DESIGN AND ACCESS STATEMENT

CO-ORDINATES: E 428564, N 401647

PULE HILL HALL FARM, RAG LANE, THURGOLAND, S35 7BA

PROPOSED SITING OF 1 X 15M HIGH WIND TURBINE

Our Ref: P1067 Warttig

April 2011

DESIGN AND ACCESS STATEMENT

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1.0 Introduction

1.1 This Statement sets out our analysis of the relevant planning policy principles which need to be considered in support of this application for the erection of one 15m high wind turbine at Pule Hill Hall Farm, along Rag Lane, near Thurgoland.

1.2 The development proposal involves the provision of one 15KW turbine and associated infrastructure comprising the following specifically:

- Base work to secure the turbine to the site
- Grid connection
- A cable run 195 metres underground connecting with the inverter at the farmstead

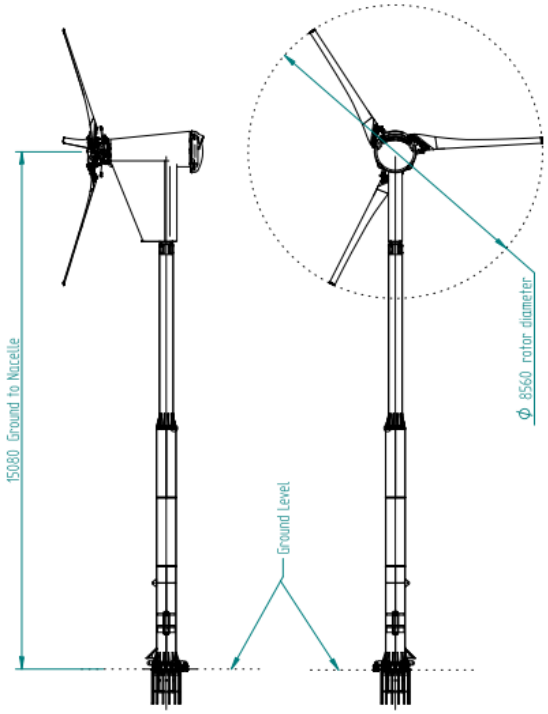


Image 1: Elevation Plan of the Turbine

1.3 The proposed development would be located within land owned by Mr Warttig, where the principle of renewable energy provision is considered acceptable. The main planning considerations are considered within this report in relation to local and national planning guidance alongside relevant planning case law.

2.0 Objectives of this Application

2.1 Mr Warttig is the owner of Pule Hill Hall Farm which contains a Grade II Listed Building. This property, due to its historical significance and listing, is not particularly energy efficient, with high running costs associated with the single glazing and poor insulation. When this is combined with the operational demands of the farm the site has a high energy demand and the introduction of a renewable energy device was seen as an appropriate response to this energy demand as a mechanism for reducing the carbon footprint of the property. Consideration was given to other devices such as solar, however due to the site's location wind energy was by far the most viable option in terms of electricity generation. The proposals have subsequently come forward on this basis.

2.2 Various options were considered for the siting of the turbine and the site does have a number of constraints as follows:

- The need to maintain a separation from the Listed Building to protect this heritage asset
- The need to maintain a tipping distance from the public footpaths
- The need to maintain a 50m separation from habitat features for bat protection
- The need to maintain a separation distance from neighbouring residential properties to maintain amenity
- The need to ensure that the height of the wind turbine does not intrude excessively into the landscape character and openness of the Green Belt
- The need to maintain a tipping distance from overhead cables

2.3 Taking the above into account, a site was selected which maintains a 50m separation from the public footpaths, an associated separation from field boundaries which may be classified as habitat features for bats, and a reasonable separation from neighbours in all directions and the applicant's Listed Building. It remains important that a reasonable relationship with the parent building is maintained so that the function is understood and this has been achieved with the 200m separation distance. Once complete, this site was deemed the most

appropriate for ensuring sensitivity to site constraints but ensuring continued viability of this project.

3.0 The Site Details

3.1 The application site is located within the open countryside approximately 250m to the north of Thurgoland. The turbine would be positioned within the land owned by and associated with the Pule Hill Hall Farm, to the south of the farmstead by approximately 200m.

3.2 At the time of Domesday in 1086, Thurgoland was called 'Turgesland', the land of a Saxon named 'Turges'. The land was part of the Yorkshire 'Kingdom' of Ailric, but after the Norman Conquest the lands were given to the De Lacys. The manor house in Thurgoland was Pule Hill Hall Farm – the applicant's property. The lords of the manor took the name 'Thurgoland', and in 1622 George Thurgoland sold Pule Hill Hall Farm to John Bamford. The manor house was then taken on by the Keresforths, a prominent Barnsley family, in 1671. Key to the development of Thurgoland was the Cockshutt family. James Cockshutt, an important figure in the early wire-making industry, owned Wortley Top Forge. He also operated three wire-drawing mills in Thurgoland – Tilt Mill, Old Wire Mill and New Wire Mill on the River Don.

3.3 Pule Hill Hall Farm is located off Rag Lane to the north, accessed via a farm track approximately 350m in length. The property is a Grade II Listed Building along with the adjoining cottage to the left and they were listed collectively in 1968. The cottage is dated 1671, with C18 alterations and has a rendered rear, coursed dressed stone to the garden front and stone slates on the roof of the cottage with concrete roof tiles on the house.

3.4 There are various farmsteads and buildings in the locality, but the area's overall character is rural. The area around the site is relatively undulating within 400m in all directions, with the land rising to the north from Rag Lane before dropping again to the north and east. The application site is located within the Council's Green Belt and the Council's Area of Borough Landscape Value.

3.5 The nearest neighbouring property is Pule Hill Lodge, which sits at the start of the farm access track on Rag Lane and is located approximately 200m to the south west from the proposed siting of the wind turbine. The nearest neighbor in Thurgoland is approximately 220m to the south east of the site of the turbine.

3.6 A copy of the plan, as contained in the accompanying planning documents, illustrates the proposed siting.

4.0 Planning Policy

4.1 In order to understand the planning policy context associated with this forthcoming application for a wind turbine, it is necessary to consider the background context of energy use and how this has led to a fresh approach when dealing with renewable energy and particularly wind turbines.

4.2 In the UK around 90% of energy needs are met by oil, gas and coal. Fossil fuels are forecast to supply most energy needs by 2020. However, between 2004 and 2030 world demand for energy (on current trends) is forecast to increase by 53%. In addition, the concentration of global oil and gas reserves in relatively few locations brings issues of security of supply. Furthermore, as the UK's resources continue to decline, the UK will become more dependent on imports, hence the need for an increased use of renewable energy resources.

4.3 The UK's mix of generation capacity and reliance on coal and gas has meant that electricity generation in the UK has accounted for around one third of the UK's total carbon emissions. The UK needs to radically increase its use of renewable energy. Firstly, the impending threat of dangerous climate change means we urgently need to reduce our emissions of carbon dioxide and other greenhouse gases. A new focus on renewable energy will play a key role in this as touched upon within this report together with the carbon capture and storage and policies such as the EU Emissions Trading System and energy saving measures. At the same time, the growth in global demand for energy over the next few decades, and the depletion of our North Sea oil and gas resources, mean that we need to re-think our approach to sourcing and using energy. Turning to renewables will help the UK recover some of its energy self-sufficiency, while assuring that more of our imported energy comes from reliable sources. Finally, as the entire world gears up for the transition to a new, low-carbon future, the UK needs a robust and thriving renewable energy sector to maximise the economic and employment opportunities this will inevitably bring. In this context, planning policy has been shaped recently to allow for an increase in use of alternative power sources including, notably, wind farms and individual wind turbines as a mechanism to delivering this robust, thriving renewable sector.

4.4 The Government's policy on energy use is set out in the Energy White Paper (DTI, 2007). This sets the base from which all other planning policy principles on renewable energy have followed. This White Paper aims to:

- Cut the UK's carbon dioxide emissions
- Maintain the reliability of energy supplies
- Promote competitive markets
- Ensure that every home is adequately and affordably heated

4.5 In this context, renewable electricity generation can make a significant impact and the White Paper aims for 20% of electricity to be supplied by renewable generation by 2020. In terms of distribution, the White Paper envisages the possibility of a more decentralised low carbon energy system with more local energy supply and greater use of renewables, which it suggests could reduce losses arising from the transmission of centrally-generated electricity. This application would thus directly accord with the principles behind the White Paper and would enable a local energy supply which would be entirely decentralised.

4.6 The Energy Act 2008 contains provisions to implement legislative aspects of the 2007 White Paper. In particular, it includes the following provisions:

- A regulatory framework to enable private sector investment in carbon capture and storage (CCS).
- A strengthened UK Renewables Obligation to bring about greater and speedier deployment of renewable energy.
- The introduction of feed-in tariffs to support low carbon electricity generation for projects up to 5 megawatts (enabling a guaranteed payment for generation).

4.7 This Energy Act set the framework through which the feed-in tariff has now been released and this application would realise one wind turbine which would be eligible for this tariff.

4.8 Planning applications must be determined in accordance with the Statutory Development Plan, unless material considerations indicate otherwise. If the Development Plan contains

material policies or proposals and there are no other material considerations, the application should be determined in accordance with the Development Plan. Where there are other material considerations, the Development Plan should be the starting point and other material considerations should be taken into account in reaching a decision. One such consideration is whether the planning policies are relevant and up to date. The Act provides that if there is a conflict between policies in adopted national planning guidance or policies in a Development Plan Document, the most recent policy will take precedence and weight attributed accordingly.

4.9 Barnsley Borough Council has, at this stage, not produced a Local Development Framework and following the recent removal of the Regional Spatial Strategies, the most up to date local planning document is the Unitary Development Plan. This Plan is considered to be somewhat out of date for the ever changing climate change issue and there are a number of relevant national planning policy principles which are not fully reflected within this local planning document.

4.10 The Government's statements of planning policy are material considerations which must be taken into account, where relevant, in determining planning applications. These statements cannot make irrelevant any matter which is a material consideration in a particular case, but where such statements indicate the weight that should be given to relevant considerations, decision makers must have proper regard to them. One particular consideration which will be teased out in this report is the weight which should be given to the appropriateness of development within the countryside and any specific landscape designation versus the weight associated with the environmental benefits of a wind turbine.

4.11 Planning Policy Statement 22: Planning for Renewable Energy (PPS22) was issued in 2004 along with its associated 'Companion Guide'. These two documents provide the national planning framework which sits against the context of the White Paper and Energy Act previously referenced, from which local planning authorities must decide on individual planning applications. The ministerial statement made by Yvette Cooper formalised government support for PPS22, it also encouraged local planning authorities to include in their local development frameworks polices requiring new developments to generate at least 10% of their own energy from on site renewable sources.

4.12 The Government believes that climate change is the greatest long-term challenge facing the world today. Addressing climate change is therefore the Government's principal concern for sustainable development. Policies and priorities for action, both in the UK and internationally, are set out in the Climate Change Programme and the report of the 2006 Energy Review. PPS22 sets the objective based criteria that must be applied by local planning authorities in deciding individual planning applications to generate energy from wind. In particular, the following elements of PPS22 are seen as relevant to this case:

Key Principle V1: Small-scale projects can provide a limited but valuable contribution to overall output of renewable energy and to meet energy needs both locally and nationally. Planning Authorities should not therefore reject planning applications simply because the level of output is small.

Paragraph 11: "Small scale developments should be permitted within sensitive landscape areas such as National Parks, Areas of Outstanding Natural Beauty and Heritage Coasts, providing there is no significant environmental detriment to the area concerned".

Paragraph 18: Local planning authorities and developers should consider the opportunity of including renewable energy in all new developments. Small-scale renewable energy schemes utilising technologies such as solar panels, Biomass heating, small-scale wind turbines, photovoltaic cells and combined heat and power schemes can be incorporated both into new developments and some existing buildings. Local planning authorities should specifically encourage such schemes through positively expressed policies in local development documents.

Paragraph 20: Of all renewable technologies, wind turbines are likely to have the greatest visual and landscape effects. However, in assessing planning applications, local authorities should recognise that the impact of turbines on the landscape will vary according to the size and number of turbines and the type of landscape involved.

4.13 Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7) draws attention to the Government's objectives for the countryside and sets out the key principles of raising the quality of life in rural areas, encouraging more sustainable use of land, and to diversify and promote growth in rural areas.

4.14 Within PPS7 Paragraph 16 (i) / (iv) states that amongst these principles are promoting good quality, sustainable development that support development that provides for the sensitive exploitation of renewable energy sources in accordance with the policies set out in PPS22.

4.15 Planning Policy Statement 1: Delivering Sustainable Development, Planning and Climate Change (PPS1) - Supplement to PPS1, sets out how planning should contribute to reducing emissions and stabilising climate change and take into account the unavoidable consequences. It notes that tackling climate change is a key Government priority for the planning system. Core Strategy Policies should be designed to promote and not restrict renewable and low carbon energy and supporting infrastructure. A proposal that will contribute to the delivery of the Key Planning Objectives set out in this PPS should expect expeditious and sympathetic handling of the planning application.

4.16 Planning Policy Statement 5: Planning and the Historic Environment (PPS5) has recently been published superseding Planning Policy Guidance 15 (PPG15). This aims to conserve England's heritage assets in a manner appropriate to their significance by ensuring that:

- Decisions are based on the nature, extent and level of that significance, investigated to a degree proportionate to the importance of the heritage asset
- Wherever possible, heritage assets are put to an appropriate and viable use that is consistent with their conservation
- The positive contribution of such heritage assets to local character and sense of place is recognised and valued; and
- Consideration of the historic environment is integrated into planning policies, promoting place-shaping.

4.17 Policy HE10 states that when considering applications for development that affect the setting of a heritage asset, local planning authorities should treat favourably applications that preserve those elements of the setting that make a positive contribution to, or better reveal, the significance of the asset. When considering applications that do not do this, local planning authorities should weigh any such harm against the wider benefits of the application. The greater the negative impact on the significance of the heritage asset, the greater the benefits that will be needed to justify approval. Local

planning authorities should identify opportunities for changes in the setting to enhance or better reveal the significance of a heritage asset. Taking such opportunities should be seen as a public benefit and part of the process of place-shaping.

4.18 The building's setting and its contribution to the local scene may be very important, for example, where it forms an element in the landscape or where it shares particular architectural forms or details with other buildings nearby. List descriptions may draw attention to features of particular interest or value, but they are not exhaustive, and other features of importance may come to light after the building's inclusion in the list.

4.19 The overriding principles of PPS5 seek to preserve and conserve heritage assets such as Listed Buildings and they do encourage developments which enable such preservation. General planning standards should still be applied sensitively in the interests of harmonising the new development with its setting and this approach has been taken with the number of turbines, the location and height.

4.20 The application site is located within the Green Belt. Green Belts have been perhaps the best known feature of the planning system since the 1950's and continue to command widespread support. The protection of the Green Belt is an overriding planning consideration and one, which, in the case of most forms of development, strongly militates against the granting of planning permission. However, having been a feature of the planning system since the 1950's the policies and traditional considerations applied to development within the Green Belt are not necessarily up to date with the ever changing climate change issue and weight should now be given to the environmental benefits from proposals such as wind turbines against the background of Green Belt policies. Very special circumstances will be required to justify instances where this presumption against development should not apply.

4.21 The principle of a wind turbine would not accord with the forms of development deemed acceptable in the Green Belt and its very nature is therefore deemed inappropriate in principle within the Green Belt under this policy context. Notwithstanding this, PPG 2 – Green Belts does stipulate that '*Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.'* Given the national planning policy context outlined previously and the greater emphasis that is now placed within the planning

system on renewable energy provision, it is considered that the environmental benefits of small scale renewable projects such as this would represent 'very special circumstances'. Indeed, this issue was recently discussed in an appeal at land adjacent to Ramsgill, Otley Road, Bingley (APP/W4705/A/09/2118825). This appeal (Appendix A) related to a 15m high wind turbine within the Harrogate Green Belt and the Planning Inspector in allowing the appeal accepted that Green Belt planning policy principles would dictate that the principle of a wind turbine was inappropriate and would, to an extent, result in some loss of openness. Nevertheless, in reaching the decision to allow the appeal the Inspector concluded:

'I attach substantial weight to the harm to the Green Belt by reason of inappropriateness. As there would be a modest loss of openness within the Green Belt, I find only a limited degree of other harm. Set against this is the significant weight that I give to the wider environmental benefits associated with increased production of energy from renewable sources. When weight against one another, the other considerations do clearly outweigh the harm to the Green Belt by reason of inappropriateness and the other harm in relation to openness within the Green Belt. In my judgement very special circumstances do therefore exist and justify a grant of planning permission'.

4.22 This appeal decision does set the issue of Green Belt principles versus renewable energy principles into context and the overriding conclusion is that the principle of renewable energy provision does represent special circumstances that justify planning consent. There is therefore considered to be no bar from a planning policy perspective to the consideration of this planning application in principle.

4.23 Consideration on the local level with regards to the Green Belt issue is given to Policy GS7 which seeks to safeguard against inappropriate development in this locality and specifies that development will not be permitted within the Green Belt unless it maintains openness and does not conflict with the purposes of including land within the Green Belt. Policy GS9 requires that development within the Green Belt should not by reason of its siting, materials or design, result in significant harm to the visual amenity of the Green Belt. As highlighted the thrust of policies GS7 and GS9 all align with the provisions of PPG2 and the over whelming guidance contained within case law is that wind turbines in principle are acceptable in Green Belts.

4.24 The application site is also within the designated areas of Borough Landscape Value which are recognised as being of higher landscape quality than other countryside areas. The Areas of Borough Landscape Value are also in the Green Belt and development will therefore be limited to that which is appropriate in such areas in accordance with Policy GS8 previously referred to. Because of the special quality of these areas, any development which is acceptable should conserve the character of the area, and should, wherever possible, positively enhance the environment through its location, siting, scale, design, materials and landscaping.

4.25 Policy GS13 states that in areas designated as being of borough landscape value on the proposals map conservation and enhancement of the landscape will be extremely important considerations. Subject to policy GS8, development will only be allowed if:

a) There is no loss of valuable landscape features

b) The nature, form and design of the development is sympathetic to the area

c) The overall character and appearance of the area is conserved and wherever possible enhanced.

4.26 Of particular importance to the assessment of this application is policy ES12 which sets out the Council's requirements for proposals that seek to develop wind energy generation. Such proposals will be assessed with regard to the following factors:

- Effect both individually and cumulatively upon landscape and the visual amenity of the area;
- The impact on residential amenity with reference to noise, visual outlook, shadow flicker and flashing from the turbine blades;
- Provision of satisfactory access to the highway network having regard to visual amenity, highway capacity and safety;
- Effect on wildlife, ecology and archaeology;
- Effect on agricultural land uses;
- Electro-magnetic effects;
- The provision for connection to the electricity transmission and supply system;

- The effect of shadow flicker or flashing from turbine blades.

4.27 Policy ES12A outlines the importance of using appropriate technology and design for all wind generator proposals. Policy ES1C states that the council will control development in the vicinity of existing wind generation installations so as to safeguard these from a reduction in local wind speeds.

4.28 Finally of more general relevance is policy BE6 which sets out design standards for all development. Proposals will be assessed in terms of:

- The quality of layout and the suitability of the scale of the development;
- The use, quality, design and landscape treatment of open land within the site and the area around buildings;
- The standard of detailed design and facing materials of proposed buildings;
- The suitability of the whole development for its proposed context and its relationship with adjoining land uses.

5.0 Planning History

5.1 There is no relevant planning history associated with the erection of a wind turbine at this site.

6.0 Consideration

6.1 As previously identified, there is a presumption in favour of renewable technologies and significant weight should be attributed to this issue in line with government policy. This issue should be balanced against other main considerations including the impact upon the character and appearance of the area, archaeological and nature conservation issues and any adverse impact upon the electromagnetic field. Each issue will be considered individually.

6.2 From an operational standpoint, the siting of a wind turbine requires maximum exposure to unobstructed wind flow conditions in order to achieve efficient operation. Proximity to ground based obstructions can detrimentally affect the performance of a turbine and it is therefore essential to ensure that a wind turbine is located a sufficient distance away from any such obstacles to provide the necessary clearance. After taking into consideration these factors, the siting point for the turbine has been chosen from both an operational/technical and a visual impact perspective as discussed below.

Visual Impact and Harm to the Green Belt

6.3 The proposed wind turbine would be positioned to the south of the farmstead and would measure 15m high to the hub, with the blades extending another 8.5m beyond. In this location and at this height the turbine would be visible from Rag Lane to the south and Thurgoland Hall Lane to the east and Pinfold Lane to the north east along with the public footpaths that cross the fields bordering the site. The turbine would to an extent change the appreciation of this site within its surrounding rural context. However, this does not necessarily equate to unacceptable harm and this change in vista must be balanced against policy expectations and guidance encouraging renewable energy.

6.4 This issue was recently discussed in an appeal at Land Adjacent to Ramsgill, Otley Road, Bingley (APP/W4705/A/09/2118825). This appeal (Appendix A) related to a 15m high wind turbine within open countryside and within the Harrogate Green Belt and the Planning Inspector in allowing the appeal accepted that countryside and particularly Green Belt planning policy principles would dictate that the principle of a wind turbine was

inappropriate and would, to an extent, result in some loss of openness. Nevertheless, in reaching the decision to allow the appeal the Inspector concluded:

'I attach substantial weight to the harm to the Green Belt by reason of inappropriateness. As there would be a modest loss of openness within the Green Belt, I find only a limited degree of other harm. Set against this is the significant weight that I give to the wider environmental benefits associated with increased production of energy from renewable sources. When weighed against one another, the other considerations do clearly outweigh the harm to the Green Belt by reason of inappropriateness and the other harm in relation to openness within the Green Belt. In my judgement very special circumstances do therefore exist and justify a grant of planning permission'.

6.5 As this site is located within the Green Belt, this appeal decision does set the issue of Green Belt principles versus renewable energy principles into context and the overriding conclusion is that the principle of renewable energy provision does represent special circumstances that justify planning consent. Clearly the turbine itself would be an inappropriate form of development in the Green Belt; however, special circumstances would exist that justify the planning consent. In reaching this conclusion, regard must be given to the level of impact on the landscape that would result. An assessment of the site has been undertaken in order to establish the most effective siting point for the turbine, taking into consideration both the technical and visual impact implications involved in this project.

6.6 The land rises to the north east from Rag Lane, Thurgoland Hall Lane from the south east and Pinfold Lane from the north east. This means that the turbine would be visible in the open countryside and would therefore result in some loss of openness and some limited visual intrusion from distant vantage points of over 200m, over 400m and over 500m respectively. In addition, there is a public foothpath network in the vicinity which connects Thurgoland to the south east with the field network and acts as a recreational facility for residents. This footpath network includes two footpaths that follow the southern and eastern boundaries where the turbine would be visible from close up vantage points. The extent of intrusion has been minimised however by the height of the turbine which has sought to achieve the correct balance between efficiency and intrusion. In doing so this would instantly limit any visual impact upon the wider character of the area, in terms of visual intrusiveness.

6.7 The proposed turbine would be treated in a white colour as this, and indeed grey or metallic colours, are more aesthetically pleasing and non-obtrusive than green, brown or black against rural backgrounds (trees, hedges, fields, leaves etc) and also against the skyline (grey and blue in this country). This is the reason other masts which are widely distributed throughout the UK (lampposts, pylons, signage posts, lightning conductors and other masts) utilise the same colours. The proposed turbine would be skylined to an extent from the public highways previously described, though the extent of skylining is reduced by the selection of a small turbine measuring 15m to the hub, rather than a more sizeable model and the colour treatment would aid in reducing the visual impact.

6.8 The turbine has been sited approximately 200m from the farmstead and approximately 130m from a clump of trees, so as to ensure that the turbine is not viewed in isolation in the countryside. The position of power cables to the north of the turbine and the associated pole, some 200m to the north east, would all serve to ensure that the turbine is not seen in isolation. Given the turbine's location, height and coloured finish it is considered that the landscape and pattern of open fields around the farmstead would remain dominant in all public views of the turbine. This is further underlined by the nature of a wind turbine which has a greater inter visibility with views through the turbine to the countryside to the rear possible, unlike a building. From distant vantage points along Pinfold Lane the turbine would be positioned in between the farmstead and Thurgoland so would not be viewed in isolation or as an intrusive feature into a wider open landscape.

6.9 The turbine would not be viewed as an incongruous feature in the landscape as it would be sited sufficiently close to the Pule Hill Hall Farmstead for observers to understand the function as a renewable energy device, which is clearly serving the needs of this property. Furthermore, the location with the context of boundary hedges, the maturing trees to the north, gently rising topography and the buildings forming the farmstead would all serve to dilute the visual impact of the turbine. When this is combined with the inter visibility of the turbine itself, the result would ensure that an acceptable level of impact on the character and openness of the countryside would be achieved.

6.10 Residents/visitors travelling in the area either by foot or car would experience different degrees of visibility of the proposed turbine, principally due to the location and speed of movement. People's perception of the effect of the development would also vary, whilst

some, including a substantial number of local people, would find the impact of the turbine unacceptable, others would welcome the introduction of the structure and find that it added diversity to the countryside. Yet others particularly if travelling at speed along Rag Lane, could potentially be unaware of the structure due to its angle and distance from the highway. Whilst vehicular speeds are lower along Pinfold Lane and Thurgoland Lane, the distance and angle to the turbine is such that only fleeting glimpses are likely from drivers and passengers rather than any prolonged views. Undoubtedly from close up along the footpaths the mast would dominate people's perception of the rural area. However, because the proposal would be a single structure in an extensive countryside area, its visibility and adverse impact would not be so great so as to fundamentally compromise either residents or visitors experience of this part of the Green Belt.

6.11 Given the above site context and landscape visual assessment it is felt that this turbine in this location would have an acceptable level of impact on the character and openness of the Green Belt, which when balanced against the positive benefits associated with the introduction of the renewable energy provision would indicate that the application should be considered favourably.

Neighbour Impact

6.12 In siting the turbine in the proposed location we have sought to ensure that the positioning of the turbine is sufficiently secluded from adjoining neighbours to ensure local occupants are not in any way adversely affected by potential noise or shadow flicker associated with the operation of the wind turbine.

6.13 In this case, the chosen siting point of the turbine is approximately 200m from the nearest residential property Pule Hill Lodge, which is located adjacent to the entrance to the farm track. The residential properties within Thurgoland are the second closest neighbour with the nearest positioned approximately 220m from the turbine. This is amply sufficient to prevent adverse impact on any residential dwelling from a small scale wind turbine such as this.

6.14 Shadow flicker is defined as obstructions to light incurred when the blades of the wind turbine cause light pollution when sited in close proximity to buildings, typically to the west or east of the turbine. PPS22 advises that shadow flicker has only been known to occur

within 10 rotor diameters of a turbine 130 degrees either side of north. In this case, shadow flicker could only theoretically occur within 170m of the turbine and there are no properties within this distance as previously indicated. There is therefore no issue of residents at Pule Hill Lodge or in Thurgoland being affected by shadow flicker at the site due to the location of the turbine and the distance with neighbouring properties.

6.15 The siting point of the wind turbine has been selected after considering technical feasibility, access, visual impact and noise pollution issues. Earthmill Ltd has also taken into consideration the proximity to all residences in relation to noise levels generated by the wind turbine in operation.

6.16 The Proven P35-2 turbine, like most modern day wind turbines, does not create the same levels of noise as the very early designs, there are less mechanical parts to cause mechanical "whirring" noise. The noise from wind turbines is very low. Attached with this report and forming part of the application submission is a noise test which has been carried out, according to BWEA Small Wind Turbine Performance and Safety Standard on a Proven P35-2 wind turbine installed at Little Laight, Cairnryan to measure the sound power level and tonal characteristics. According to the BWEA standard for small wind turbines, the turbine was calculated to have an apparent sound power level of 92.0 dB(A) +- 2.4 dB at a wind speed of 8m/s at rotor centre height, as measured at the Reference Position directly downwind of the turbine. The declared apparent emission sound power level for 8m/s at rotor centre height was calculated to be 95.9 dB(A). Using a 2nd order regression through all measured data, the apparent sound power level equals to 92.6 dB(A) +- 2.17 dB at a wind speed of 8m/s at rotor centre height. The declared apparent emission sound power level for 8m/s at rotor centre height in this case was calculated to be 96.2 dB(A). The tonal output from the Proven P35-2 wind turbine has been assessed using the BWEA methodology prescribed in the attached noise report. Based on this methodology, no tonal characteristics were found.

6.17 Given that the nearest neighbour is Pule Hill Lodge, it must be considered that the proposed turbine would not be audibly appreciated from this or any other neighbouring property. It should also be highlighted that Pule Hill Lodge sits at the corner of the access track serving the farm and Rag Lane, the A629, which is likely to generate greater noise levels than the turbine due to vehicular activity in close proximity.

6.18 Furthermore, the turbine is unlikely to be overly dominant or prominent from Thule Hill Lodge due to the location of buildings positioned on the north eastern side of the dwelling and the orientation of this property which would all mean that the proposed turbine would not be visible from this dwelling. The nearest residential properties within Thurgoland are located along an unnamed road on the north west side of Thrugoland Hall Lane. These properties are all positioned with the dwellings facing north east to south west and thus facing away from the wind turbine. Whilst views may be possible from the surrounding land, the turbine would not be intrusive to these properties. The properties that are most likely to visually appreciate the turbine are those on the northern side of Copster Close which do face in the general direction towards the turbine location. However, positioned in between is a large agricultural building approximately 70m away which would be more dominant in the vista and any views of the turbine would be background views. Furthermore, the landform from these properties rises before plateauing out where the turbine would be situated and this landform would prevent full and complete views of the turbine in its entirety from base to tip. Given the distances involved it is considered that the turbine with this relationship would be unlikely to harm the living conditions enjoyed by the occupants of these properties.

6.19 The perception of any visual harm caused by wind turbines is a sensitive and subjective matter, with many individuals in support of their installation yet many against the principle of turbines in the countryside in their particular local area. It is felt that this perception of harm is likely to change over time as people become familiar with their appearance and recognise the positive contribution they make in reducing greenhouse gas emissions. A change in culture is thus likely to occur. Nevertheless, any application must be determined on its own merits and in light of policy expectations and the perception of harm from the principle of turbines, should carry little weight when balanced against the positive benefits of these turbines. Having regard to the actual likely effects of the proposed turbine in this location it must be concluded that the effects on neighbour amenity are likely to be negligible and confined to a change in view alone. This in itself is not necessarily unacceptable and the turbine's location and height would ensure that the structure is not overly dominant or oppressive from the neighbouring properties, particularly those along Copster Close, Pule Hill Lodge and the unnamed road off Thurgoland Hall Lane.

Electromagnetic Interference

6.20 The wind turbine's switch gear has been fully tested to ensure compliance with the UK standards, thus ensuring that the main source of electromagnetic interference from other wind turbines is avoided. The digital TV network in the UK is not affected by electromagnetic interference which was previously associated with analogue TV services and transmission stations. The scattering and disruption of signal is a rare occurrence in any event, associated with very large utility scale wind turbines and there have been no recorded instances of electromagnetic interference occurring from wind turbines less than 45m high. Subsequently, this wind turbine is unlikely to cause any electromagnetic interference in the area.

Proximity to Electrical Power Lines

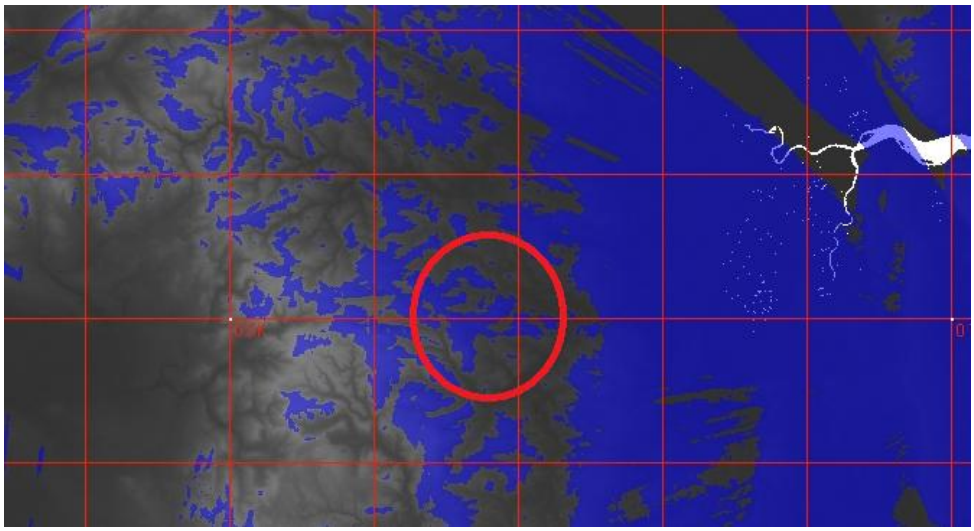
6.21 The guidelines set out by NEDL (Distribution Network Operator) indicate that the installation of a wind turbine is acceptable at over 10m from any power line. As can be seen on site, this application would therefore fully comply with these expectations and the proposed wind turbine would have no impact on the distribution network. There is an overhead cable to the north of the turbine which runs in a general east west direction before changing direction and heading on a north eastern line, however the turbine has been positioned well away from the cable thus ensuring that in any worse case tipping situation the cable would be unaffected.

Proximity to Airports and Flight Paths

6.22 The National Air Traffic Service (NATS) no longer respond to wind turbine developer enquiries and any issues pertaining to the wind turbine's installation at the site will need to be conducted by the Local Planning Authority.

6.23 Earthmill Ltd has conducted preliminary research using the NATS online tool, which indicates that the installation is unlikely to be within an area where wind turbines would interfere with aviation flight paths or infrastructure. Unfortunately, the accuracy and detail of the plans is limited which makes it impossible to ascertain for sure. Furthermore, the plans are indicative of a 40m tip height which is well below the overall tip height proposed here. This

further indicates that the turbine is unlikely to affect aviation. Any consultation responses would of course be important in the determination of this application.



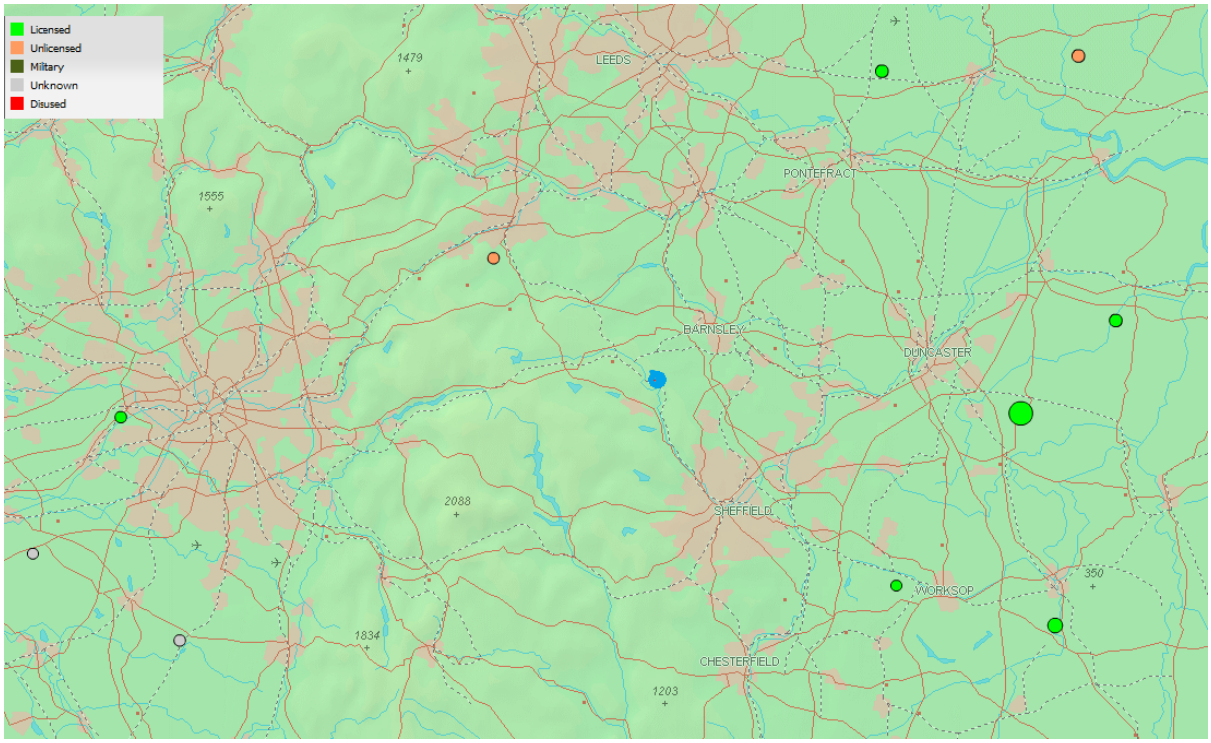
NATS Radar Map for 40m wind turbine tip height

6.24 Earthmill Ltd has conducted preliminary research using the MOD online tool, which indicates that the installation is unlikely to be within an area where wind turbines would interfere with MOD radar. However, once again unfortunately the accuracy and detail of the plans is limited which makes it impossible to ascertain for sure. Furthermore, the plans are indicative of a 40m tip height which is well below the overall tip height proposed here. This further indicates that the turbine is unlikely to affect MOD radar. Again, any consultation responses would of course be important in the determination of this application.



MOD Radar Map for 40m wind turbine tip height

6.25 The nearest commercial airport is at Doncaster, which is a significant distance away and amply sufficient to ensure that the turbine would not impact upon that turbine. The nearest airfield is an unlicensed airfield known as Crossland Moor and is indicated on the plan below. The application site is indicated by the blue circle.



Map showing airfields in the vicinity

6.26 As you can see in the above plan, the application site is located a significant distance to any licensed (green circle) or unlicensed (orange circle) airfield and there are no military (black circles) airfields within the vicinity. Given the significant distance to any main or small air field and having regard to the size of the wind turbine on this site and in relation to electricity pylons in the wider area which are higher, it is considered that the proposals would have no impact on flight paths or the operations of airports in the wider region.

Ground Conditions

6.27 Prior to installation a geological survey will be undertaken to determine the strength and composition of the sub soil in preparation for the foundation base of the wind turbine. The detailed design of the foundation depends on the sub soil composition. An anchor set in concrete and large anchor bolts secure the foundation structure to the base of the mast.

There is no overriding reason why the ground conditions in this location are likely to preclude the development and should the Local Planning Authority wish to consider the foundation structure in greater detail it is recommended that this be included and required as a condition of any consent.

Ecological Issues

6.28 The application site is not located in any area designated as being of ecological importance. The particular site has little in the way of ecological habitats with the exception of sporadic of a small group of maturing trees. The installation of the proposed wind turbine would result in no significant trees being removed due to the form and nature of the installation process. The cable route would require some excavation, and care will be taken to minimise ground disturbance for the installation near any roots associated with the maturing trees to the south of the building group. Furthermore, there is little evidence to suggest that the wind turbine in this particular area at the height proposed would cause any significant impact on local birdlife or indeed any other species.

6.29 Natural England produced a document 'Our State of the Natural England' report in 2008 which summarises the potential impacts of both terrestrial and marine wind energy developments and their ancillary infrastructure, on the natural environment. These include but are not confined to, the potential impacts on bird and bat populations.

6.30 Bats and their roosts are legally protected by domestic and international legislation. The purpose of the legislation is to maintain and restore protected species to a situation where their populations are thriving, and there is sufficient habitat to ensure this will continue. Generic guidance on assessing the impact of wind turbines on bats has been developed at the European level under the Eurobats Agreement (Bonn Convention), to which the UK is a signatory. Natural England subsequently produced a Technical Information Note TIN051 in light of the Eurobats Agreement, entitled 'Bats and Onshore Wind Turbines'.

6.31 The Eurobats guidance proposes that the buffer surrounding woodland areas should be 200m, whereas the Natural England document suggests a buffer zone of 50m. One reason for the difference is that the European guidelines are catering for a greater diversity of species, some of which are known to fly very long distances, often in the open, away from woodland. The use of linear features varies among species. Research found that serotines in

Finland and Holland utilised linear features and open habitat. In Holland, pipistrelle and serotine were known to cross gaps of 110-150m in open and patchy landscapes, although pipistrelles did so infrequently. Traditional flight routes may explain why pipistrelles and other small bats will cross gaps up to 200m.

6.32 However, the evidence in Britain is that most bat activity is in close proximity to habitat features. Activity was shown to decline when measured at fixed intervals up to 50m away from treelines and at varying intervals up to 35m from treelines. This decline occurred both when bats were commuting and when foraging, although the decline is greater when animals were commuting.

6.33 To minimise risk to bat populations Natural England's advice is to maintain a 50m buffer around any feature (trees, hedges) into which no part of the turbine intrudes. This means the edge of the rotor-swept area needs to be at least 50m from the nearest part of the habitat feature.

6.34 The most likely bat roosts are associated with the buildings at the farm and indeed at Thule Hill Lodge to the south west. The tree group to the south of the buildings are also potential roosts and foraging areas. Field boundary treatments consist of stone walling with some shrub and hedgerows running parallel. Given the greater habitats within the field to the west which contains maturing trees, it is considered that any foraging bats are more likely to focus feeding activity in that field than the proposed field. The turbine is positioned 50m from the southern field boundary and 50m from the western field boundary such that the turbine would stand away from any potential foraging bat along the boundaries. It is thus clear that the proposals would not result in any impact on possible bat populations.

6.35 To help minimise the potential conflict between birds and wind turbines, the RSPB and Natural England have jointly produced a GIS map and written guidance to aid the planning process for onshore wind energy development in England. The map is based on distributional data for twelve sensitive bird species, plus statutory SPAs (Special Protection Areas), and sites containing nationally important populations of breeding waders and seabirds, or wintering waders or wildfowl. Ten of the twelve species included on the map are listed on Annex I of the EU Birds Directive, with two additional species of conservation concern included, due to concern about potential impacts on their rapidly declining or highly localised populations. The application site is not located within an area designated as being

of high or medium risk from a 15m turbine and there are no localised designations within the site or immediate surrounding area, indicating that the site is at low risk to bird populations. This is evident in the map below and within the subsequent table indicating designated sites within a 10km radius.



Selected Local Nature Reserves

Site Code	Name	Area (Ha)
1009581	WHEATA WOODS	65.27
1009580	WHARNCLIFFE HEATH	48.95
1009900	WORSBOROUGH COUNTRY PARK	62.82
1008867	DEARNE VALLEY PARK	49.33
1009078	POTTER HOLES PLANTATION	8.66

1008884	ELSECAR RESERVOIR	13.64
1083118	TOWN END COMMON	8.43

Selected Special Areas of Conservation

Site Code	Name	Area (Ha)
UK0030280	SOUTH PENNINE MOORS	65025.5

Selected Special Protection Areas

Site Code	Name
UK9007021	PEAK DISTRICT MOORS (SOUTH PENNINE MOORS PHASE 1)

Selected Sites of Special Scientific Interest

Site Code	Name	Area (Ha)
1003966	LITTLE DON STREAM SECTION	1.01
1004074	PYE FLATTS MEADOWS	2.21
1002023	THE DARK PEAK	31823.79
1084115	SPRING MEADOWS, ALDERMAN'S HEAD & COW CROFT MEADOWS	16.83
1002361	CANYARDS HILLS	65.62
1004022	WHARNCLIFFE CRAGS	15.6

6.36 The RSPB recognises the essential role that renewable energy, including wind, plays in the attempt to tackle climate change, and supports appropriately located wind energy developments. Effects of wind farms on birds vary depending upon factors such as species, season, weather, habitat type and individual site characteristics such as topography (e.g. Langston and Pullan, 2003, Barrios and Rodríguez, 2004, Drewitt and Langston, 2006, 2008, de Lucas et al., 2008, Smallwood and Thelander, 2008). As wind energy is still a relatively new technology, information about these effects is sparse, with few relevant published peer-reviewed papers on the subject (Whitfield and Coupar, 2008), although the knowledge base is increasing.

6.37 Wind farms or individual turbines can affect birds in four main ways: collision, disturbance displacement, barrier effects (sometimes considered a type of disturbance displacement) and direct habitat loss.

6.38 Direct habitat loss is generally considered to be a relatively minor concern (Percival, 2000), although there will be exceptions, for example where overlap is with very rare species with small home ranges (Whitfield and Coupar, 2008). As the site has been designated a low risk area with no specific designation there would be no loss for very rare species. Furthermore, given that this application relates purely to an individual turbine the proposals would not result in any loss of habitat.

6.39 Collision risk and disturbance displacement are considered the two predominant effects. Wind farms in the UK have not been associated with high collision rates to date, because on the whole they have been constructed in areas with little bird activity (Percival, 2005, Madders and Whitfield, 2006), and generally, collision rates recorded at many wind farms in the UK and elsewhere have been low (e.g. Erickson et al., 2001, Percival, 2005, Drewitt and Langston, 2006, 2008). Clearly with an individual turbine the potential for collision with birdlife is further reduced.

6.40 Different species groups vary in terms of susceptibility to collision, with raptors being particularly susceptible. The RSPB generally consider that smaller more agile birds such as sparrows or finches are better equipped to avoid collision with wind turbines and in this respect the proposals are unlikely to have any impact in respect of collision with such birdlife. Given the ecological habitats within the area, which predominantly include pasture land and isolated maturing trees, it is considered that these types of birds would be the

predominant birdlife in the area. The larger species groups more susceptible to collision are not predominant within the immediate area. Species such as Lapwings can be found in the wider area, however are not known to reside on site. Given the relatively low height of the turbine in comparison with large scale wind turbines and as this application relates to an isolated turbine rather than a wind farm, it is considered that the risk of bird collision would be minimal. Furthermore, the site is not located on a known migration flight path which may otherwise prejudice other species and in any event migrating birds such as geese typically fly above 30m so would be unaffected by a turbine at this height.

6.41 Disturbance can affect species in a number of ways; either by direct loss of, e.g. nesting, foraging, roosting or moulting habitat, or by affecting productivity, and potentially survival. Meta-analysis of 19 datasets suggested reduced abundances of birds at wind farms, particularly of wildfowl and waders (Stewart et al., 2007), in accordance with results on disturbance displacement. However, whilst Lapwings reside in the wider area such species are not predominant in the application site and as this application relates to an isolated turbine it is considered that disturbance is likely to be minimal and confined to the confines of the field rather than displacing any bird from the wider locality. As such any displacement effects must be considered minimal.

6.42 In respect of badgers, surveys have been undertaken and did not identify any setts within the site area around the turbine. Given the small area which would be affected by the works it is unlikely that badgers would be affected by the proposal. However, should a sett be discovered as part of the preconstruction check of the land, a license would need to be obtained from Natural England prior to commencement of works.

6.43 Both the RSPB and Natural England are generally supportive of wind turbines and the role they play in sustaining the country's energy demands. PPS22 indicates that bird species and their habitats are rarely affected by wind turbine developments and the impact of appropriately designed and located wind turbines on local bird life should, in many cases, be minimal. Naturally site specific conditions must still be given due consideration and in this location it is considered that the provision of one individual wind turbine can be sensitively sited so as to ensure that the proposals would not result in any adverse impact on ecological issues.

Archaeological Implications

6.44 The proposals will involve some ground excavations when the foundations are laid and turbine installed, however, following a desktop appraisal there is little to suggest that the application site has any archaeological importance. The following archaeological remains are noted around Thurgoland:

- Post-Medieval to Industrial Period Cottages and Farmhouse, Thurgoland
- Iron Age or Romano-British House Platform, Thurgoland
- Iron Age or Romano-British House Platform, Thurgoland
- Iron Age or Romano-British House Platform, Thurgoland
- Iron Age or Romano-British House Platform, Thurgoland
- Old Brewhouse at Huthwaite Hall, Thurgoland
- 16th Century Farmhouse at Huthwaite Hall, Thurgoland
- New Mill, Thurgoland
- Post-Medieval Aisled Barn at Highfield Farm, Thurgoland
- Old Mill Workers Cottages, Thurgoland
- Medieval and Post-Medieval Pottery Finds, Thurgoland
- Copster Farmhouse, Thurgoland

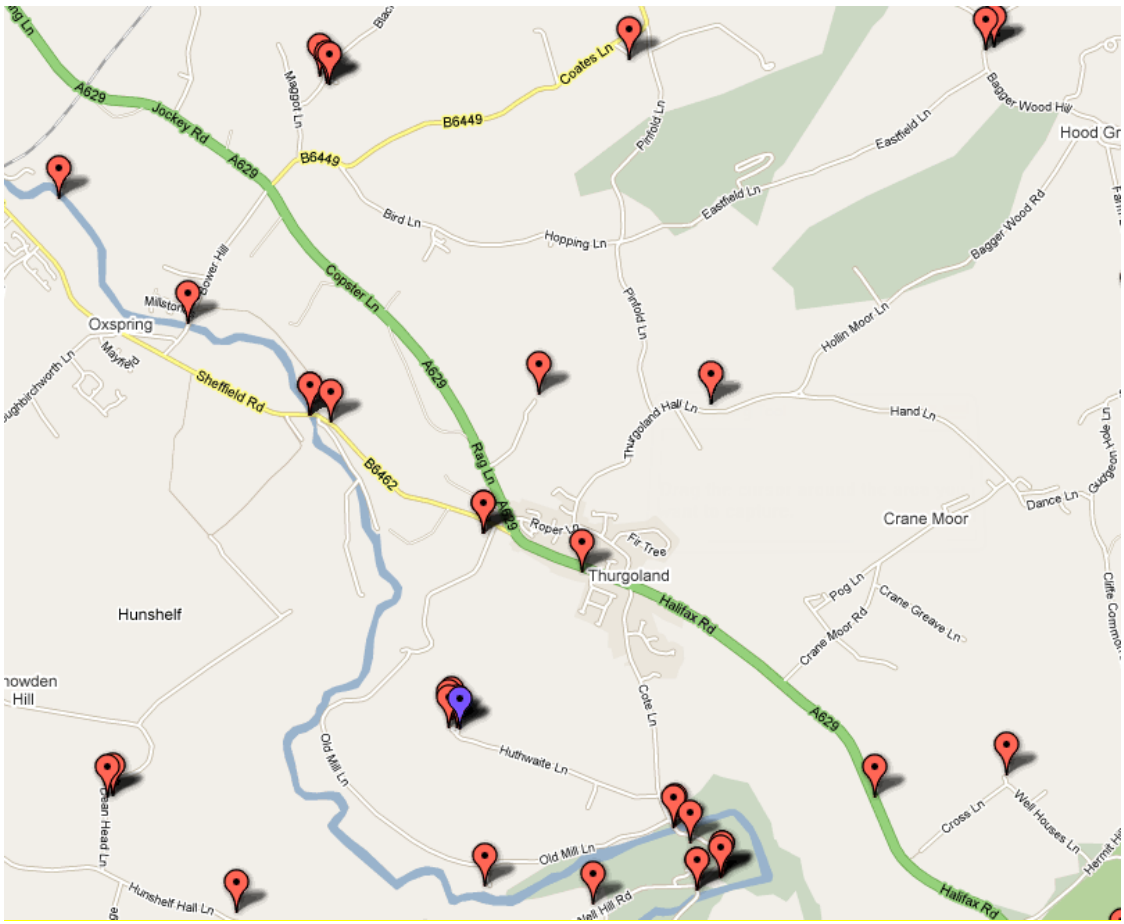
6.45 None of these remains are located within or close to the application site and there is therefore no evidence to suggest that archaeological remains are likely to be an issue. Nevertheless, acknowledging the heritage associated with the listed farm house, if any findings are discovered during ground work appropriate steps as required will be taken to ensure that no damage occurs. Should the Council consider this to be needed to be controlled, this could be governed by a condition of consent.

Heritage Assets

6.46 As with any application, consideration should be given to any impact on the character of heritage assets, be they listed buildings or conservation areas.

6.47 Importantly, wind turbines have a finite lifecycle and can be decommissioned and removed from site without any trace and effects are subsequently transient in nature and unlikely to result in a permanent feature on the landscape. The English Heritage document 'Wind Energy and the Historic Environment' acknowledges that climate change is itself likely to be detrimental to the historic environment for reasons which include the effects of rising sea levels and increased 'storminess'. The document also points to the reversibility of wind energy developments which can further mitigate their impact. In this case, the expected 20 year life of the wind turbine would be short relative to the longevity of a historical building.

6.48 In this particular case, due to the rural context of the application site there are no conservation areas that would be directly affected by the proposals. The applicant's property Pule Hill Hall is a Listed Building and there are others in the wider vicinity as indicated below:



Map showing the Listed Buildings in the area

6.49 As you can see, there are Listed Buildings in the wider area, by far the majority of which are Grade II Listed Buildings with only the one (Huthwaite Hall, indicated by the blue marker) Grade II* and no Grade I Listed Buildings. Given the limited height of the turbine and the distance to Listed Buildings it is considered that only the relationship with the setting of the applicant's property requires assessment under PPS5.

6.50 As highlighted previously, this property is a Grade II Listed dwelling and was historically the manor house in Thurgoland. The Lords of the manor took the name 'Thurgoland', and in 1622 George Thurgoland sold Pule Hill Hall Farm to John Bamford. The manor house was then taken on by the Keresforths, a prominent Barnsley family, in 1671. The cottage attached to the main dwelling is understood to be erected at this time as it is dated 1671 in the lintel above the doorway but appears to have been altered in the C18. It is the architectural detailing of the property and the historical significance of the relationship with Thurgoland which contributes to the building's significance. Such features include mullion windows, a round arched staircase window and the plaque with a shield support and helm.

Modern farm buildings have been erected within the farm yard and these provide the main function of the current building group as a working farm.

6.51 The introduction of the wind turbine would be positioned approximately 200m to the south and while clearly visible from the farm yard and the A629 to the south at this distance the turbine would not be out of scale with or dominate the existing buildings. The turbine would add a modern structure; however this would add further interest to the view of the building group from the public highways and public footpaths which pass the site. The function of this wind turbine would be readily understood and in many respects the function of a wind turbine is comparable to the function of a farm through harnessing the natural resources to create energy, be it food or in the case of a wind turbine, electricity. The addition of a modern turbine to Pule Hill Hall Farm's backdrop of the small group of trees and open fields would bring a further change which can be accommodated because the separation distance ensures that the new structure would remain in scale with the existing complex of buildings. It is therefore considered that the impact on the setting of this Listed Building would be acceptable.

Loss of Agricultural Land

6.52 The area of the application site is limited due to the diameter of the turbine and subsequently it would have a no more than negligible impact on the agricultural use of the land which would for the main part continue whilst the turbine is in operation.

Installation of the Turbine

6.53 The temporary works required to install the turbine are limited and there are good access connections off the farm track located 50m to the west. If granted we would be happy to accept a condition that any works to the land be reinstated following the installation of the turbine. In order to install the cabling for the turbine to connect to the grid some ground disturbance will be needed, however this will be temporary works and again the ground will be reinstated to its original condition upon laying the cable.

Economic and Social Benefits

6.54 Whilst Regional targets will formerly be abolished through the removal of the Regional Spatial Strategies, the Government has made a clear commitment in continuing to tackle

climate change by stating that “in their local plans authorities should contribute to the move to a low carbon economy, cut greenhouse gas emissions, help secure more renewable and low carbon energy to meet national targets, and to adapt to the impacts arising from climate change” (DCLG, July 2010).

6.55 Although the PPS1 supplement advises that targets should not be applied directly to individual planning applications, they must be a relevant planning consideration when considering the applications, simply because it is only through an accumulation of individual planning applications that targets can be achieved. The prominence of EU targets and national objectives in national policy does still make them an important consideration.

6.56 Onshore and offshore wind represents the cheapest, most technologically advanced and most rapidly growing forms of renewable energy, with wind growing by 25% between 2006 and 2007 in terms of input into electricity generation (BERR, 2008). The wind turbine will generate a significant proportion of the electricity requirements for this farmstead and is likely to generate 28000 kWh/y which would result in an annual Co^2 saving of 14000 $kgCo^2$/y. The owners are committed to reducing the Carbon Footprint and helping the environment and this application is critical in achieving these goals.

7.0 Conclusion

7.1 In assessing this application in relation to policy and environmental context, it is considered that the application should be granted for the following reasons:

- The proposed wind turbine would be positioned to the south of the Pule Hill Hall farmstead in a location where the visual intrusion would be minimised and the turbine seen against the context of the building group to the north and the small group of trees.

- The proposed turbine would not be seen as an isolated feature within the countryside but would clearly relate to the farmstead and the function would be readily appreciated.

- It is acknowledged that under strict Green Belt guidance, a wind turbine is considered inappropriate development in principle, however, in line with recent appeal decisions and case law there are exceptional circumstances in the form of providing renewable energy and assisting the UK's commitment to addressing climate change which outweigh Green Belt planning policy.

- Although Pule Hill Hall is a Grade II Listed Building, it is considered that the visual separation and the modest size of the turbine would be such that the turbine can be accommodated within the site with the scale being in proportion with the Listed Building. The function would be readily understood and there are comparables with the function of the site as a farm harnessing natural resources. It is therefore considered that the proposed turbine would not harm the setting of this listed building.

- The scale and location of the wind turbine would be such that the impact on nearby residential properties would be negligible with any impact confined to a visual appreciation of its siting. This in its own would not constitute a material harm to living conditions and it is thus considered that the amenity of neighbouring properties would be maintained.

- There are no other material planning considerations that would outweigh the overriding benefits of this proposal in providing a renewable energy source and the long term environmental benefits this brings.

7.2 Having regard to the above and all other matters, it is considered that the proposed development meets the expectations of policies of the Development Plan and other policy guidance including specifically the provisions of PPG2, PPS1, 5, 7 and 22. It is thus felt that this application should be granted subject to reasonable and appropriate conditions.

APPENDIX A

Appeal Decision

Site visit made on 20 April 2010

by Andrew Dale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

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Decision date: 11 May 2010

Appeal Reference: APP/W4705/A/09/2118825
Land adjacent to Ramsgill, Otley Road, High Eldwick, Bingley, West Yorkshire BD16 3BD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Brendan Hudson against the decision of City of Bradford Metropolitan District Council.
- The application (reference 09/04148/FUL), dated 27 August 2009, was refused by notice dated 28 October 2009.
- The development proposed is the erection of one 6kW wind turbine on a 15 metre mast.

Decision

1. I allow the appeal, and grant planning permission for the erection of one 6kW wind turbine on a 15 metre mast on land adjacent to Ramsgill, Otley Road, High Eldwick, Bingley, West Yorkshire BD16 3BD in accordance with the terms of the application reference 09/04148/FUL, dated 27 August 2009, subject to the following conditions:

    1) The development hereby permitted shall begin not later than three years from the date of this decision.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: the site plan showing the siting of the wind turbine; and the plan entitled *6kW on 15m tower - planning drawing*.

    3) If the wind turbine hereby permitted ceases to operate for a continuous period of 6 months (unless such cessation is due to the wind turbine being under repair) then a scheme to decommission and remove the wind turbine and to restore the site shall be submitted to and approved in writing by the local planning authority within 3 months of the end of the cessation period. The scheme so approved shall be implemented within 6 months of the date of its approval by the local planning authority.

Main issues

2. I consider that the main issues in this case are:

    (a) firstly whether the proposal would constitute inappropriate development in the Green Belt;

    (b) secondly its impact on the openness of the Green Belt;

(c) thirdly the effect of the proposed development on the character and appearance of the Rombalds Ridge Landscape Character Area;

(d) fourthly the implications of the proposal for the safety of horses and their riders on the training gallops of Craiglands Farm Racing; and

(e) finally, if the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Green Belt - appropriateness

3. Saved Policy GB1 of the City of Bradford Metropolitan District Council Replacement Unitary Development Plan (UDP) sets out a similar restrictive approach to development within the Green Belt as Planning Policy Guidance 2: Green Belts (PPG2). Paragraph 3.1 of PPG2 indicates that there is a general presumption against inappropriate development within the Green Belt.

4. Section 336 of the 1990 Act defines buildings. The definition includes any structure or erection such as man-made above ground structures like wind turbines and their supporting masts. These do not fall within the categories of buildings that are permissible in the Green Belt with reference to UDP Policy GB1 and PPG2. I therefore share the views of the Council and the appellant that the development proposed must be regarded as inappropriate development in the Green Belt.

Green Belt - openness

5. The appeal site lies towards the southern end of a field to the south of the dwelling known as Ramsgill. Paragraph 1.4 of PPG2 states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness. It is not defined in PPG2 but openness can be taken to mean the absence of visible development. This single wind turbine with its base, mast and rotating blades would result in some, albeit modest, loss of openness of the Green Belt.

Rombalds Ridge Landscape Character Area

6. Planning Policy Statement 22: Renewable Energy (PPS22) explains that local landscape designations should not be used in themselves to refuse planning permission for renewable energy developments. Planning applications for renewable energy developments in such areas should be assessed against criteria based policies set out in local development documents, including any criteria that are specific to the type of area concerned. To this end, I have had regard to saved Policies NE3 and NE3A of the UDP and to the Landscape Character Supplementary Planning Document (SPD), volume 4 of which relates to Rombalds Ridge.

7. The parties agree that volume 4 of the SPD places the appeal site within a "mixed upland pasture" landscape type. This landscape is noted, in the SPD,

to be prominent and open especially in views from Baildon Moor, from East Morton to Menston Road and from Shipley Glen Road. Having regard to the appellant's photomontages and my own site inspection, I consider the development would not be unduly conspicuous from any of these key long distance vantage points. The other primary distant views of the structure would be from the south; views from Bingley Road where it passes adjacent to the western end of Baildon Golf Course are typical of such views. From this vicinity, the wind turbine (approximately the height of a mature oak tree) would not be visually intrusive as it would stand on an opposing slope to observers, against a backdrop of rising ground containing a number of buildings and mature trees.

8. Closer range views would be possible from Otley Road to the west and from the public footpaths and the public bridleway referred to in the planning officer's report and the consultation response from the Council's landscape architect. However, given the limited size, height and scale and coloured finish of the proposed wind turbine, I consider that the landscape and the pattern of open fields would remain dominant in all of these views. Moreover, a variety of other factors would play a telling part in diluting the impact of the turbine depending on the observer's position on these public routes e.g. telegraph poles, pylons, dwellings and high hedges, backdrops of high moorland and two large trees that stand relatively close to the appeal site. It would not be viewed as an incongruous feature in the landscape and it would be sited sufficiently close to Ramsgill for observers to understand its function as a renewable energy device serving the needs of that domestic property.

9. In all, I consider that the development would not adversely affect the particular character or appearance of the Rombalds Ridge Landscape Character Area or have any other unacceptably harmful landscape effects. I am therefore satisfied that there would be no conflict with the objectives of UDP Policies NE3 and NE3A or with the aims of the SPD.

Safety of horses and their riders

10. Although this issue does not feature as a reason why planning permission was refused, it is nevertheless a material planning consideration and I have carefully studied the written representations made on behalf of the owners of Craiglands Farm Racing. The business employs 20 staff and is based on the training and racing of 65 thoroughbred racehorses. The training gallops occupy land to the east of the appeal site, the nearest section being about 30m away from the site of the proposed wind turbine.

11. The objectors explain that racehorses are highly strung and can be easily spooked. The stated concern is that the introduction of a new, alien and moving feature that could cast shadows so close to the gallops presents a health and safety hazard to both horse and rider.

12. However, no specific evidence of any actual serious incidents for horses or their riders near wind turbines has been produced. If there was a tangible and unacceptable risk of horses being frightened by turbines, with the likelihood of injury to them, their riders and third parties, it is likely that it would have been comprehensively addressed in national planning policy guidance. As it is

PPS22 is silent on the matter whilst its Companion Guide mentions a suggestion from the British Horse Society for a 200 metre separation distance around bridleways to avoid the possibility of wind turbines frightening horses. Whilst this distance could be deemed desirable, it is not a statutory requirement and it is important to note that it also applies to proposals for wind turbines exceeding 100m in height with far larger blades than those proposed here.

13. The roughly 30m separation distance that would be available in the case before me is equivalent to two times the height of the mast. This is a largely open landscape and the turbine would be visible for quite a distance from the adjacent gallop whether the horses were approaching from the north or the south. There is little likelihood that there would be a sudden appearance in the horses' sight lines of turning blades. Given the position of the turbine relative to the gallops and the limited size of the blades, I consider that serious problems with shadows sweeping across the gallops would be unlikely to arise. Even if shadows were cast from time to time, there is no convincing evidence that this would adversely affect the horses.

14. For these reasons, I do not believe that the appeal proposal would present an unacceptable risk to the safety of horses and their riders on the training gallops of Craiglands Farm Racing.

Other considerations

15. Turning now to other considerations, the primary matter brought to my attention by the appellant is the advice in PPS22, Planning Policy Statement 7: Sustainable Development in Rural Areas and Planning Policy Statement 1: Delivering Sustainable Development and its Supplement on Planning and Climate Change. In addition, I have been made aware of those policies of the Regional Spatial Strategy (ENV5 and YH2) which, taken together, encourage strategies to reduce greenhouse gas emissions and meet renewable energy targets.

16. PPS22 indicates that renewable energy development should be capable of being accommodated throughout England where the technology is viable and environmental, economic and social impacts can be addressed satisfactorily. In this case I consider that no adverse environmental, economic or social impacts would arise. The development would utilize the good resources for wind energy at the site and help to reduce the carbon footprint of the occupiers of Ramsgill. Small scale projects like this can provide a limited but valuable contribution to overall outputs of renewable energy and to meeting energy needs both locally and nationally. This wider environmental benefit of the proposal is a material consideration to which, in line with the advice in PPS22, I attach significant weight.

17. I attach substantial weight to the harm to the Green Belt by reason of inappropriateness. As there would be a modest loss of openness within the Green Belt, I find only a limited degree of other harm. Set against this is the significant weight that I give to the wider environmental benefits associated with increased production of energy from renewable sources. When weighed against one another, the other considerations do clearly outweigh the harm to

the Green Belt by reason of inappropriateness and the other harm in relation to openness within the Green Belt. In my judgement very special circumstances do therefore exist and justify a grant of planning permission. I now turn to the matter of conditions.

Conditions

18. The Council has not provided me with any suggested conditions. I have considered the possible conditions mentioned within the written representations from the appellant. In addition to the standard condition setting out a time limit within which the development is to be started, I agree that a condition is necessary to secure the removal of the wind turbine and the restoration of the site should the wind turbine cease to operate for a continuous period of 6 months. This is to prevent the countryside from being littered with redundant structures and to give effect to saved UDP Policy NR13 which covers wind farms and wind turbines. I add a condition requiring compliance with the approved plans, for the avoidance of doubt and in the interests of proper planning.

Conclusion

19. Taking into account all the matters raised in the written representations, I conclude that the appeal should be allowed.

Andrew Dale

INSPECTOR