and Ramsar site. The applicant has submitted an EcIA, which includes surveys taken at appropriate times of the year. This looks at the impact on birds within the construction and operational phases, and the cumulative effects combined with wind turbines in the area. The EcIA concludes that birds in the area are normalised to turbine movements due to ongoing industrial activities in the area, including movements from the existing wind turbines. No habitats would be lost due to the separation distances between the proposal and the designated sites. The risk of collision has also been assessed and found to be low. The EcIA further concludes that the erection of the wind turbine at this site will not undermine the favourable conservation objectives of the Severn Estuary SPA, SAV and Ramsar site.

The Council's Ecology officer, as well as Natural England, have both assessed the submission and have no objections. A condition to require submission of an ecological monitoring strategy to monitor the continued impact of the turbine on birds in the area, shall be included. A further condition shall be imposed requiring the turbine to be removed and decommissioned at the end of its working life. This is commensurate with aspirations within the submission - the turbine is proposed to be removed after 27 years.

The ecological impacts of the development are found to be acceptable.

(C) WOULD THE APPLICATION MAKE AN ADEQUATE DESIGN AND CONSERVATION RESPONSE, INCLUDING IMPACT ON KEY VIEWS?

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The Authority is also required (under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

This is relevant here because the development would affect the setting of the nearby Grade I listed Kings Weston House and its surrounding historic landscape, including the Kingsweston and Trym Valley Conservation Area.

Section 12 of the national guidance within the National Planning Policy Framework (NPPF) 2012 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, with any harm or loss requiring clear and convincing justification. BCS22 requires developments to safeguard or enhance heritage assets.

Requiring good design is at the heart of National and Bristol planning policy, and BCS21 expects a high quality design in all developments, which contributes positively to an area's character and identity, creating or reinforcing local distinctiveness.

The application is accompanied by a comprehensive Landscape and Visual Impact Assessment (LVIA), which contains existing photos with comparison CGI images of the development in place. This was requested within the response to the Screening Opinion. The submitted LVIA considers the effect that the turbines will have on the local landscape and the people who regularly view it. The assessment is a comprehensive study that establishes a baseline for the landscape character of the area and the visual environment and projects the impact that the proposal will have on these 'receptors'. The wind turbine would be rendered a grey colour, (RAL:7035) in order to blend in appropriately with the sky, and go some way to mitigate its appearance.

Viewpoints were taken from ten different locations - 7 within 5km and 3 within 10km, including one from Avonmouth Village and one from Kings Weston House.

The views show that whilst the turbine would be visible, it would be seen within the context of the collection of wind turbines already in existence, and within the general industrial backdrop of Avonmouth. The proposed wind turbine would not excessively exceed in height of other wind turbines in the area.

The most sensitive view is No. 5, from Kings Weston House. The impact on this view has been identified as medium. The LVIA analysis informs us that, at 2.92km away, the turbine would be readily apparent and difficult not to notice, but would not dominate the field of view. This, as stated above, is against the backdrop of the industrial landscape which is tolerant to change and already influenced by the industrial landscape that dominates at Avonmouth Docks. It is therefore considered that there would be minimal harm inflicted on the setting of Kings Weston House or the Kingsweston and Trym Valley Conservation Area, but that the wider public benefits of introducing a renewable energy resource would outweigh this less than substantial harm.

The visual impact of the proposed wind turbine would be acceptable in its context.

(D) WOULD THE PROPOSAL HAVE ANY IMPACT ON AMENITY OF NEARBY OCCUPIERS - INCLUDING SHADOW FLICKER AND NOISE?

Policy BCS23 of the Core Strategy requires development to be sited and designed in a way as to avoid adversely impacting upon the amenity of areas by virtue of noise, vibration, smells and light.

The erection of a wind turbine has the potential to have a negative impact from noise and shadow flicker.

(i) Noise and vibration

Acceptable levels of noise from wind turbines are set out in the document ETSU-R-97: The Assessment and Rating of Noise from Wind Turbines. In this, it is stated that noise limits should be applied to external locations used for relaxation or where a quiet environment is highly desirable, with applicable separate daytime and night time limits. Noise limits in the daytime should be 35-40dB(A) or 5 dB(A) above the 'quiet daytime hours' prevailing background noise, whichever is the greater.

The application is supported by a noise report which considers the impact of noise at three residential receptors (McLaren Road, Moorhouse and Saltmarsh Drive), and the assessment concludes that development would comply with the standards set out in ETSU-R-97.

The conclusions are that noise from the development would be within the recommended guidelines, and the Council's Pollution Control Officers are satisfied with the information and considered that

noise from the development would not harm amenity of sensitive receptors. A condition will be attached to the decision to ensure that the noise levels stated in the report will be complied with.

(ii) Shadow Flicker

Under certain combinations of geographical position and time of day, the sun may pass behind the rotors of a wind turbine and cast a shadow over neighbouring properties. When the blades rotate, the shadow flicks on and off; the impact is known as 'shadow flicker'. Only properties within 130 degrees either side of north, relative to the turbines can be affected at these latitudes in the UK - turbines do not cast long shadows on their southern side.

Government guidance on shadow flicker (NPS- EN3) states that receptors include not just residential properties but also places of work. Where wind turbines have been proposed within 10 rotor diameters of an existing occupied building, a shadow flicker assessment should be carried out by the applicant. As identified by this application, the turbine proposed here would impact most significantly on the Severnside Trading Estate, including a company called Tercon, who have objected. Shadow Flicker is already experienced in their offices, and whilst a site visit was conducted by the case officer on a dull and cloudy day, the existing wind turbines to the south-east of this property are readily visible from first floor windows.

The applicant's shadow flicker report uses average hours of sunshine figures obtained from Met Office data. This reports that shadow flicker on offices at Severnside would only be possible in the months of January, November and December, when potential for shadow flicker would occur within office hours. The report concludes that, taking into account the consideration of business working hours and the probability of bright sunshine hours, the average hours of shadow flicker would be less than 9 hours per year.

Based on the particulars of this case, the potential impact of shadow flicker is considered to be small albeit potentially harmful, but can be mitigated against successfully with the use of a planning condition. The condition would require the wind turbine to utilise installed Shadow Flicker software to automatically shut the turbine down in periods when this would occur (ie during office hours when the sun is bright.)

To conclude subject to a condition to the above effect, the development would not compromise the amenity of sensitive receptors in the area.

(E) WOULD THERE BE ANY TRANSPORT IMPACTS?

Fundamental transport and movement objectives of the local plan include promoting means of travel other than the car, such as cycling, walking and public transport, and also reducing dependence on the private car. Policies BCS10 is particularly relevant in achieving this objective.

The application is accompanied by a Construction Transport Management Plan which identifies the most appropriate delivery routes, frequencies and types of vehicles that would be used.

Transport Development Management Officers have no objections as the construction management plan demonstrates an awareness of the requirement to have accompanied abnormal loads, which will be programmed with an escort. The M5 to St Andrews Road is an abnormal loads route.

There are, however, concerns about the turn into the Accolade site itself. There may be requirements to close the road to allow for cranes to lift the structures into the site. Further details on this should be subject to a condition - the Construction Management Plan should be updated to reflect how the structures will be brought into the Accolade Wines site itself.

With the above in place, the proposal would not compromise highway safety or conflict with transport policies.

(F) WOULD THE PROPOSAL MAKE AN ACCEPTABLE RESPONSE TO SUSTAINABILITY?

Bristol Local Plan policy BCS13 sets out the City's commitment to reducing CO2 emissions by 80% by 2050. As stated in the applicant's Planning Statement, much of the content of policies BCS13-15 relates to the construction or refurbishment of residential and non-residential buildings, and therefore does not apply in this case. However, if constructed the turbine will contribute to Bristol's stated commitment to reduce emissions of carbon dioxide (BCS13 Core Strategy 4.13.4), and the development of renewable energy and low carbon energy (BCS14 Core Strategy 4.14.2).

The existing building on site was granted permission and constructed prior to the introduction of the above Core Strategy policies. There is therefore no requirement to provide on-site renewable energy as part of their existing consent, although the applicant has indicated an intention to explore future on-site renewables, for example, through use of PV panels on the roof.

(G) DOES THE PROPOSAL ADEQUATELY ADDRESS THE ENVIRONMENTAL ISSUES RELATING TO CONTAMINATED LAND?

The applicant's contamination consultant has responded to initial comments from the Council's contamination officer. They have confirmed that they would undertake significant testing of made ground, and would propose a scope of works to be agreed.

Appropriate conditions are attached to this recommendation to take the above into account.

(i) HEALTH AND SAFETY EXECEUTIVE

The Health and Safety Executive (HSE) has confirmed that it does not wish to be consulted on wind turbines and wind farm developments in the vicinity of other major hazard sites and major hazard pipelines, as they are not a relevant development under the Town and Country Planning (Development Management Procedure) (England) Order 2015, and will not lead to a material increase in the number of people in the vicinity of the major hazard.

(H) WILL THE ERECTION OF THE PROPOSED WIND TURBINES HAVE AN IMPACT ON TELECOMMUNICATIONS AND AVIATION IN THE VICINITY OF THE SITE?

Wind turbines can block, deflect or disperse electromagnetic transmissions. Developers are required to address any potential impacts, taking account of Civil Aviation Authority, Ministry of Defence and Department of Transport Guidance in relation to radar and aviation. LPAs should satisfy themselves that such issues have been addressed before considering planning applications.

The applicant undertook the required consultations, and these have been provided with the application. The MOD made a comment relating to low flying military craft, and commented as follows: "Regardless of whether we object to your development, it is probable the MOD will request the turbine be fitted with visible or infrared MOD accredited aviation safety lighting." This requirement shall be included in the recommendation.

(I) DOES THE PROPOSAL ADEQUATELY ADDRESS FLOOD RISK?

The proposal site is located within an area at risk of flooding - Flood Risk Zone 3 - as identified by the Environment Agency.

The NPPF advises development to be directed away from areas of high flood risk. In accordance with the NPPF, the Bristol Core Strategy policy BCS16 requires a sequential, risk-based approach to the

location of development to avoid flood risk and to manage any residual risk.

The proposal involves the erection of a structure on an existing area of hardstanding and the existing distribution centre on the site provides flood attenuation measures which would be utilised by the wind turbine. The wind turbine would have no impact on the existing drainage system which would deal with surface water runoff (into existing Rhine network).

The Environment Agency has raised no objections to the proposal. The development would not create any flooding issues.

CONCLUSION

Significant weight has been given to the Written Ministerial Statement of June 2015. Whilst there are no sites allocated for wind turbine developments within the current Bristol Local Plan, the planning merits of this scheme, as well as the fact that there is significant local support, mean that there is no reason to withhold planning consent. The potential adverse impacts of the development (including shadow flicker) are able to be mitigated through use of conditions. The development would introduce renewable energy infrastructure in an area where such installations are deemed appropriate in the Local Plan, which would in turn assist Bristol in achieving an 80% reduction in CO2 emissions by 2050, as required by the Climate Change Act 2008 and the Core Strategy.

Planning permission is therefore recommended.

RECOMMENDED GRANT subject to condition(s)

Time limit for commencement of development

1. Full Planning Permission

   The development hereby permitted shall begin before the expiration of three years from the date of this permission.

   Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The wind turbine hereby approved shall be completely removed from the site and the site restored to its former state no later than 27 years from the grant of this permission, unless otherwise agreed with the Local Planning Authority.

   Reason: The turbine has a lifespan of 27 years. Removal at the end of its lifetime or before, would safeguard the appearance of the area.

Pre commencement condition(s)

3. Prior to the commencement of development, details of a scheme of aviation obstruction lighting to be implemented on the wind turbines shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be operational prior to the commencement of testing or operation of the wind turbines.

   Reason: In the interest of safety for air traffic in the vicinity of the wind turbines.

4. Prior to the commencement of development, details of an ecological monitoring strategy to assess the impact of the turbine on birds in the area shall be submitted to and approved in writing by the Local Planning Authority. The monitoring shall take place in accordance with the approved strategy, during years 1, 2, 3, 5, 10, 15 and 20 of the life of the turbines, unless otherwise agreed in writing by the Local Planning Authority. The need for and scope of this ongoing programme of monitoring shall be reviewed after the second year and each subsequent year of monitoring.

   Reason: In the interests of monitoring the impact of the proposed turbines on wildlife in the area.

5. Construction management plan

   Notwithstanding the submitted Construction Management Plan, no development shall take place including any works of demolition until a revised construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority to include details of how any cranes and associated structures would be brought to the site. The approved plan/statement shall be adhered to throughout the construction period.

   Reason: In the interests of safe operation of the highway in the lead into development both during the demolition and construction phase of the development.

Post occupation management

6. The level of any noise generated by reason of this development shall not exceed to an LA90, 10 min of 35 dB up to wind speeds of 10 m/s at 10m height at any residential premises.

   Reason: To safeguard amenity of nearby occupiers.

7. No symbols, signs, logos or other lettering shall be displayed on the wind turbines or any other buildings or structures without the prior approval of the Local Planning Authority.

   Reason: In the interests of safeguarding the appearance of the locality.

8. The wind turbine hereby approved shall utilise installed Shadow Flicker software to automatically shut the turbine down in periods when this would occur.

   Reason: To protect amenity of neighbouring uses.

List of approved plans

9. List of approved plans and drawings

   The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision.

   CE6173-PR3456-BP-01 Appendix b, received 21 April 2017
   CE6173-PR3456-LP-01 Appendix b, received 21 April 2017
   PR3456-PA-EL-01 Appendix c turbine elevation, received 21 April 2017
   PR3456-PA-SH-01 Appendix c switchgear housing, received 21 April 2017
   P00248 Location plan figure 1, received 21 April 2017
   P00248 Appendix d - fig 10 ztv 10km accolade wines wind turbine, received 21 April 2017
   P0248 Appendix d - fig 11 ztv 10km blade tip accolade wines wind turbine, received 21 April

2017
P0248 APPENDIX D - FIG 12A-C VP1 ACCOLADE WINES TURBINE, received 21 April 2017
P0248(1) APPENDIX D - FIG 13A-C VP2 ACCOLADE WINES TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 14A-C VP3 ACCOLADE WINES TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 15A-C VP4 ACCOLADE WINES TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 16A-C VP5 ACCOLADE WINES TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 17A-C VP6 ACCOLADE WINES TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 18A-C VP7 ACCOLADE WINES TURBINE, received 21 April 2017
APPENDIX D - FIG 18A-C VP7 ACCOLADE WINES TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 19A-C VP8 ACCOLADE WINES TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 2 SITE VIEW ACCOLADE WINES WIND TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 20A-C VP9 ACCOLADE WINES TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 21A-C VP10 ACCOLADE WINES TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 3 CUMULATIVE ACCOLADE WINES WIND TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 4 LRD ACCOLADE WINES WIND TURBINE, received 21 April 2017
P024 APPENDIX D - FIG 5 NATIONAL LANDSCAPE CHARACTER ACCOLADE WINES WIND TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 6 LANDSCAPE CHARACTER ACCOLADE WINES WIND TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 7 PRINCIPAL VISUAL AMENITY ACCOLADE WINES WIND TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 8 ZTV 20KM HUB ACCOLADE WINES WIND TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 9 ZTV 20KM BLADE TIP ACCOLADE WINES WIND TURBINE, received 21 April 2017

Reason: For the avoidance of doubt.

Advices

1. Measurements and assessments relating to noise shall be made in accordance with ETSU-R-97 'The assessment and rating of noise from windfarms', BS EN 61400-11:2003: Wind turbine generator systems.

Supporting Documents

4. Accolade Park, Kings Weston Lane

1. Location plan
2. Site view
3. KW view
4. Turbine elevation

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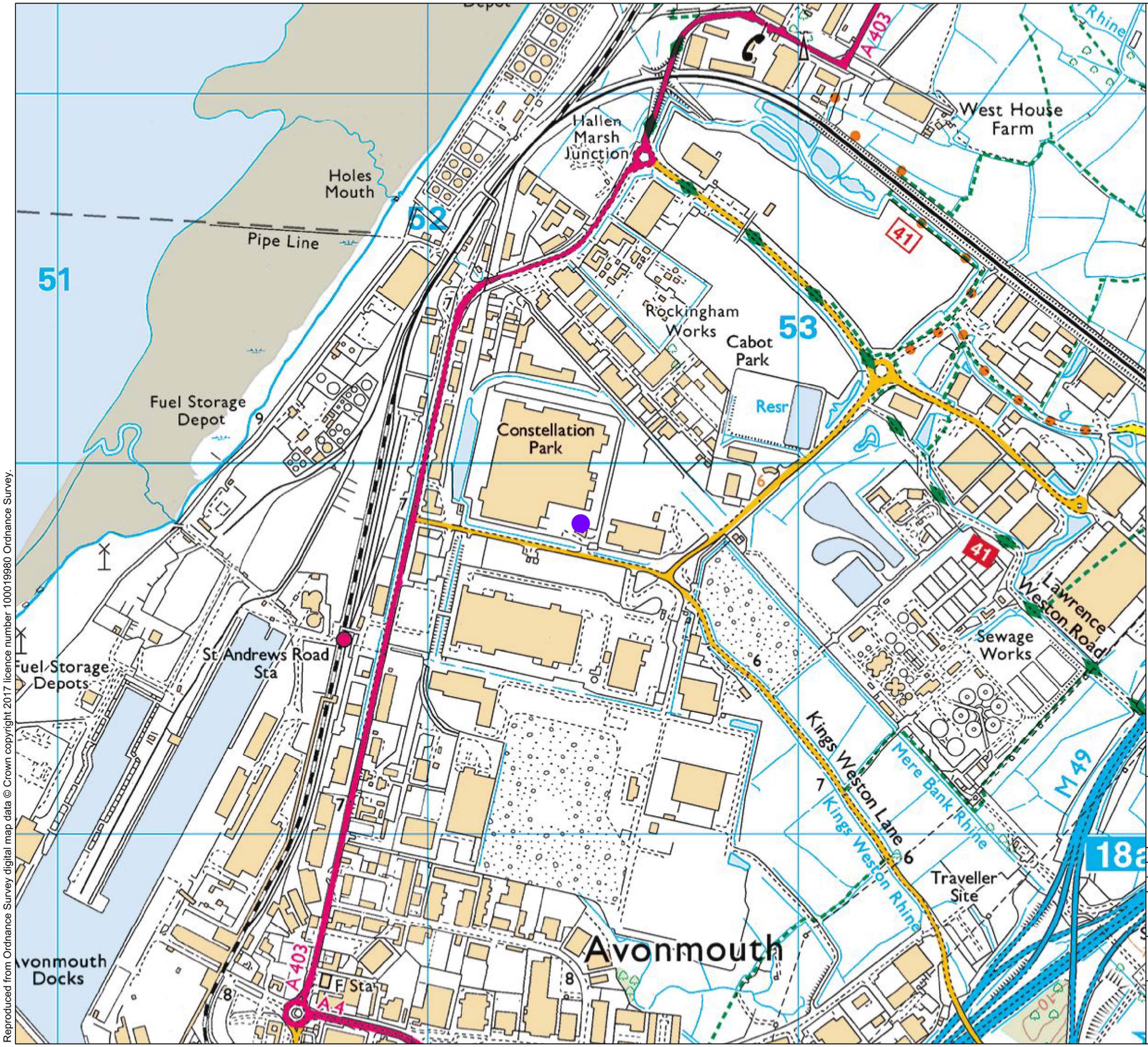


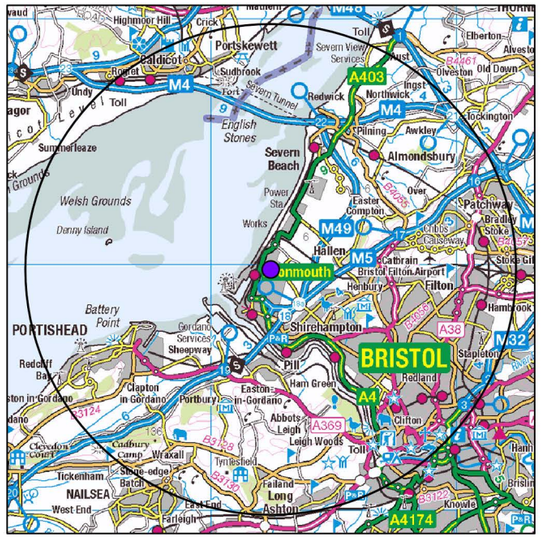
Key

Proposed Wind Turbine

Study Area (10km radius)

Proposed Wind Turbine Coordinates E 352412, N 179839

Location Plan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Pilning
Shirehampton
Pill
Clevedon
Portishead
Nailsea
Long Ashton
Clapton in Gordano
Portbury
Easton-in-Gordano
Abbots Leigh
Leigh Woods
Wraxall
Tickenham
Clevedon Court
Cadbury Camp
Stone-edge Batch
Failand
East End
Farleigh
Battery Point
Redcliff Bay
Sheepway
Ham Green
Redland
Clifton
Knowle
Stapleton
Hanham
Brislington
Hartcliffe
Bishopsworth
Bedminster
Ashton
Leigh Woods
Tyntesfield
Tickenham
West End
Summerleaze
Welsh Grounds
Danny Island
English Stones
Severn Tunnel
Severn View Services
Portskewett
Sudbrook
Caldicot
Rogiet
Undy
Highmoor Hill
Crick
Redwick
Northwick
Pilning
Aust
Olveston
Old Down
Elberton
Alveston
Tockington
Awkley
Almondsbury
Severn Beach
Easter Compton
Patchway
Bradley Stoke
Stoke Gifford
Hallen
Henbury
Filton
Hambrook
Stapleton
Cribbs Causeway
Bristol Airport
Filton Airport
Shirehampton
Pill
Ham Green
Redland
Clifton
Knowle
Hartcliffe
Bishopsworth
Bedminster
Ashton
Long Ashton
Failand
Tyntesfield
Wraxall
Nailsea
Clevedon
Portishead
Avonmouth
Severn Beach
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Bristol
Bristol Airport
Filton
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Stapleton
Patchway
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Severn View Services
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Tickenham
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Cadbury Camp
Stone-edge Batch
Failand
East End
Farleigh
Long Ashton
Tyntesfield
West End
Knowle
Hartcliffe
Bishopsworth
Bedminster
Ham Green
Redland
Clifton
Pill
Shirehampton

Site View : Looking north-west from access road

Site View : Looking north-west from access road

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Site View
Figure 2

Wind Turbine at Accolade Wines, Bristol

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Rev: 000	Checked: AJW

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Existing View

From Kingsweston House, in Kingsweston House Registered Park and Garden and Conservation Area

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Photographs taken with a Nikon D610 with a Nikon AF-S Nikkor 50mm f/1.8g lens.
The panoramic photographs were taken with the aid of a tripod with the head fixed on a vertical and horizontal axis also incorporating a spirit level to ensure 'level' photographs.
GPS co-ordinates and height data (AOD), using a hand-held GPS device was taken at every photographic location. A compass bearing was also taken to ensure the direction of the view was correct.
The Landscape Institute 'Advice Note 01/11: Photography and photomontage in landscape and visual impact assessment,' was also referenced for guidance on the use of the camera and photography.
The Scottish Natural Heritage 'Visual Representation of Wind Farms: Guidance, February 2017,' was referenced for the creation and presentation of the viewpoints, including defining the angle of view and viewing distance.

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OS grid reference:	ST 54133 77485	Recommended viewing distance:		View flat at comfortable arms length	
Viewpoint altitude:	58m	Distance to proposed turbine:		2.92km	
Viewing height:	1.5m	Date and time of photo:		24/02/2017 11:17am	
Angle of view:	53.5°	Weather and lighting conditions:		Partly cloudy and very good	
Direction of view:	North-west	Date: 28/02/2017	Page size: A3	Drawn by: PS	Rev:

Viewpoint 5
Figure 16a

Wind Turbine at Accolade Wines, Bristol

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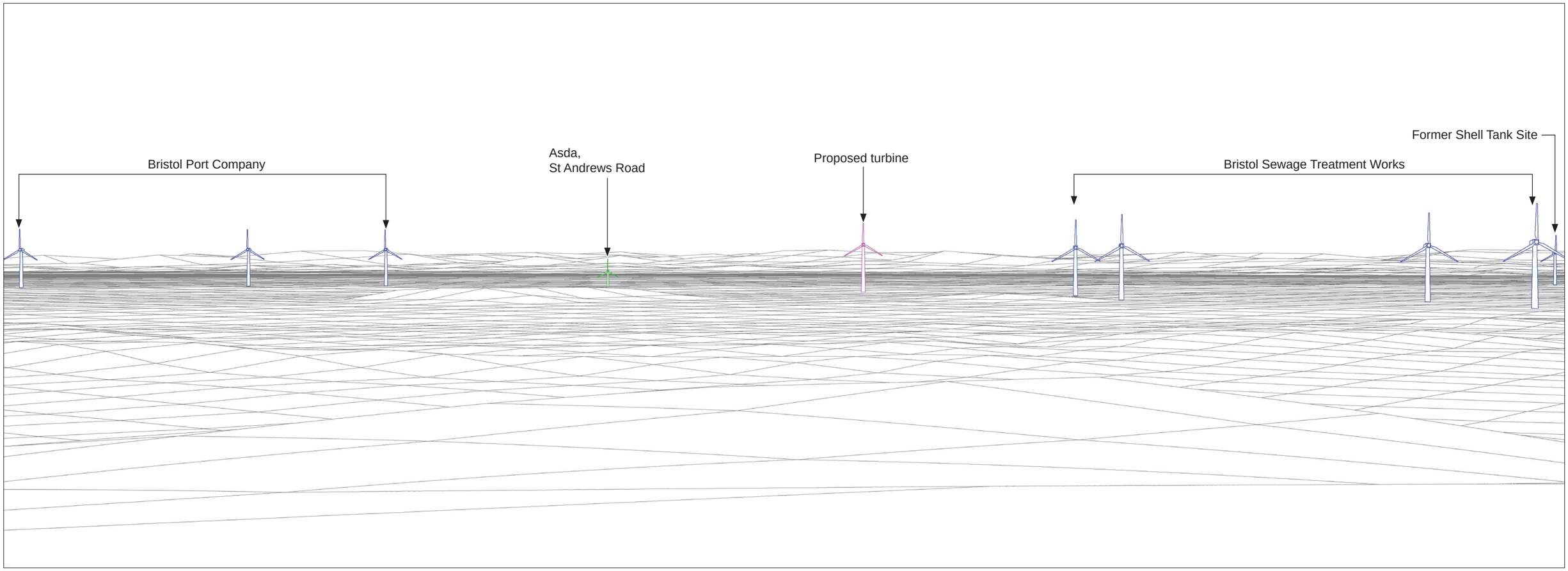

Wireframe

From Kingsweston House, in Kingsweston House Registered Park and Garden and Conservation Area

Key

Proposed Wind Turbine

Cumulative Wind Energy Schemes

Operational

Consented

The Scottish Natural Heritage 'Visual Representation of Wind Farms: Guidance, February 2017,' was referenced for the creation and presentation of the viewpoints, including defining the angle of view and viewing distance.

Note:
All distances to cumulative wind energy schemes, that consist of multiple turbines, are measured to the closest turbine in the view.

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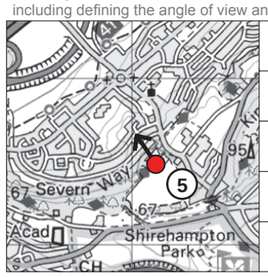

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Viewing height:	1.5m	Distance to:	Bristol Sewage Treatment Works 2.08km Asda, St Andrews Road 2.98km Bristol Port Company 3.74km Former Shell Tank Site 4.40km		
Angle of view:	53.5°				
Direction of view:	North-west	Date: 28/02/2017	Page size: A3	Drawn by: PS	Rev:

Viewpoint 5
Figure 16b

Wind Turbine at Accolade Wines, Bristol

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Proposed view photomontage

From Kingsweston House, in Kingsweston House Registered Park and Garden and Conservation Area

Photographs taken with a Nikon D610 with a Nikon AF-S Nikkor 50mm f/1.8g lens.
The panoramic photographs were taken with the aid of a tripod with the head fixed on a vertical and horizontal axis also incorporating a spirit level to ensure 'level' photographs.
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Angle of view:	53.5°	Weather and lighting conditions:		Partly cloudy and very good	
Direction of view:	North-west	Date: 28/02/2017	Page size: A3	Drawn by: PS	Rev:

Viewpoint 5
Figure 16c

Wind Turbine at Accolade Wines, Bristol

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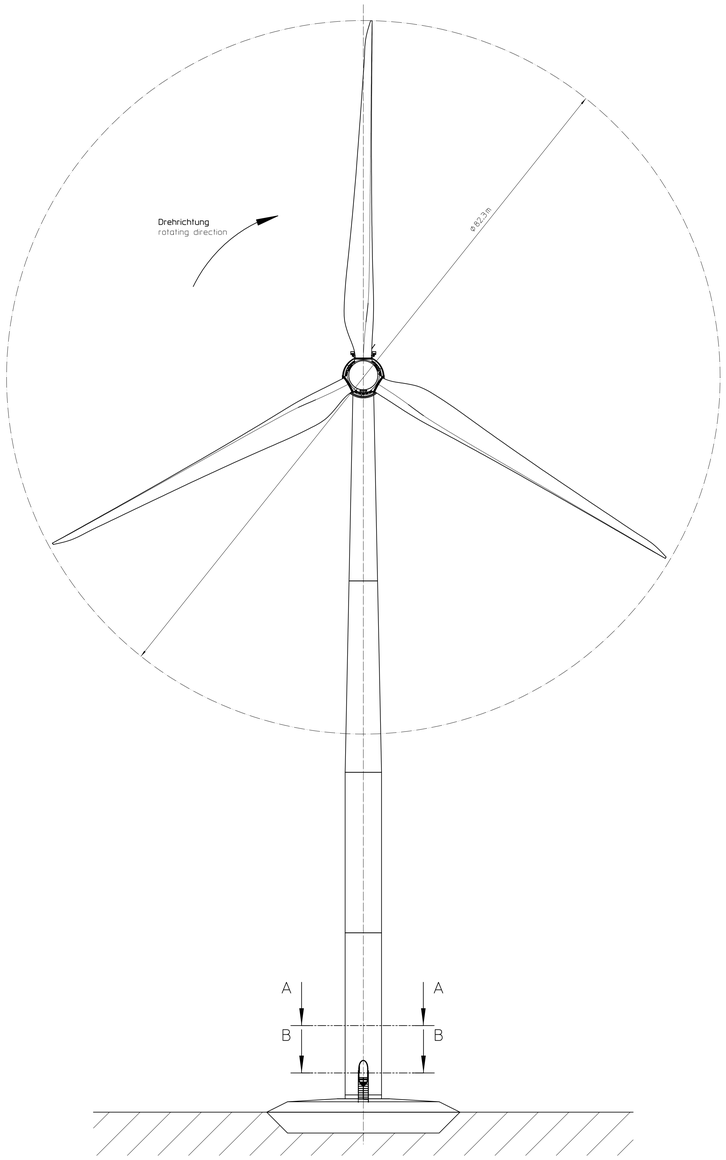

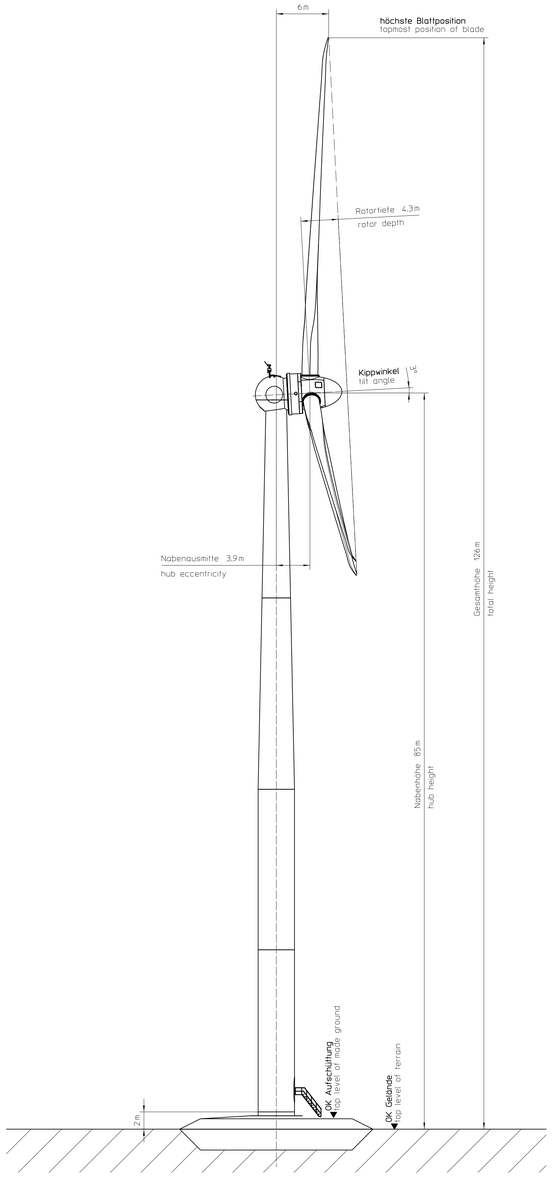

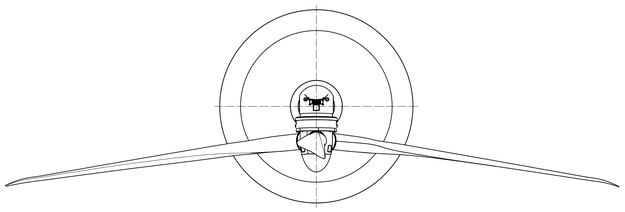

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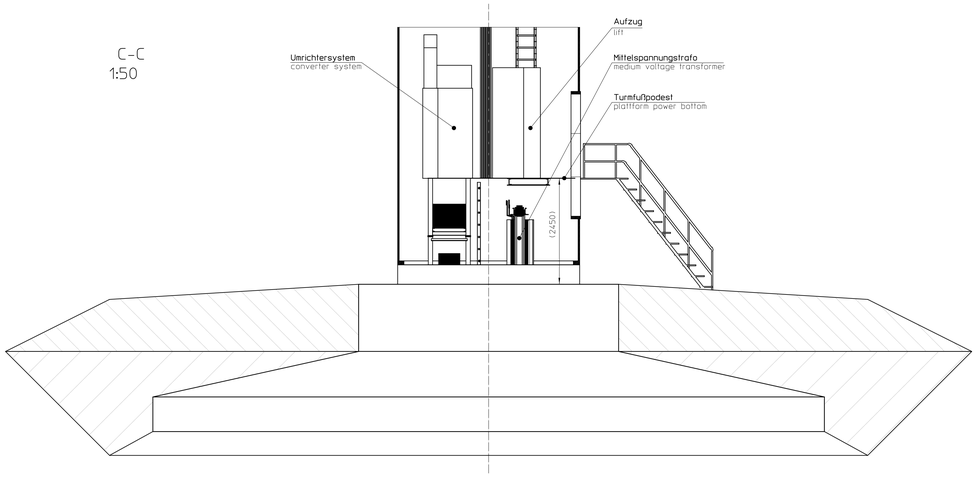

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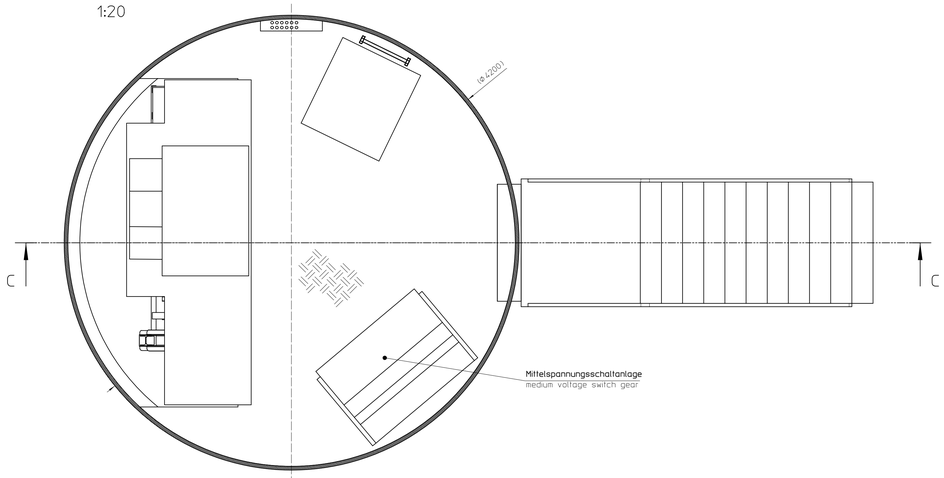

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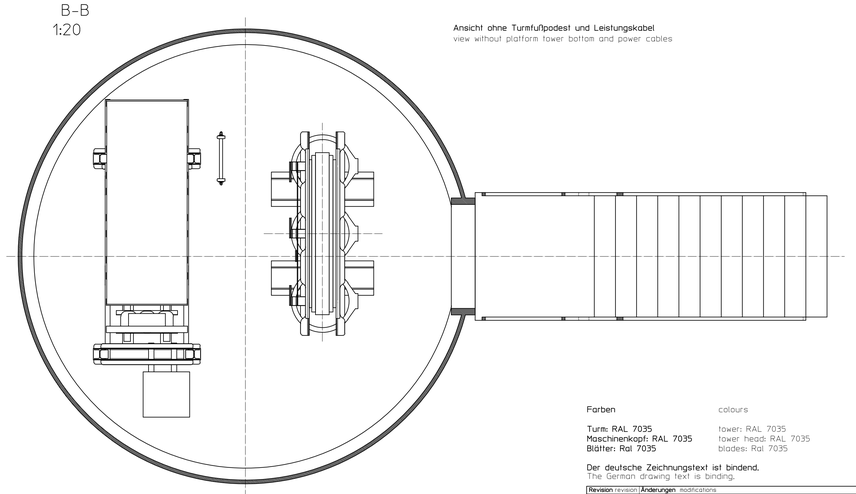

Ansicht ohne Turmfußpodest und Leistungskabel
view without platform tower bottom and power cables

Farben	colours
Turm: RAL 7035	tower: RAL 7035
Maschinenkopf: RAL 7035	tower heads: RAL 7035
Blätter: Ral 7035	blades: Ral 7035

Der deutsche Zeichnungstext ist bindend.
The German drawing text is binding.

Revision revision	Änderungen modifications
–	

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Allgemeintoleranzen general tolerances DIN ISO 2768 - mH DIN ISO 8015

	Datum date	Name name
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geprüft checked	02.02.16	T. Kirchen
freigegeben released	05.02.16	C.Leven

Format format DIN A0

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Maßstab scale 1:250 (1:50 1:20)
Gewicht weight
Werkstoff material
Benennung description
Vensys 82 - NH 85m - IECIIIA - UK
Vensys 82 - hh 85m - IECIIIA - UK
Zeichnungsnummer drawing number 30.06.3609
Index index –
Blatt sheet 1
von 1