PLANNING SUPPORTING STATEMENT

PROPOSED WIND GENERATOR

DOTTEREL FARM
WEAVERTHORPE
NORTH YORKSHIRE

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PPG Ref: PA/CIR.A.0176

Date: 2nd May 2013

CONTENTS:

1. INTRODUCTION

1.1 This Planning Supporting Statement has been prepared by Pegasus Group on behalf of Anthony and Helen Milner (hereafter referred to as the applicant) in support of the accompanying planning application for the erection of a single wind generator at Dotterel Farm, Weaverthorpe, North Yorkshire.

1.2 This Statement identifies the context and the need for the development proposals and includes an assessment of how it accords with relevant planning policy and against other material planning considerations.

1.3 This Planning Supporting Statement therefore takes the following form:

- Section 2 describes the application site and surroundings;
- Section 3 describes the development proposals;
- Section 4 reviews the planning policy considerations relevant to the determination of the application;
- Section 5 considers additional material considerations relevant to the determination of the application;
- Section 6 analyses the main planning considerations raised by the proposed development.
- Section 7 concludes that planning permission should be granted.

1.4 All Wind UK Ltd submitted a request for a Screening Opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 to Ryedale District Council on 14th October 2011.

1.5 The Local Planning Authority (LPA) responded on 19th October 2011 and considered that due to the limited scale of the Proposed Development that no Environmental Impact Assessment (EIA) would be required.

1.6 Notwithstanding this, the applicant has agreed to submit a Compendium of Environmental Reports in support of the application.

1.7 The applicant has also undertaken meaningful pre-application discussions with the Local Planning Authority having met with senior Planning Officers on 20th September

2012 as well as undertaking a Community Consultation exercise in the form of a Public Exhibition on 29th November to allow local residents to have their say on the proposals prior to the submission of any planning application.

2. APPLICATION SITE AND SURROUNDINGS

2.1 The application site covers an area of approximately 0.25 hectares within the agricultural setting of Dotterel Farm, approximately 1.9km north west of the village of Weaverthorpe in North Yorkshire.

2.2 The routes for HGV's travelling to/from the site have been discussed and agreed with officers from North Yorkshire County Council. The site would be accessed via the existing point of access to Dotterel Cottage Farm off Main Road to the west of Weaverthorpe. Access/egress to the site would be from the strategic highway network via the following routes:

- Route A (south) – from the A614 at Driffield, along the B1249, turning left at Foxholes crossroads and then past Butterwick and Weaverthorpe to the Dotterel Cottage Farm point of access; and

- Route B (north) – from the A64 at Saxton, along the B1249, turning right at Foxholes crossroads and then past Butterwick and Weaverthorpe to the Dotterel Cottage Farm point of access.

2.3 A search of "sensitive areas" as described by the EIA Regulations indicates that the site and immediate area lies outside of any such "sensitive area". The nearest sensitive area is a Scheduled Monument (SM) located approximately 1.1km to the north west of the site.

2.4 The generally accepted wind speed for commercial wind turbine developments is that of above 5.6m/s. The wind speed data obtained from the Department of Energy and Climate Change (DECC) indicates that the annual average wind speed at Dotterel Farm is 6.5m/s at 45m Above Ground Level (AGL). As the Proposed Development is for a single wind generator with a hub height up to 55m and tip height up to 81m, it is considered that the application site is a commercially suitable location to sensitively exploit the natural wind resources of the area.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

3.1 The development proposal is for the installation of a single wind generator.

3.2 It is envisaged that the proposed wind generator would be operational for a duration of 25 years, in line with its design life and also in order to benefit from the Feed-in Tariff (FiT) programme which will see renewable energy fed into the local electricity network as well as a small proportion consumed on site, thus representing a contribution to the binding UK's renewable energy targets.

3.3 The wind generator will have a hub height of up to 55m, with a maximum height to blade tip of 81m.

3.4 The exterior finish of the proposed wind generator will be non-reflective matt white/grey as is typical of existing wind turbines throughout the UK.

3.5 Further details of the design and appearance of the proposed wind generator is set out in the accompanying Design and Access Statement and associated technical drawings submitted with this application.

4. PLANNING POLICY ASSESSMENT

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise.

4.2 This section sets out the key planning policy guidance contained within those documents which make up the Development Plan and other relevant planning guidance.

4.3 Consideration will also be given to the emerging Local Plan Strategy as part of Ryedale District Council's Local Development Framework.

National Planning Policy

National Planning Policy Framework (March 2012)

4.4 The National Planning Policy Framework (NPPF) was published on 27th March 2012 and has been introduced by the Government with the purpose of overhauling and simplifying the planning process. The NPPF replaces much of the previous suite of national Planning Policy Statements, Planning Policy Guidance Notes. However, it is important to note that the Framework largely carries forward previous planning policies, but in a more streamlined form.

4.5 The NPPF sets out the Government's planning policies for England and how these are expected to achieve sustainable development.

4.6 As part of this focus on sustainable development the NPPF states the environmental role of sustainable development as contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

4.7 The NPPF states that a planning authority should support the transition to a low carbon future in a changing climate, encouraging the reuse of existing resources, promoting the use of renewable resources through development of renewable energy that makes a positive contribution to conserving and enhancing the natural environment whilst reducing pollution.

4.8 The NPPF sets out 12 core planning principles, which includes specific reference supporting the transition to a low carbon future by encouraging the use of renewable resources (paragraph 17).

4.9 The NPPF requires that in order to help increase the use and supply of renewable and low carbon energy, LPAs should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. Indeed, the NPPF enhances this presumption in favour of renewable energy by stating that LPAs should design their policies to '**maximise renewable energy development**', while ensuring adverse effects are addressed satisfactorily (paragraph 97).

4.10 In determining an application for renewable energy development there is not a requirement for applicants to demonstrate the overall need for renewable or low carbon energy and LPAs are required to recognise that small-scale renewable schemes provide a valuable contribution to cutting greenhouse gas emissions.

4.11 **The NPPF states that LPAs should approve the application (for renewable energy generation) if its impacts are (or can be made) acceptable** (paragraph 98).

4.12 The NPPF therefore applies a presumption in favour of sustainable development (paragraph 14 and 197) and, in particular for schemes which generate renewable energy unless there are significant objections to their introduction. Paragraph 187 adds that decision-takers at every level should seek to approve applications for sustainable development where possible.

4.13 It should also be noted that the NPPF at paragraph 2 requires that planning policies and decisions must reflect and where appropriate promote relevant EU Obligations and Statutory requirements. In this context, it is important to note EU Directive 2009/28/EC which requires increased renewable energy generation.

4.14 The NPPF also provides guidance related to development within the 'natural environment'. The NPPF advises that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and minimising impacts on biodiversity (paragraph 109).

4.15 Paragraph 28 encourages support for economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new

development. To do this Local Authorities should support the sustainable growth and expansion of all types of business and enterprise in rural areas and promote the development and diversification of agricultural and other land-based rural businesses.

4.16 Paragraph 115 states that the greatest weight should be given to conserving landscape and scenic beauty in National Parks, The Broads and Areas of Outstanding Natural Beauty. It is therefore important to note that the application site does not lie within these areas that are afforded the greatest weight of protection in landscape and scenic beauty terms and as such other factors such as the overriding need for renewable energy development should take precedence.

4.17 It is considered that the Proposed Development assists with the transition towards a low carbon future whilst protecting the most sensitive landscape areas in accordance with the "golden thread" of the NPPF's presumption in favour of sustainable development.

Local Planning Policy

Ryedale District Council Local Plan (2002)

4.18 The Ryedale Local Plan was adopted in March 2002 and contains a range of planning policies that are used to make decisions on all planning applications submitted to the Council. From 27th September 2007 Ryedale District Council were directed by the Secretary of State to save key policies in the local plan. Those saved policies of relevance to the Proposed Development are therefore considered below:

Policy RE1 – Wind Turbine Development

4.19 The Policy states that proposals for individual wind turbines or for groups of wind turbines will only be permitted where:-

i) They would not have any significant adverse effect on the quality of the landscape;

ii) They would not have any material adverse effect upon any SSSI or site of nature conservation importance;

iii) They would not have a material averse effect upon the character or setting of any listed building, conservation area, historic park or garden, or site of archaeological importance;

iv) They would not have any unacceptable adverse effect upon the residential amenities of nearby properties by reason of noise, shadow flicker or electromagnetic interference;

v) They would not cause unacceptable highway problems or have a material adverse effect upon the public rights of way network either during the period of their construction or once installed, or prejudice highway safety through the visual disturbance caused by their rotating blades;

vi) The design of the access roads, both in terms of alignment and in the materials used for their construction, are designed to minimise the visual impact of the development;

vii) The power lines used to connect the wind turbines to the electricity grid or user buildings would not have any adverse effect upon the landscape;

viii) The development includes satisfactory proposals for off-site 'distance landscaping' to reduce the effects of the development from important long-distance views where this is appropriate.

ix) Where permission is granted for wind turbines, appropriate conditions will be imposed to secure the restoration of the site following permanent de-commissioning of any turbines.

Policy ENV3 – Development in the Areas of High Landscape Value

4.20 The Policy states that the Wolds (where the application site lies) is designated as a local Area of High Landscape Value:

i) Development which would materially detract from the special scenic quality of the landscape will be resisted;

ii) Small-scale development that would benefit the social or economic situation of rural communities including agricultural uses, farm diversification

proposals...will be permitted, provided that such development can be accommodated without significant detriment to local landscape character;

iii) Large-scale development will only be permitted where it can be clearly demonstrated that the proposal would have significant economic or social benefits, is incapable of being located outside the Areas of High Landscape Value and is designed to do as little damage to the environment as practicable;

iv) Non-agricultural buildings and development will be required to reflect the traditional character of buildings and landscape form in terms of siting, design and use of materials traditional to the area.

v) Landscaping schemes will be required to reflect local landscape character in terms of form and extent of planting and in terms of species used;

vi) The conservation and appropriate management of features important to the local landscape such as trees, hedges, copses, woodlands and grasslands will be encouraged.

4.21 It is to be noted that the supporting text that accompanies Policy ENV3 specifically recognises that such policies should carry less weight than policies for nationally designated landscapes and do not unduly restrict acceptable development and economic activity.

4.22 It is accepted that all on-shore wind turbine developments lead to an inevitable change in the landscape, however such changes are not necessarily unacceptable. Landscape matters are dealt with in detail in the accompanying Landscape and Visual Impact Assessment and further on in Section 6 of this report.

Policy AG1 – Development of the Best and Most Versatile Agricultural Land

4.23 In considering development proposals, due weight will be attached to the protection of the best and most versatile agricultural land. The Policy states that development of Grades 1, 2 and 3A land will not be permitted unless:

i) The development would allow the land to be restored to agriculture without significant detriment to its agricultural land quality; or

ii) The opportunities have been addressed for accommodating the proposed development within development limits and on previously developed sites in sustainable locations.

Policy AG4 – Farm Diversification

4.24 The Policy states that proposals for farm diversification will be supported where they meet the following criteria (relevant to the Proposed Development):

i) The proposal would not materially prejudice the agricultural operations of the farm holding;

ii) The landscape character, scale, design and location of the proposal is compatible with the landscape, archaeological and nature conservation policies of the Plan;

iii) Where the proposal would take place on the best and most versatile agricultural land, it would accord with the provisions of AG1;

iv) The likely level of traffic generated by the proposal is within the capacity of existing access and approach roads;

v) The scheme, where possible, re-uses existing farm buildings;

vi) Where a new building is necessary, this would not materially detract from the rural landscape and is of a design, scale and utilises materials appropriate to its rural location;

vii) The proposal would not result in an unacceptable level of noise, air or water pollution;

viii) The proposal would not materially detract from the amenities of local residents.

Emerging Local Development Framework

The Ryedale Plan – Local Plan Strategy January 2012 (Proposed Submission Document)

4.25 The emerging Local Plan Strategy is a key part of the Ryedale Plan. It sets out a long-term vision, objectives and strategy to guide public and private sector investment over the next 15 years.

4.26 Although the emerging policies have not been adopted and as such should carry little weight, they identify some of the future priorities of the Council that are unlikely to fundamentally change. The following emerging policies are therefore of some relevance to this application:

Policy SP13 - Landscapes

5.1 This policy states that **'the quality, character and value of Ryedale's diverse landscapes will be protected and enhanced,'** with new development and land management practises encouraged which **'reinforce the distinctive elements of landscape character within the District's broad landscape character areas.'** The policy states that **'Development proposals should contribute to the protection and enhancement of distinctive elements of landscape character that are the result of historical and cultural influences, natural features and aesthetic qualities.'**

5.2 The site falls within the Wolds Area of High Landscape Value, which is highlighted within Policy SP13 as being valued locally for their natural beauty and scenic qualities. The policy states:

> **'As well as protecting the distinctive elements of landscape character in each of these areas, there are particular visual sensitivities given their topography and resulting long distance skyline views within Ryedale and further afield. The Vale of Pickering, the Wolds and the Fringe of the Moors are of significant historic landscape value and loss or degradation of the elements that are integral to their historic landscape character make these landscapes particularly sensitive to change.'**

Policy SP18 – Renewable and Low Carbon Energy

4.27 The policy states that developments that generate renewable and/or low carbon sources of energy will be supported providing that individually and cumulatively proposals:

- Can be satisfactorily assimilated into the landscape or built environment, especially in respect of the setting of the North York Moors National Park, the Howardian Hills Area of Outstanding Natural Beauty, the Wolds and the Vale of Pickering;
- Would not impact adversely on the local community, economy, or historical interests;
- Would not have an adverse impact on nature conservation, in particular in relation to any sites of international biodiversity importance, unless their impact can be acceptably mitigated;
- Would not have an adverse impact on air quality, soil and water resources.

Additional Planning Guidance Documents

Delivering Sustainable Energy in North Yorkshire: Recommended Planning Guidance (2005)

4.28 This guidance document was commissioned by a partnership of North Yorkshire Local Authorities to encourage the appropriate development of sustainable energy within the county.

4.29 Although the guidance document is of limited statutory weight, due regard has been had of the provisions and recommendations of the report in informing the Proposed Development to ensure that the proposals are suitable within the local environment.

Planning Policy Checklist

4.30 The Proposed Development is in accordance with the following key provisions of the Development Plan and material planning guidance:

i) Renewable Energy Development

In accordance with the provisions of the NPPF, policies RE1 of the Local Plan (2002), YH2 and ENV5 of the RSS (2008) and SP18 of the emerging Local

Plan Strategy (2012), the Proposed Development responds to the need for renewable energy as "central" to the economic, social and environmental dimensions of sustainable development.

ii) Protection of Valued Landscapes

In accordance with the provisions of the NPPF, policies ENV5 of the Local Plan (2002), Y1 and ENV10 of the RSS (2008) and SP13 of the emerging Local Plan Strategy (2012), the Proposed Development is demonstrated to be of an appropriate scale to respond to the sensitivities of the landscape character of the local area.

iii) Rural Economy

In accordance with the provisions of the NPPF, policies AG1 and AG4 of the Local Plan (2002) and ENV5 of the RSS (2008) the Proposed Development will contribute towards the diversification of the rural economy providing job security and future investment within the local area, whilst not resulting in the indefinite loss of the best and most versatile agricultural land as the scheme is for a finite period of 25 years.

4.31 As can be seen, there are a range of adopted and emerging Development Plan and other policies with which the proposal is consistent. It is considered that the proposals do not cause unacceptable harm to such provisions and accordingly, pursuant to Section 38(6) of the 2004 Planning and Compensation Act planning permission should be granted for the proposal.

5. OTHER MATERIAL CONSIDERATIONS – THE CLIMATE CHANGE IMPERATIVE, ENERGY POLICY AND APPEAL PRECEDENTS

Global Warming and Climate Change

5.1 Many analyses of the climate change problem have underlined the need to act now to reduce carbon emissions. Renewable energy is one of the few supply-side options that can make a major difference to emissions in the short term in the UK.

The Stern Review – Financial Implications of Global Warming

5.2 The government-commissioned Stern Review into the financial impact of global warming was published in October 2006 and made hard-hitting statements about the human, environmental and economic costs of climate change.

5.3 Sir Nicholas Stern, a former World Bank economist, said in his 700-page report that industrialised countries cannot afford not to take action on climate change. He warned that dealing with the floods, storms and rising sea levels caused by global warming could plunge the world into an economic crisis similar to the Great Depression in the 1930's (not withstanding the prevailing economic climate resulting from the fallout of the global financial crisis of 2008). He said that although dealing with climate change could cost one per cent of world GDP, doing nothing could cost 20 times more. The Report states:

> **"Delaying action, even by a decade or two, will take us into dangerous territory. We must not let this window of opportunity close. There is still time to avoid the worst impacts of climate change, if we act now and act internationally. Governments, businesses and individuals all need to work together to respond to the challenge. Strong, deliberate policy choices by governments are essential to motivate change."**

5.4 This message from Stern has been welcomed across the political spectrum.

5.5 Indeed following the Climate talks at Cancun, Mexico (December 2010) and Durban, South Africa (2011) Government MPs have consistently stated that a global climate deal is in the UK's national interest which will send a strong signal of confidence to business investing billions in the new global green economy.

5.6 Climate change, its causes and solutions, is very much a key political issue with significant steps being made towards its resolution. This momentum now needs to be

transferred into practice with the promotion and development of renewable energy schemes at the local level.

European Energy Policy

5.7 At a European level, there is the agreed commitment to reduce carbon emissions by 20% by 2020, compared to 1990 levels. Following the Energy Review Report in 2006, the European Council agreed to a European strategy to further improve energy security and to reduce carbon emissions. In March 2007, it was agreed to commit to:

- Saving 20% of the EU's energy consumption by 2020 compared to current projections; and
- A binding target of reducing carbon emissions by 20% by 2020 and by 30% in the context of international action.

5.8 The European Commission published the 20 20 by 2020 package in January 2008 and the EU Climate and Energy package was formally agreed in April 2009. This package commits the European Union (EU) to the 20% reduction in its carbon emissions and to achieving a target of deriving 20% of the EU's final energy consumption from renewable sources by 2020.

5.9 The renewables target is outlined in the Commission's Directive[1] on the promotion of the use of energy from renewable sources. In order to achieve the overall EU renewable energy target of 20% the proposal includes individual targets for each Member State. The UK's legally binding obligation is 15% of energy coming from renewable sources by 2020.

UK Energy Policy - Energy White Paper (2007)

5.10 Published in May 2007 "*Meeting the Challenge – The Energy White Paper*" establishes the government's energy strategy for the foreseeable future. The document builds on the themes and issues raised in the Energy Review. A clear statement of Government policy, the strategy set down in this document contains a number of key elements of relevance to the consideration of this planning application.

5.11 Section 5.3 of the White Paper addresses policy on renewables and starts with a simple statement.

[1] Directive 2009/28/EC (subsequently repealing Directives 2001/77/EC & 2003/30/EC)

> **"Renewable energy has a key role to play in reducing carbon emissions and achieving security of supply."**

5.12 The White Paper recognises the progress which renewable energy has made to reducing emissions but goes on to address directly the barriers that it notes are slowing the rate of renewable deployment in the UK in both the short and long term. Under the heading of 'planning' the White Paper sets down how the government expects the planning system to respond. In relation to commercial wind energy developments the government's actions are as follows:

- Underlining that applicants will no longer have to demonstrate either the overall need for renewable energy or for their particular proposal to be sited in a particular location; and

- Giving a clear steer to planning professionals and local authority decision makers, that in considering applications they should look favourably on renewable energy developments.

5.13 The White Paper goes on to place into policy the "Statement of Need" previously published in the energy review. The statement states:

> **"We remain committed to the important role renewables has to play in helping the UK meet its energy policy goals. In this publication we are reiterating previous commitments we have made, not least in the 2003 Energy White Paper and Planning Policy Statement 22 on renewable energy (PPS22), on the importance of renewable generation and the supporting infrastructure. We intend this to reconfirm the UK Government policy context for planning and consent decisions on renewable generation projects. As highlighted in the July 2006 Energy Review Report 150, the UK faces difficult challenges in meeting its energy policy goals. 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 reserves of fossil fuels are declining more rapidly than expected. A regulatory environment that enables the development of appropriately sited renewable projects, and allows the UK to realise its extensive renewable resources, is vital if we are to make real progress towards our challenging goals.**
>
> **New renewable projects may not always appear to convey any particular local benefit, but they provide crucial national benefits. Individual renewable projects are part of a growing proportion of low carbon generation that provides benefits shared by all communities both through reduced emissions and more diverse supplies of energy, which helps the**

> **reliability of our supplies. This factor is a material consideration to which all participants in the planning system should give significant weight, when considering renewable proposals. These wider benefits are not always immediately visible to the specific locality in which the project is sited. However, the benefits to society and the wider economy as a whole are significant and this must be reflected in the weight given to these considerations by decision makers in reaching their decisions.**
>
> **If we are to maintain a rigorous planning system that does not disincentivise investment in renewable generation, it must also enable decisions to be taken in reasonable time. Decision makers should ensure that planning applications for renewable energy development are dealt with expeditiously while addressing the relevant issues.**

5.14 In November 2008, the '**Climate Change Act 2008**' became law. This set legally binding targets in reducing greenhouse gas emissions of at least 80% by 2050, and reduction in CO_2 emissions of at least 26% by 2020, against a 1990 baseline.

5.15 In May 2009, the Department of Energy and Climate Change (DECC) published the '**UK Low Carbon Transition Plan**' which addresses the decarbonisation of the UK. The White Paper sets out an approach based around a competitive energy market, making polluters pay for the carbon they use, supporting technological development and assisting low carbon choices. It recognises that a number of policies will need to be developed.

5.16 The '**UK Renewable Energy Strategy**' was published in July 2009 by DECC, identifying how to radically increase renewable energy use in the UK as part of an overall strategy for tackling climate change. This strategy would also meet the UK's European obligations and legally binding targets to ensure 15% of our energy comes from renewable sources by 2020.

5.17 The Strategy states:

> **"We need to radically increase our use of renewable electricity, heat and transport. This Strategy will help us to tackle climate change, reducing the UK's emissions of carbon dioxide by over 750 million tonnes between now and 2030. It will also promote the security of our energy supply, reducing our overall fossil fuel demand by around 10% and gas imports by 20-30% against what they would have been in 2020. And it will provide outstanding opportunities for the UK economy with the potential to create up to half a million more jobs in the UK renewable energy sector resulting from around £100 billion of new investment. In parallel with energy saving,**

nuclear and carbon capture and storage, this is a key element of our overall transition plan for setting the UK on the path to achieve a low-carbon, sustainable future that helps address dangerous climate change."

5.18 As such, the Strategy reinforces two key energy policy challenges:

- To tackle climate change; and
- Ensure security of energy supply.

5.19 The Strategy confirms that renewable sources of energy are vital as they provide low-carbon energy, increase diversity to the energy mix and bring key business and employment opportunities.

5.20 In order to meet these challenges, the Strategy indicates that renewables should provide more than 30% of our electricity consumption by 2020 (compared to around 5.5% today) and that more than two-thirds of that could come from on and offshore wind.

National Renewable Energy Action Plan (July 2010)

5.21 Upon coming to power, the Coalition Government published their Programme for Government. Within this Programme document it indicated that the Government supported an increase in the EU emission reduction target to 30% by 2020. Since then, the Coalition Government have continued to support an increase in renewable energy generation through a number of policy documents.

5.22 This Plan confirmed the Coalition Government's commitment to securing the UK's energy supplies through 2020 and beyond and details the measures to enable the UK to reach its EU targets for energy consumption from renewables.

5.23 The Coalition Government has reaffirmed its clear commitment to increasing the deployment of renewable energy across the UK through the publication of the '**UK Renewable Roadmap (July 2011)**'. It also states that renewable electricity will need to maintain a growth rate of 15% per annum from the 2010 baseline position.

Annual Energy Statement, July 2010

5.24 Published by the Government on 27th July 2010 this document is intended to fulfil the Coalition's programme for Government to present an annual statement of their energy policy to Parliament. It is stated that it is the mission of this Government:

> **"To support the transition to a secure, safe, low carbon, affordable energy system in the UK, and mobilize commitment to ambitious action on climate change internationally."**

5.25 The document continues to advise that:

> **"This Government is committed to being the greenest Government ever, which includes a firm commitment to renewable energy. The coalition document sets out a wide range of policies that will enable us to go further. This includes engaging with independent UK Committee on Climate Change to advise on whether it is possible to increase our ambition for the level of energy from renewables for 2020 and beyond."**

5.26 It is evident that the Government is fully committed to ensuring swifter and higher levels of delivery of renewable energy. This approach, through the Annual Energy Statement is linked to the Government's recent publication "The Coalition: Our Programme for Government." At Chapter 10 (Energy and Climate Change) of that document, the Government indicates it supports an increase in the EU emission reduction target to 30% by 2020. To some extent this is a replication of the aspirations of the RES of July 2009.

Statutory Instrument (2011 No. 243) – The Promotion of the Use of Energy from Renewable Sources Regulations 2011 (February 2011)

5.27 Statutory Instrument No. 243 (The Promotion of the Use of Energy from Renewable Sources Regulations) came in to force on the 14th March 2011.

5.28 This Regulation places a duty on the Secretary of State to ensure that the renewables share in 2020 is at least 15%. Regulation 4(1) places a duty on the Secretary of State to introduce measures effectively designed to ensure the indicative targets for the share of energy from renewable sources set out in the Schedule (below), are met. Regulations 4(2) and 4(3) modify that duty in the event that an indicative target is missed.

The Promotion of the Use of Energy from Renewable Sources Regulations (SI No. 243), 2011 – Schedule Indicative Targets

Indicative Target Period	Percentage
1st Jan 2011 – 31st Dec 2012	4%
1st Jan 2013 – 31st Dec 2014	5.4%
1st Jan 2015 – 31st Dec 2016	7.5%
1st Jan 2017 – 31st Dec 2018	10.2%

UK Renewable Energy Roadmap (July 2011)

5.29 In the Executive Summary, it is stated that the Coalition Government has made clear its commitment to increasing the deployment of renewable energy across the UK in the sectors of electricity, heat and transport.

5.30 Specifically with regard to renewable deployment, the Roadmap indicates at paragraph 2.18 that renewable electricity will need to maintain a growth rate of approximately 15% per annum from the 2010 baseline of 28 Terra Watt Hours (TWH).

5.31 In terms of the current pipeline for renewable energy, the Roadmap states at paragraph 2.21 that the government cannot be certain that all the projects in the pipeline will be progressed quickly enough and that:

> **"This is why the Overarching National Policy Statement for Energy states that there is an urgent need for new large scale renewable energy projects to come forward to ensure that we meet the 2020 target and wider decarbonisation aspirations."**

5.32 Paragraph 2.22 states that onshore wind is the biggest single contributor to the pipeline.

5.33 The Roadmap concludes at paragraph 2.28 that:

> **"The pipeline of renewable electricity projects is healthy. Although, allowing for historic dropout rates, it puts us on track to deliver approximately 29GW of capacity by 2020, significant uncertainties remain and we still urgently need new renewable projects to come forward to ensure we meet the 15% target and longer term carbon reduction targets."**

5.34 It is therefore clear from the plethora of national and international laws, legislation and objectives that the need and political support for renewable energy schemes is incontrovertible.

Appeal Precedents

5.35 Although each site should be considered on its own merits there are numerous high profile appeal decisions for a varying array and scale of wind turbine developments throughout the UK. Several themes arise within the Inspectors' conclusions for these schemes which are of potential relevance to this application, including:

- The significant weight afforded to the wider environmental, economic and social benefits arising from a renewable energy scheme;
- That visual harm is outweighed by the application of renewable energy policy; and
- The acceptability in terms of cumulative impact of proposals of significantly larger scale than that currently proposed.

6. KEY PLANNING CONSIDERATIONS

6.1 This section provides an assessment of the key planning considerations raised by the proposals.

The Need for Renewable Energy

6.2 It is HM Government policy that there is no requirement to prove an overall need for a renewable energy development. This is clearly stated within the National Planning Policy Framework at paragraph 98.

6.3 There is a tendency to overlook this starting point. Effectively it means that there is a presumption in favour of schemes which generate renewable energy unless there are significant objections to their introduction; this applies in different ways to different technologies and the weight to be attached to issues will vary depending upon the geographical location and the associated weight to be attached to constraints in that area.

6.4 This presumption arises not just because renewable power is a sustainable energy source in its own right but because HM Government has made it clear that it sees carbon reduction; energy security and the associated climate change agenda as being the most significant environmental problems which we face as a society today. This development proposal will therefore provide a small but valuable step towards meeting the Government targets.

6.5 It is clear from the plethora of national and international laws, legislation and objectives that the need and political support for renewable energy schemes is incontrovertible.

6.6 The Proposed Development is considered to meet those key sustainability objectives as outlined above and at the local level the scheme will enable the working farm to become more self-sustaining enabling additional investment in the business in future consistent with the rural diversification policies of the NPPF. In addition, the applicants will seek to negotiate with the LPA to deliver an appropriate level of community funding to support local services as part of the proposals. At a higher level, the development proposals are considered to conform to the national and international objectives towards the transition to a low-carbon economy. The development proposals will therefore make a small but valuable contribution towards the following high level policy objectives:

- Transition towards a low carbon economy;
- Reduction in CO_2 emissions;
- Maximise electricity generated from renewable sources;
- Mitigate against climate change; and
- Ensure security of energy supply.

6.7 It is considered that significant weight should be applied to the considerable high level national and international political support for renewable energy schemes and the wider environmental, economic and social benefits they provide.

Planning Policy and Legislative Support

6.8 The site lies within the open countryside within a locally designated area of 'High Landscape Value'. There is a presumption that the planning system should contribute to and enhance the natural and local environment (NPPF paragraph 109).

6.9 This development proposal is considered to be acceptable in the first instance within the open countryside as they represent only a relatively minor change to the wider landscape whilst supporting the diversification of the rural economy by assisting the farm holding and enhancing the capacity within the district for renewable energy generation.

6.10 The development will provide a sustainable and reliable supply of electricity for the farm operations, particularly at times of uncertain energy price rises, which will contribute towards the future success, security and sustainability of the business for the next generations of family farmers.

6.11 This development proposal is strongly supported by planning policy at national, regional and local levels which supports the growth of renewable energy developments in suitable locations, taking into account the environmental constraints of the site.

6.12 As a starting point, the NPPF states at paragraph 93 that supporting the delivery of renewable energy and low carbon energy and associated infrastructure is central to the economic, social and environmental dimensions of sustainable development.

6.13 Indeed paragraph 97 of the NPPF continues that:

> **"To help increase the use and supply of renewable and low carbon energy, Local Planning Authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. They should:**
>
> - **Have a positive strategy to promote energy from renewable and low carbon sources;**
> - **Design their policies to <u>maximise</u> renewable and low carbon energy [Pegasus emphasis]."**

6.14 This is further supported within paragraph 98 of the NPPF which states that LPAs should not require applicants to demonstrate the overall need for renewable or low carbon energy. As highlighted above, this effectively enshrines the renewable agenda in the highest possible policy terms.

6.15 The main theme running through the NPPF is the:

> **"Presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking".**

6.16 As such, in the first instance it is considered that the proposal for a renewable energy scheme, being an inherently "sustainable development", that will support the transition towards a low carbon future (one of the NPPF's 'Core Planning Principles') sets a strong precedent in favour of the application.

6.17 The proposed development is supported by the NPPF whereby renewable energy is actively promoted as a key solution towards mitigating against the impacts of climate change and advancing the wider objectives of sustainable development and a transition towards a low carbon economy. In accordance with the NPPF it is considered that the wider environmental benefits associated with the increased production of energy from renewable sources greatly outweigh any adverse impacts the development may have on the surrounding countryside and should be given significant weight in favour of any decision by the LPA.

6.18 Of significant importance to these proposals is the legally binding requirement of the UK Government to meet its own targets for renewable energy generation.

6.19 Through the **'Climate Change Act 2008'** the UK is committed to reducing CO_2 emissions by 80% by 2050 and a reduction in CO_2 emissions of at least 26% by 2020, against a 1990 baseline. In order to achieve these ambitious targets the Government set out the contributions renewable energy generation should make in its UK Renewable Energy Strategy (July 2009). The Paper identified the need to radically increase renewable energy use in the UK as part of an overall strategy for tackling climate change and to meet the UK's obligation to meet its legally binding target to ensure 15% of our energy comes from renewable sources by 2020. This is emphasised within the NPPF where it states that LPAs should "maximise renewable and low carbon energy development" (paragraph 97). It is therefore vital for LPAs to support and assist in the delivery of renewable energy projects in order to achieve the Government's ambitious but legally binding renewable energy targets.

6.20 It is considered that this proposal would make a modest but valuable contribution to meeting the challenging target for the production from renewable energy sources in the UK. The contribution to meeting energy targets and the effect that this would have in tackling the urgent challenge of climate change in accordance with the NPPF's 'core principle' of assisting towards a low carbon economy and a 'presumption in favour of sustainable development' represents, on its own, a compelling argument in support of the proposed development.

Suitability of the Site for Renewable Energy Generation

6.21 The application site consists of Grade 2 agricultural land and is currently used for arable crop production. It is considered that the loss of a relatively small portion of the field (0.3 hectares) for the purposes of erecting the wind generator would have a negligible effect on the overall crop productivity of the farm estate. Indeed, farm operations during the lifespan can still take place right up to and under the wind generator. The wind generator would be operational for a period of 25 years after which time the schemes future would be reconsidered by the LPA and the developed portions of the field could be restored to full agricultural use without significant detriment to its agricultural land quality in the longer term.

6.22 This development proposal is also designed to maximise the exposure of the wind generator to the commercially viable wind speeds (>6.5m/s) in the area in order to secure the maximum electricity generating power whilst at the same time being

sympathetic to the setting of the application site within the countryside. It should be noted that the site has successfully supported a wind generator since February 1992.

6.23 The height of the proposed wind generator at up to 81m is justified by the need to maximise the electricity generating power of the site in order to ensure the viability of the scheme. The erection of a single stand alone turbine is not considered to represent an imposing development within the wider countryside and representing an opportunity to utilise the abundant natural wind resources in the locality consistent with national planning policy. It is considered that the proposals are appropriate in terms of scale and massing.

6.24 The site experiences commercially viable wind speeds and is not located within any environmentally sensitive areas as defined within the EIA Regulations and as such, under the provisions of planning policy at all levels the application for renewable energy generation should be considered favourably in the first instance. As such, it is considered that the development proposals represent a unique opportunity in a suitable location to make a small but valuable contribution to the UK's binding renewable energy targets whilst being sensitive to the local environment.

Landscape and Visual Impact

6.25 There is a general presumption within planning policy against development within the countryside to protect valued landscapes. However, it is considered that the significant sustainable credentials of this proposal outweighs any potential harm and provides a significant case to allow development within the countryside in this location. This is particularly the case as national planning policy states that the greatest weight should be given to conserving landscape and scenic beauty in those nationally designated areas that are afforded the highest status of protection. As the application site is not located within any such area, it is considered that other factors, such as the sustainable credentials of the Proposed Development should be given greater weight in decision taking.

6.26 Not withstanding the strong presumption in favour of renewable energy development previously considered, the landscape and visual impacts of the development proposals have been fully investigated as part of this application. It is important to reiterate that the site is not located within any statutorily designated landscape areas and as such the associated restrictive policies do not apply to this application.

6.27 Whilst it is noted that Local Plan policy ENV3 offers some protection to the Area of High Landscape Value within which the application site lies, it should also be noted that the supporting text that accompanies this policy specifically recognises that such areas should carry less weight than protective policies for nationally designated landscapes and should not unduly restrict acceptable development and economic activity. Indeed paragraph 214 and 215 of the NPPF further weakens the influence of this policy where it states that decision-takers may continue to give full weight to relevant policies adopted since 2004 and by implication, those policies adopted prior to 2004 (such as ENV3) should be given "due weight" but not "full weight".

6.28 It is accepted that all on-shore wind turbine developments lead to an inevitable change in the landscape. However as detailed below, such changes are not necessarily unacceptable in landscape terms.

6.29 The LVIA which accompanies this application demonstrates that the proposals will not harm the distinctive character of the Wolds landscape, and will not have any harmful effects on any sites of nature conservation importance or cultural heritage assets.

6.30 With regard to the proposals being located within an Area of High Landscape Value, the development is of an appropriate size that allows for farm diversification, does not detract from the special qualities of the landscape, and allows for the key features and characteristics of the site to be maintained.

6.31 The proposed turbine represents a high quality design within a landscape that already contains vertical infrastructure elements. Within the context of the landscape character area in which the wind turbine is proposed to be located, the large scale, regular, intensively farmed characteristics of the landscape will remain unchanged. It is therefore considered that the landscape character would undergo a low magnitude of change. Therefore with a **medium landscape character sensitivity** and **low magnitude of change** there would be a **minor/moderate effect** on landscape character. However as the characteristic elements of the landscape would remain physically unaffected, and the character would continue to be defined by the large scale, intensive farmed landscape, the overall effect on landscape character is considered to be **minor** for these proposals.

6.32 It is evident from this assessment that whilst the ZTV appears extensive, the actual zone of visibility, or the visual envelope, associated with the proposed wind turbine is

reduced due to the screening effects provided by hedgerows, the scattered blocks and belts of woodland, farmsteads and other built form.

6.33 Where the proposed wind generator is visible it will only be a partial view with the base of the wind generator tower screened from view by intervening vegetation. Consequently, the perceived scale of the wind generator will be reduced.

6.34 From public highways and public rights of way, views will typically be transitory ones.

6.35 Consequently in more distant views, the proposed turbine would be assimilated into the wider landscape and it is considered that there is little potential for the development to result in significant effects on visual receptors at distances of over 5 kilometres from the site.

6.36 No major effects on visual amenity of the landscape have been identified.

6.37 The LVIA continues that although there would be some visual change at the local level it would not necessarily be a harmful one, merely slightly different to that which exists now.

6.38 The accompanying LVIA demonstrates that the proposed wind turbine could be successfully accommodated and assimilated into the wider landscape without causing significant harm to landscape character, visual amenity or the landscape features of the area. The proposed wind turbine would be acceptable in landscape and visual terms.

Terrestrial Ecology, Ornithology and Nature Conservation

6.39 The location of the application site has been chosen to best mitigate against any potential ecological issues. No habitat or ecological feature listed within the European Habitats Directive nor any flora of conservation interest is located within the area affected by the proposed development. These conclusions are supported by the findings of the accompanying Ecological Appraisal which confirms that the site contains a "limited" diversity of plant species and is thus unlikely to support a wide range of terrestrial wildlife, such as invertebrates or significant mammals such as voles or badgers. In addition, no records were found of great crested newts being present at the site due to sub-optimal habitat conditions.

6.40 In terms of bats and birds, the Ecological Appraisal found limited evidence of conservation concern.

6.41 The ecological aspects of the scheme are therefore considered be acceptable in planning policy terms as the Proposed Development is situated on a largely sub-optimal ecological site and the need to increase the generation of renewable energy.

Archaeology and Cultural Heritage

6.42 The application has considered the archaeological and cultural heritage assets of the site and surroundings. The detailed assessment contained within the accompanying application reports found that the site and surrounding area has a high potential for archaeological remains to be present dating to the Prehistoric period, although a 'low' potential for archaeological activity from all other historic periods.

6.43 A geophysical magnetometer survey was also conducted on the site. The accompanying report confirms that no anomalies of probable archaeological origin were identified by the geophysical survey on this site.

6.44 Given the relatively limited archaeological sensitivity of the site and the fact that the site covers an area of just 0.3 hectares it is considered that the proposed development will not result in significant harm upon local archaeological potential. As such, it is considered that the wind generator is situated in a suitable location to support such a scheme whilst being sensitive to the potential cultural and archaeological assets of the site and surrounding area.

Noise

6.45 An assessment of the likely noise impact of the proposed wind generator has been carried out. The accompanying Noise Report indicates that the proposed wind generator would result in noise levels which would be below the lower limit requirements of ETSU-R-97 for the amenity hours and night-time hours for all neighbouring dwellings at all wind speeds. It is important to note that the noise measurements take into account the noise generated by the existing turbine on the farm.

6.46 The assessment concludes that the predicted low noise levels provide a positive indication that noise from the proposed wind generator would not have a significant

effect upon the local area and that a background noise survey should not be required, as stated in ETSU-R-97.

6.47 As such, it is considered that in planning terms, the site has been effectively and suitably sited to best mitigate against potential adverse noise effects on nearby properties (being well within the acceptable noise limits) and as such, the scheme is entirely appropriate within this context and should be considered favourably in this light.

Aviation

6.48 Aviation issues have been investigated as part of the application proposals. The Ministry of Defence (MOD) was consulted prior to the formal application to understand the potential operational implications of the proposed development.

6.49 The MOD assessed the proposed development against operational requirements and did not identify any Line of Sight issues to any RAF ATC Radar. In the MOD's formal response (dated 1st March 2011) no concerns were highlighted with the proposed development.

Telecommunications

6.50 Telecommunication issues have also been investigated as part of the application. Various telecoms authorities were consulted prior to the formal application including Telecoms Association of the UK Water Industry (TAUWI), Joint Radio Company (JRC) and Ofcom. All consultees confirmed that no unforeseen problems, based on known interference scenarios, were anticipated to result from the proposed development. As such, no objections were raised.

Transport and Access

6.51 The main transportation impacts will be associated with the movements of up to 8 Abnormal Loads and 38 commercial Heavy Goods Vehicles (HGVs) (ready-mix concrete and steel) to and from the site during the construction phase of the development over a period of 2-3 months.

7. SUMMARY AND CONCLUSIONS

7.1 The application proposes the erection of a single wind generator to a height of up to 81m to blade tip when vertical, at Dotterel Farm, Weaverthorpe, North Yorkshire.

7.2 The relevant policies of the Development Plan and additional material guidance documents have been investigated and the proposed development is considered to be found acceptable within this context. The principle of development is considered to be acceptable within this countryside location due to the overriding need for renewable energy and the effective siting away from any "sensitive areas" as defined by the EIA Regulations (2011), combined with an appropriate scale of development to enable the sensitive diversification of the existing rural business.

7.3 It is considered that the proposed wind generator at Dotterel Farm would make a valuable contribution to the Government's sustainability objectives in accordance with the requirements of the NPPF to maximise renewable energy development in order to help the transition towards a low carbon economy. Indeed, over the course of a year the wind generator would be expected to provide enough electricity to serve 350 households. This calculation is based on a capacity factor of 30% and an average household consumption of 4,700kWh/year.

7.4 The proposals would also allow the working farm to reduce its running costs through the generation of electricity on site enabling the farm to become more self-sustaining and help this important local employer to ensure future investment into the business, and security particularly in times of inevitable energy price rises during the 25 year lifetime of the wind generator.

7.5 The anticipated effects of the development proposals have been assessed in detail within the accompanying Environmental Reports and summarised again within Section 6 of this report. It is considered that the supporting documentation provides a fair and robust assessment of the potential effects of the Proposed Development.

7.6 The need and policy presumption in favour of the proposed development has been demonstrated within this Planning Statement and the supporting documentation demonstrates that the proposals will not result in any undue harm to local environmental assets in terms of landscape, ecology and/or archaeology. Additional technical issues such as transport, aviation, noise and telecommunications have also been found to be acceptable within the supporting assessments. It is therefore

considered that the proposed development is entirely acceptable in planning terms at this proposed location.

7.7 On the basis of the evidence provided within this report and supporting documentation, it is respectfully requested that the application for the proposed wind generator at Dotterel Farm be granted planning permission.