
Planning Application for Repowering an Endurance Wind Turbine on Land North of Manor House Farm, Helperthorpe



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INTRODUCTION

RF & EA. Stubbings & Son (the 'Applicant') would like to submit this full planning application for the repowering of an existing wind turbine at land north of Manor House Farm, Helperthorpe, Malton, YO17 8TQ, which is to be decommissioned and replaced due to operational issues.

Having regard to section 38 (6) of the Planning and Compulsory Purchase Act 2004, this planning statement considers the application's conformity with the Development Plan, relevant national planning policy and other material considerations.

In addition to this statement, the application also comprises the following;

- Site Location Plan
- Existing and Proposed Site Plan
- Wind Turbine Specifications

BACKGROUND

OFGEM and the UK Government are actively encouraging the development of renewable energy schemes, with plans to boost UK energy independence and tacking the cost of rising energy prices. Under the proposed plans up to 95% of the UKs energy could come from low-carbon sources by 2030.

There is clearly an identified need to reduce carbon emissions, and ensure the security of energy supply, with renewable energy sources playing a key role. The applicant is therefore seeking to repower an existing wind turbine in order to maximise energy generation and efficiency, whilst minimising the environmental and visual impact.

In December 2021 it is understood OFGEM announced they are actively supporting and encouraging wind turbine operators to replace existing turbines with larger turbines and can do so without losing the Feed-in-Tariff. It is understood the government also released an energy support scheme which includes onshore wind development for the first time since 2015.

Wind Turbine output increases with average wind speed and rotor size known as swept area. Wind speed tends to increase with height in most locations, a phenomenon known as wind shear. This variation in velocity with altitude is most dramatic near the surface. Further, the energy in wind is proportional to the cube of the wind speed. Consequently, a small change in wind speed produces a much larger change in wind energy. For example: increasing the height of a turbine tower, from 30m to 40m will increase the average annual wind speed by 1 metre per second and this in turn increases the annual power generated by 41%.

The swept area relates to the wind energy captured, the proposed turbine will generate over twice as much renewable energy, and this is all captured at low wind speeds. This in turn will help the farm and lower its electricity consumption from the national grid.

SITE AND SURROUNDINGS

The replacement wind turbine is proposed to be located on the site of the existing wind turbine (the 'Site') at land north of Manor House Farm, Helperthorpe, Malton, YO17 8TQ.

The Site comprises 0.17 hectares of hardstanding adjacent to the existing wind turbine. The infrastructure for the existing wind turbine comprises its foundation, grid connection kiosks, crane pad and access track. The land use surrounding the Site is open arable farmland.

The site is detailed on the submitted Location Plan. There is currently one wind turbine located on site measuring 46m to tip.

The holding is under the ownership of RF & EA Stubbings & Son, which operates the agricultural enterprise on site. Access road to the Site will be via the existing consented access.

The land is considered to be at very low risk of flooding, as currently identified on the Environment Agency Flood Risk Map.

The site is located in an Area of High Landscape Value as identified in the Ryedale Plan policies map.

PLANNING BACKGROUND

Permission was granted by appeal on 6 December 2012, for the erection of 1no. 46m overall tip height 55kw wind turbine to generate electricity for on farm use together with associated electrical sub-station building. Planning Application 12/00201/FUL and Appeal Ref: APP/Y2736/A/12/2179101.

COMMUNITY CONSULTATION

No formal community consultation has been carried out prior to submission of the application. As per footnote 54 of the NPPF where the proposal involves the repowering of existing wind turbines the applicant is not required to demonstrate the proposal has the backing of the local community.

PROPOSED DEVELOPMENT

This application is in full and includes all necessary supporting information.

Planning permission is sought for the repowering of the existing wind turbine at the Site. This includes replacement with 1 new turbine of different specification but same tip height.

The specification of the replacement wind turbine versus the existing wind turbine is as follows:

	Existing Wind Turbine	Replacement Wind Turbine
Make & Model	Endurance E3120	Vestas V29
Number of Blades	Three	Three
Hub Height	36.4 metres	31.4 metres
Rotor Radius	9.6 metres	14.5 metres
Total Height to Tip	46 metres	45.9 metres
Colour & Finish	Galvanised white steel tower	Galvanised light grey steel tower
Generating Capacity	55kW	225kW

A different wind turbine model is proposed because the supplier of the existing wind turbine has gone into administration, leaving Endurance owners throughout the United Kingdom with defective wind turbines with various major components that are known to be highly susceptible to catastrophic failure.

The proposed location of the replacement wind turbine is adjacent to the existing wind turbine. The replacement wind turbine is being micro-sited within the swept path of the existing wind turbine because the same foundation cannot be utilized, owing to the turbines being different.

The replacement wind turbine will utilise the grid connection kiosks, access track and crane pad of the existing wind turbine. The only new element required is a new turbine foundation.

The renewable electricity generated by the replacement wind turbine will be connected to the grid utilising the grid connection for the existing wind turbine, allowing the landowner to continue to produce renewable energy, offset carbon emissions and to maintain the long-term sustainability of the farm.

PLANNING POLICY

Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Ministry of Housing, Communities and Local Government released the new National Planning Policy Framework in July 2018 (The Framework), with further alterations in February 2019 and July 2021. The Framework sets out the Government's planning policies for England and how these should be applied

The Government have confirmed that the Framework is a material planning consideration and should be taken account of when making decisions. It is therefore anticipated that the planning application will be considered against the National Planning Policy Framework (NPPF), with regard being had, where relevant, to the statutory development plan.

Statutory Development Plan

The statutory development plan for the site consists of the Ryedale Local Plan Strategy (2013). It is anticipated that the following policies would be considered in the determination of this application:

- SP1 General Location of Development and Settlement Hierarchy
- SP12 Heritage
- SP13 Landscapes
- SP14 Biodiversity
- SP18 Renewable and Low Carbon Energy

PLANNING ASSESSMENT

Based upon an assessment of the planning policy and material considerations, this section will assess the following key issues:

- Principle of Development
- Scale and Visual Impact
- Site Access and Highways
- Noise

Principle of Development

The starting point in assessing all planning applications should be to establish the principle of development, followed by an assessment of all other material considerations. In this instance the principle of development must consider the provision of a replacement wind turbine to increase energy efficiency on site. Policy SP1 of the local plan highlights the locational requirements for development within the area. It is stated that development in the open countryside should be restricted to that:

- *Which is necessary to support of sustainable, vibrant and healthy rural economy;*
- *Which can be justified in order to secure significance improvements to the environment or conservation of significant heritage assets in accordance with the National Enabling Development Policy and SP12 of the Plan; or*
- *Which is justified through the neighbourhood planning process.*

Whilst the proposed development is not in direct conformity with policy SP1 it is considered such developments are supported by SP18 of the plan which specifically relates to renewable and low carbon energy. It is stated at SP18 that development which generates renewable and/or low carbon sources of energy will be supported providing the individual and cumulative effects can be acceptably mitigated. Most notably this includes ensuring such developments can be assimilated into the landscape or built environment, would not adversely impact the local community or nature conservation.

Further, paragraph 152 of the NPPF seeks to support renewable and low carbon energy associated infrastructure. This is further echoed at paragraph 158 which states that when determining applications for renewable and low carbon development, local planning authorities should:

Not require applicants to demonstrate the overall need for renewable or low carbon energy and recognise that even small scale projects provide a valuable contribution to cutting greenhouse gas emissions; and

Approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.

The application proposes to replace 1 existing turbine which was commissioned December 2013. Renewable technology has progressed significantly in the last 8 years, therefore the replacement of this older turbine will enable greater efficiency and power generation.

Ultimately, benefits arising as a result of the proposed development include the provision of additional renewable energy and the resultant reduction in carbon emissions on site and within the surrounding area. It is the applicants intention that the electricity generated will be used by the agricultural holding with any excess being exported to the national grid. It is therefore anticipated that this will lead to a significant reduction in CO2 emissions.

The development can therefore be considered acceptable in principle, and any other material considerations should be assessed against the benefits generated as a result of the proposed development.

Landscape and Visual Impact

Both local and national planning policy place great emphasis on the design of the built environment highlighting that good design is a crucial element of sustainable development. Paragraph 174 further recognises that planning decisions should contribute to and enhance the natural environment by protecting and enhancing valued landscapes, recognising the intrinsic character and beauty of the countryside.

Policy SP13 of the Local Plan seeks to ensure the quality, character and value of Ryedale's diverse landscapes will be protected and enhanced by ensuring new developments reinforce the distinctive elements of landscape character within the districts broad landscape character areas including the Yorkshire Wolds.

The surrounding local area is rural in nature and is largely characterised by rolling hills and valleys. The immediate topography of the surrounding area and existing development on site ensures the potential visual and landscape impact of the development will be localised in its extent. As a general assumption it is often not possible to screen the visual impact of a wind turbine therefore the assessment of landscape impact should consider whether such a development would be detrimental to the character of the surrounding area.

It was previously considered by Richard Clegg, an Inspector appointed by the Secretary of State for Communities and Local Government, that the landscape had the capacity to accommodate such a development.

The officer reported:

- *The appeal site lies in the Wolds Area of High Landscape Value (AHLV), designated under Policy ENV3 of the Ryedale Local Plan. Characteristics of the AHLV are set out in the Local Plan: of particular relevance to the area around Helperthorpe is the description of a large-scale landscape of rounded and rolling hills, with big skies and long views from the escarpment and plateaux, contrasting with the more enclosed sheltered valleys. The proposed turbine would be erected on rising land to the north of Helperthorpe. It would be set back from the road and it would also be positioned apart from the scattered groups of buildings on the hillside. Helperthorpe itself is contained in a valley, although the spire of the church is visible from beyond the low ridge to the north of the village. About 0.9km to the east is an existing two blade turbine at Dotteral Farm, which does not appear unduly prominent in this large-scale landscape. Whilst the installation of the turbine at the appeal site would undoubtedly represent a significant change in the immediate locality, at 46m to the upper tip of the blades it would not be markedly taller than the turbine at Dotteral Cottage, and I consider that it would be similarly accommodated by the scale of the landscape.*
- *The road which ascends to the north from Helperthorpe to the site access is contained between substantial hedgerows, and these would restrict views towards the turbine. Views from Green Lane, which runs to the south of the field below the appeal site, would also be restricted in places by hedgerows and tree cover. The presence of the turbine would be apparent from several other locations; from the road to the north of Weaverthorpe, about 1.8km to the east, it would be seen together with the existing turbine at Dotteral Cottage, and both would be visible across the open landscape between Weaverthorpe and Helperthorpe and from higher land to the south-west of Helperthorpe. These vantage points, however, are not close to the appeal site, and it would not appear as a significant feature in the wider landscape, nor have a detrimental impact in conjunction with the existing turbine.*

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- *The main parties and Luttons Parish Council refer to several other turbine developments in the area, some of which have been erected, and some of which have planning permission. Of the seven other sites in the Helperthorpe/Weaverthorpe area identified by the Council, six are indicated as having single turbines (although I note that both the Appellant and Luttons PC refer to two turbines at Duggleby Wold Farm) and the seventh as having two. Dotteral Cottage apart, the other locations are at some distance from the appeal site, and, having regard to landform and intervening tree cover, they would not be prominent in combined views with the proposed turbine. Given the position of these locations in relation to the local road network and the scattering of built development, variations in landform, and the presence of blocks of woodland, the proposed development is unlikely to be seen prominently in close successive views with other turbines, with the exception of Dotteral Cottage. I consider that the proposed development would only have a limited adverse cumulative effect.*
 - *As part of the assessment of the effect of the proposal on the character and appearance of the area, I have taken into account the churches at Weaverthorpe and Helperthorpe, both of which are listed buildings. St Andrew's Church at Weaverthorpe is a grade I building, and both the Dotteral Cottage turbine and that proposed north of Manor House Farm would be seen from the church. The appeal site is, however, almost 2km from the church and whilst the upper part of the turbine would be seen against the skyline it would appear as a relatively small-scale feature in the landscape. It would impinge on the setting of the listed church to no more than a modest degree. At Helperthorpe, the grade II church of St Peter is closer to the appeal site, but there is a tall conifer hedge to the north of the churchyard and a substantial group of trees by the adjacent former vicarage and coach house which are also grade II structures. Intervisibility would be extremely limited, and I consider that the development would have only a marginal effect on the setting of these listed buildings. For these reasons the proposal would not conflict with criterion (iii) in Policy RE1 of the Local Plan.*
 - *The proposal includes a substation, which would be erected at the road side and an access road. The substation would be a modest structure, which would be set against a substantial hedgerow and the access road would resemble other individual drives leading from the lanes in the area. They would have only a localised impact on their immediate surroundings.*
 - *I conclude that the proposed development would have only a limited adverse effect on the character and appearance of the area. As there would be no significant harm, the proposal would not conflict with criterion (i) in Policy RE1 of the Local Plan.*

Ultimately it is the subject to the views of the decision maker to weigh the potential landscape impact against the benefits of the proposal. However it is the applicant's view that given the tip height is the same, there will be minimal *if any* increased visual impact.

Site Access and Highways

Paragraph 111 of the NBPPF states that development should only be prevented or refused on highways grounds if there were unacceptable impacts on highways safety or the residual cumulative impacts on the road network would be severe.

It is anticipated that vehicle movements associated with the proposed development would be minimal. It is considered the majority of vehicle movements would be associated with the installation phase and thereafter movements would remain as existing.

It is not anticipated that the existing access to the site will have to be upgraded for the proposed development as it is already used by HGVs of the same dimensions.

The existing access can therefore accommodate the proposed development, and the works would not have an impact on the surrounding highways network.

Noise

The nearest residential property which is not within the ownership of the applicant is 874 meters away from the proposed development site.

The Noise Policy Statement for England (NPSE) sets out the long term vision of Government noise policy. Noise Policy aims are:

Through the effective management and control of environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development:

- Avoid significant adverse effects on health and quality of life;
- Mitigate and minimise adverse effects on health and quality of life; and
- Where possible, contribute to the improvement of health and quality of life

The first aim of the NPSE is to ensure significant adverse effects are avoided, taking into account the principles of sustainable development. As of July 2019 the government updated Planning Practice Guidance in relation to noise, advising on how planning can manage the potential noise impacts in new development. The NPPG when determining application the LPA should consider the following:

- Whether or not a significant adverse effect is occurring or likely to occur;
- Whether or not adverse effect is offering or likely to occur; and
- Whether or not a good standard of amenity can be achieved.

A noise assessment was submitted as part of the original application in 2012 to demonstrate the proposed turbine would be well within acceptable noise limits when considering the nearest receptors. The applicant has advised that the Vestas wind turbine will be derated to 130 kW, therefore noise levels are anticipated to be similar to that of the existing development.

The manufacturer's noise data indicates that the turbine is predicted to produce a Sound Power Level of 94.8dB Lw whilst the Vestas V29 at 225kW is 97.8 Lw dB but this will be reduced by down-rating the turbine to 130kW.

Noise Level from Proposed Wind Turbine (L_{Aeq}), free-field, dB

Receptor	Slant Distance Between Turbine and Receptor in m	Distance Correction	Ground Absorption	Atmospheric Absorption	Noise Level at Nearest Noise Sensitive Receptor	ETSU Criteria		
						Daytime	Night time	Single Turbine (L _{A90,10min})
FI	996	-68.0	-3.7	-3.7	19.5	45	45	--
NSR1	896	-67.0	-3.6	-3.3	20.9	35-40	43	35
NSR2	1001	-68.0	-3.7	-3.7	19.4	35-40	43	35

CONCLUSION

The planning application documentation demonstrates that the proposed development is an acceptable form of development and is in accordance with the development plan where the development plan is considered to be up to date.

The proposals will enable the repowering of an existing wind turbine, and a review of the above informing suggests there are unlikely to be any adverse impacts arising as a result of the proposed development. Similarly, there are clear benefits of the proposals including the generation of additional renewable energy thus reducing carbon emissions. The main objective of sustainable development is to meet the needs of the present without compromising the ability of future generations to meet their own needs. The proposed works are considered to comply with the principles of sustainable development.

On this basis, it is considered that the proposed development complies with both national and local planning policy, and as the tip height remains unchanged and there will be minimal, if any, additional visual impact, this application should therefore be found to be acceptable.