

REPORT TO: STRATEGY & RESOURCES COMMITTEE

Date: 7th October, 2019

TOPIC: BATSWORTHY CROSS WINDFARM

**REPORT BY: HEAD OF ENVIRONMENTAL HEALTH & HOUSING
SERVICE**

SERVICE LEAD ENVIRONMENTAL PROTECTION

1. INTRODUCTION

- 1.1 This paper seeks to update the Strategy and Resources Committee on the current status of the Council's regulation of the noise related planning conditions associated with Batsworthy Cross Windfarm.

This is a follow up report to a paper which was considered by this Committee on the 1st July, 2019, Minute 13 refers.

2. RECOMMENDATIONS

- 2.1 It is RECOMMENDED that the Strategy and Resources Committee notes the current position.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To provide the Committee with confidence that the process of regulating Batsworthy Cross Windfarm is transparent and happening as efficiently as possible.

4. REPORT

Background.

- 4.1 Noise compliance monitoring at six locations close to Batsworthy Cross Windfarm was carried out by the operator's noise consultant, Hoare Lea Acoustics (HLA), in 2016-17.

Because inadequate data was collected at some wind speeds, the results, which indicated that noise levels were very close to the prescribed noise limits, were considered to be subject to uncertainty.

The Council requested the operator to carry out further noise measurements at three of the six locations to supplement the previously-acquired data.

- 4.2 The operator was unable to obtain agreement for access to one of the three locations, the garden of Birchwood House, and therefore commissioned HLA to carry out measurements at only two locations – The Ridge and St Michael's/All Angels. These measurements were made between December 2018 and May 2019.

The Council was able to negotiate access to a location on land adjoining Birchwood House which was a suitable 'proxy' location for Birchwood House, but the operator declined to carry out measurements there.

Independent measurements were then made at this location which were commissioned by the Council.

The current situation :

- 4.3 HLA has issued a report covering the additional 2018-19 measurements at The Ridge and St. Michael's/All Angels.
- 4.4 The Council has also secured sufficient measurements at the Birchwood House proxy location to allow a proper judgement to be made on whether the windfarm is compliant with the noise limits in this area.
- 4.5 The Council's acoustic consultant has concluded that despite the inability to derive precise values for wind farm noise levels directly from the measurements, using the procedures in the Method Statement, there is reasonable certainty that the wind farm is compliant with the noise limits at St Michael's and All Angels, by margins of 1-2 dB at wind speeds of 5 – 8 m/s and by greater margins at other wind speeds.

Measurements reported at the proxy location for Birchwood House, however, indicate that further mitigation is required to achieve compliance.

- 4.6 On the 16th August 2019, the Council advised the operator of this situation and requested the following information be provided within 30 days:
- Details of a proposed further mitigation strategy for properties in the vicinity of Birchwood House;
 - A statement of the turbine operating parameters relating to the 2016 - 17 and 2018 - 19 surveys.
- 4.7 Local residents were updated on the current situation on Tuesday 3rd September 2019, and officers will now provide this Committee with a further report in November 2019.

5. RESOURCE IMPLICATIONS

- 5.1 This development will necessitate further investment in the regulation of this consent which cannot be quantified at this time.

6. CONSTITUTIONAL CONTEXT

Article or Appendix and paragraph	Referred or delegated power?
Part 3	Delegated
Annexe 1	

7. STATEMENT OF CONFIDENTIALITY

This report contains no confidential information or exempt information under the provisions of Schedule 12A of the 1972 Local Government Act.

8. BACKGROUND PAPERS

- 8.1 The following background papers were used in the preparation of this report:

Agenda for the Special Overview & Scrutiny Committee, Thursday, 7th March, 2019.

Batsworthy Cross Windfarm. Report to Strategy & Resources Committee 2019.

The background papers are available for inspection and kept by the author of the report.

9. STATEMENT OF INTERNAL ADVICE

- 9.1 The author (below) confirms that advice has been taken from all appropriate Councillors and Officers.

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Date: 7th October, 2019
Reference: Strategy & Resources Committee 7th October 2019 Batsworthy Cross Windfarm