



## **PLANNING STATEMENT**

**PROPOSED SITING OF 1 WIND TURBINE WITH A MAXIMUM TIP  
HEIGHT OF 67m**

**New Maythorne Farm**

**Crow Edge**

**Holmfirth**

**South Yorkshire**

**HD9 7TW**

**Our Ref: P1629**

**March 2015**



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# 1. Introduction

- 1.1 This Planning Statement has been prepared by Earthmill LTD (the “Applicant”) to accompany a planning application for the construction of a wind turbine with a tip height of up to 67m, including associated development (the “Proposed Development”) at New Maythorne Farm (the “Application Site”).
- 1.2 Its purpose is to describe the proposed development for which planning permission is sought, to objectively assess the degree to which the scheme is compliant with prevailing national and local planning and energy policies and, importantly, whether the benefits of the proposal outweigh the potential impacts such that planning permission ought to be granted.

## **Accompanying Documents**

- 1.3 The application is accompanied by detailed application drawings and visualisations together with a range of technical supporting documents to enable the effects of the development to be fully considered.

## **EIA Screening**

- 1.4 National Planning Practice Guidance states that ‘screening’ is a procedure used to determine whether a proposed project is likely to have significant effects on the environment. It should normally take place at an early stage in the design of the project.
- 1.5 Wind turbines are classed as Schedule 2 development as set out by the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (“The 2011 Regulations”). These Regulations replaced the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended) when they came into force on 24th August 2011. An Environmental Impact Assessment (EIA) will be required where the wind turbine is deemed by the Council to have significant effects on the environment. The likelihood of significant effect will generally depend on the scale of the development and its visual impact, as well as potential noise impacts. EIA is more likely to be required for commercial developments of five or more turbines, or more than 5MW of new generating capacity.
- 1.6 In this case and following a full internal screening and feasibility of the project it was considered that a screening opinion from the Council was not required as it falls within the thresholds as identified. As such an EIA has not been submitted for the application to be considered by the Council.

## 2. Site Location and Description

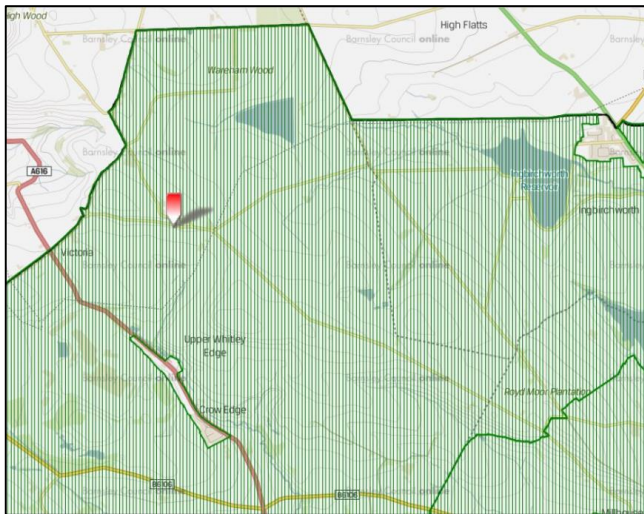
### **The Site and Surroundings**

- 2.1 The application site area covers less than 0.1ha and is located on land within the land holding of New Maythorne Farm.
- 2.2 The Applicant owns and operates an arable farm spread over 72ha of land. The closest settlements to the site are Hepworth and Meal Hill approximately 3.5km to the North West and the larger settlement of Penistone which is located approximately 5.5km to the south east.
- 2.3 The application site is not located within any national or regional land designation however it is located in an area designated as green belt by Barnsley Metropolitan District Council. This planning statement discusses the impact of the proposal on the green belt and the 'Very Special Circumstances' that exist to ensure that the appropriate development.

### 3. Planning Appraisal

#### Barnsley Statutory Development Plan

- 3.1 The current development plan for Barnsley consists of the Core Strategy, the Barnsley Education Sites Development Plan Document (DPD), the remaining saved policies of the Unitary Development Plan, and the Regional Spatial Strategy.
- 3.2 The Unitary Development Plan (UDP) consists of two parts.
- Volume 1: Strategy, Policy and Justification - this contains borough wide development strategies and policies
  - Volume 2: Community Areas - this contains details of allocations for housing, employment, and other land uses and specific policies for 12 Community Areas and is accompanied by Proposals Maps.
- 3.3 The application site is located within an area of Green Belt as part of the Barnsley Development Plan.



**Figure 1.1: Extract from Barnsley MBC Policy Map showing Green Belt allocation**

- 3.4 The majority of green belt related policies within the UDP have been deleted and as such the policies within the Core Strategy couple with National Planning Policy is relevant.
- 3.5 Policy CSP 34 of the Core Strategy seeks to protect the green belt. The preamble to the policy is consistent with the National Planning Policy Framework (NPPF) and states that proposals will not be acceptable unless they can demonstrate very special circumstances. In these cases “we will weigh up the harm that would be caused by allowing development that would not normally be allowed in the

countryside against any potential benefits.” It is this approach that this planning statement seeks to undertake.

3.6 In addition policy CSP 6 of the Core Strategy states that development that produces renewable energy will be allowed as long as there is no significantly harmful effect on:

- *the character of the landscape and appearance of the area*
- *living conditions*
- *biodiversity, geodiversity and water quality*
- *heritage assets, their settings and cultural features and areas*
- *highway safety, and*
- *infrastructure including radar*
- *Proposals must be accompanied by information that shows how the local environment will be protected, and that the site will be restored when production ends.*

### **Emerging Local Development Plan**

3.7 Every Local Authority must produce a Development Plan (or Local Plan) for their area which sets out planning policies to guide development, such as housing or employment, but also restrain development in special areas such as a Special Protection Area.

3.8 Barnsley MBC Planning Policy Team are currently in the process of producing a Local Plan for Barnsley which will replace the Core Strategy and the Unitary Development Plan. Once adopted, this document, together with the Joint Waste Plan adopted in March 2012 prepared with Doncaster and Rotherham, will be the statutory development plan for Barnsley.

3.9 The Local Development Framework is a portfolio of documents that will, alongside the Regional Spatial Strategy, gradually replace the Unitary Development Plan and related Supplementary Planning Guidance as the statutory development plan.

3.10 The emerging local development plan will gain in material weight as time progresses and consultation exercises are concluded and documents and policies adopted.

### **National Planning Policy**

#### ***Defining and Achieving Sustainable Development***

- 3.11 Relevant Government planning policy is now contained largely within the NPPF although in the case of wind energy development both the National Policy Statements (NPS) and the newly-published 'Planning Practice Guidance for Renewable and Low Carbon Energy' (PPG) are also relevant.
- 3.12 The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development<sup>1</sup> and identifies the principal vehicle through which planning's contribution is made as the Development Plan.<sup>2</sup> Where a development proposal is in accordance with a Development Plan that is up-to-date and consistent with the NPPF, permission should be granted for it without delay.<sup>3</sup>
- 3.13 Where the Development Plan is out-of-date or does not contain relevant policies, permission should be granted for any development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole. The weight to be given to policies in dated Development Plans is dependent upon their degree of consistency with the policies of the NPPF. The weight to be given to emerging Development Plans depends upon the stage that has been reached in their preparation, the extent of objections and the degree of consistency with the NPPF.
- 3.14 Perhaps unsurprisingly, given that the central purpose of the planning system is to contribute to the achievement of sustainable development, one of the core planning principles of the framework is to support the transition to a low carbon future by, inter alia, encouraging the development of renewable energy<sup>4</sup>. Securing radical reductions in greenhouse gas emissions and supporting the delivery of renewable energy infrastructure through the planning system are said to be central to all three dimensions of sustainable development - economic, social and environmental<sup>5</sup>. Planning applications for renewable energy development should be approved wherever its impacts are (or can be made) acceptable<sup>6</sup>.
- 3.15 Paragraph 28 of the NPPF states that in supporting a prosperous rural economy;
- “Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:*
- *support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings;*

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<sup>1</sup> NPPF para 6

<sup>2</sup> NPPF para 14 and 15

<sup>3</sup> NPPF para 14

<sup>4</sup> NPPF para 17

<sup>5</sup> NPPF para 93

<sup>6</sup> NPPF para 98

- *promote the development and diversification of agricultural and other land-based rural businesses....”*

### **Renewable Energy**

- 3.16 The policies of the NPPF and NPS towards renewable energy developments reflect Government energy policy; the provisions of the Climate Change Act 2008 and the Energy Act 2008; and the international commitments embodied in the EU Climate and Energy Package.
- 3.17 The Renewable Energy Strategy 2009 sets out the means by which the commitments are to be met, referring to a ‘renewable revolution’ in which electricity generation from renewable sources in the UK must increase seven-fold from 2008 levels to meet a target of 15% of energy generation from renewable sources by 2020. A review of performance by the Committee on Climate Change in 2010 found the need for a ‘step change’ in delivery for the targets to be achieved.
- 3.18 In 2011 the Electricity Market Reform White Paper indicated a wider role for renewable electricity generation in not only helping to combat climate change but also in contributing to energy security. In the same year the UK Renewable Energy Roadmap was published, reiterating established targets and stating that it was Government policy to accelerate renewable energy delivery in the UK.
- 3.19 In 2012 an ‘update’ of the Roadmap was published which once again restated the Government’s commitment to increasing the deployment of renewable energy generating technologies, including onshore wind, once again drawing attention to the dual benefits of onshore wind in contributing to carbon reduction and energy security. The 2012 Annual Energy Statement was expressed in similar terms.
- 3.20 Echoing the observation in the NPPF that the purpose of the planning system is to contribute to the achievement of sustainable development, the UK Renewable Energy Roadmap indicates that one of the principal objectives of the Government’s programme of planning reform is to support the delivery of renewable energy developments, including in particular onshore wind.
- 3.21 The relevant national policy statements are the overarching NPS for Energy (EN-1) and the Renewable Energy Infrastructure (NPS) (EN-3). These statements were laid before Parliament for approval in June 2011 and were designated on 19 July 2011. They are relevant national policy material considerations to this application and their provisions should be afforded significant weight as a material consideration. This is not only explicitly confirmed in para 3 of the NPPF, but the footnote 17 to para 97 uniquely in the whole of the NPPF draw attention to the need for decision-makers on wind energy developments to have regard to the advice in the NPSs EN1 and EN3.
- 3.22 EN-1<sup>7</sup> states that in England and Wales this NPS is likely to be a material consideration in decision making on applications that fall under the Town and

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<sup>7</sup> Para 1.2.1 of EN 1

Country Planning Act 1990 (as amended). Furthermore, “The energy NPSs should speed up the transition to a low carbon economy and thus help to realise UK climate change commitments sooner than continuation under the current planning system” (paragraph 1.7.2). The clear urgency and necessity to increase the transition to a low carbon economy (through the installation of renewables technologies) is evident.

### ***Flexibility in Turbine Choice***

- 3.23 As set out in EN-1, at the time of application, wind operators may not know precisely which turbine will be procured for the site until sometime after any consent has been granted. If turbine details, or any other relevant information, are not available, such as the precise location of the source of concrete and crushed stone to be used for the construction, then the applicant should assess the effects that the project could have to ensure that the project as it may be constructed has been properly assessed. In this way, some flexibility should be provided in the consent.
- 3.24 It is likely that this flexibility will be needed in relation to the dimensions of the turbines, including tip height and rotor diameter. This may extend to other details of the turbine design, including the necessary size of any external cabins that may be required.
- 3.25 Where specific details of the design of the site are uncertain at the time of application, this should be made clear by the applicant with the reasons for the uncertainty given.
- 3.26 In the case of this application consent is sought for a maximum turbine tip height and not hub height. Invariably turbine applications can take some time to be considered in the planning system and it is important that maximum flexibility in turbine choice post planning can be achieved to allow the applicant to remain competitive in the market and attain the most efficient turbine at the time of construction. As such it is expected that a condition will be agreed with the local planning authority to provide turbine details before work commences on site.

### ***Green Belt***

- 3.27 Advice on the green belt is set out in paragraphs 79-92 of the NPPF, adopting in essence much of the former PPG2. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Green Belt serves five purposes:
- to check the unrestricted sprawl of large built-up areas;
  - to prevent neighbouring towns merging into one another;
  - to assist in safeguarding the countryside from encroachment;
  - to preserve the setting and special character of historic towns; and

- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

3.28 Paragraph 91 advises that where renewable energy is proposed in the green belt, the developer will need to demonstrate very special circumstances, which may include the wider environmental benefits of securing increased production of energy from renewable sources.

3.29 The wind turbine consists of:

- One turbine up to 67m in height (to tip blade);
- turbine foundation;
- hard-standing areas for erecting crane;
- access tracks; and
- small external turbine transformer meter housing

### **Very Special Circumstances**

3.30 It is acknowledged that in this case both local and national planning policy requires that a wind turbine within the green belt must provide very special circumstances. In the case of the application site the following very special circumstances that can be associated with the wind turbine proposal:

- (i) **Renewable Energy and Carbon Dioxide Emissions avoided** – this planning consent would allow a 500kW machine to be built on site which could avoid up to 484,787kg<sup>8</sup> of CO<sub>2</sub> per year which is the estimated equivalent of 280<sup>9</sup> households being supplied electricity. Whilst this is the main very special circumstance for the development proposal the calculation provides as equivalent calculation for the purposes of understanding how much renewable energy will be generated by the proposal. The wind turbine will be connected into the farm for the use by the farm business and all surplus energy will be exported into the local grid network for the use of homes and businesses in the area.
- (ii) **Point of Source Renewable Energy Generation** – It is proposed to connect the turbine directly into the existing farm business. The Applicant currently uses in excess of 60,000 kWh of electricity per year and it is anticipated that this will double to 120,000 kWh over the next 5 years as the agricultural business continues to grow. The turbine is predicted to generate up to 1,127,412kWh<sup>10</sup> of energy per year and will be used for a number of onsite uses such as heating and lighting.

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<sup>8</sup> DECCs annual Digest of UK Energy Statistics 2009 to 2013 - 5 year average for installed on shore wind

<sup>9</sup> When using the annual electricity sales per household in Barnsley in 2012, taken from the DECC sub national electricity consumption statistics

<sup>10</sup> Taken from Renew UK as agreed with the Advertisement Standards Authority

- (iii) **Farm diversification** - The financial stability of a turbine will also help to bring new investment into the business and facilitate continuing improvements to buildings and infrastructure as well as fund an on-going programme of maintenance of the farm's extensive estate to allow for the next generation of Smith Family to continue working the business. Viable farms are essential if the rural landscape is to continue to be managed; thereby protecting its distinctive character, maintaining its condition and environmental quality and encouraging biodiversity. This is particularly important in the marginal Pennine Fringe in which the farmstead is located.
  
- (iv) **Environmental Stewardship Scheme** - The Farm is reviewing their current position and intending to be part of a registered Environmental Stewardship Scheme and under this scheme the farm will agree to repair and maintain hundreds of metres of its dry stone walls in order to help protect the distinctive character of the area and providing suitable walking/bridleways across the estate. Income generated through the proposed wind turbine will assist the long term repair and maintenance of these important landscape features as well as enable the farm to help further manage its land holding including new hedgerows within the land surrounding the proposed site.

## 4. Conclusions and Planning Balance

### Benefits of the Scheme

4.1 The foregoing sections of this planning statement have demonstrated the following:

#### *Renewable energy generation*

- The need for renewable energy is confirmed in national guidance and the contribution of individual schemes to meeting this need **must** be given substantial weight.
- The proposed scheme would make an important contribution towards meeting national targets for renewable energy generation, as well as a valuable contribution towards meeting the targets for the Yorkshire region. The proposals would also make a significant contribution towards greenhouse gas reduction.

#### *High end energy user*

- New Maythorne House Farm is a high end energy user that is a growing farm business that will in the majority of circumstances be able to use the vast majority of energy that the turbine produces. This not only reduces the impact of the farm on the environment but also the cost of electricity per unit, to the benefit of the business.

#### *Diversification*

- The financial stability of a turbine will also help to bring new investment into the business and facilitate continuing improvements to buildings and infrastructure as well as fund an on-going programme of maintenance of the farm's extensive estate to allow for the next generation of Smith Family to continue working the business.

#### Stewardship scheme

- The Farm is reviewing their current position and intending to be part of a registered Environmental Stewardship Scheme and under this scheme the farm will agree to repair and maintain hundreds of metres of its dry stone walls in order to help protect the distinctive character of the area and providing suitable walking/bridleways across the estate.

### The Potential Impacts

4.2 The application is supported by a Design and Access Statement which identifies a limited number of likely impacts associated with the Proposed Development. These include:

- *Landscape and Visual Impact* – the submitted visualisation booklet demonstrates that the turbine can be assimilated into the landscape with minimal impacts upon the visual amenity of the area.

- *The Openness and Character of the Green Belt* - The proposed turbine is located in an area of green belt that is home to a number of large scale turbines. As such the openness of the green belt has been eroded over time. It is considered that the net impact of this proposal is minimal and would not detrimentally impact on the existing openness and character of the green belt.
- *Residential Amenity* – distances to on and off site properties comply and exceed ETSU guidelines and will ensure that there will be no significant effects on existing residential amenity. In addition the topography of the landscape coupled with the natural screening at all properties will minimise the impacts of the proposal. An onsite cumulative noise assessment has been provided to demonstrate the sites acceptance.
- *Cultural Heritage* – due to the application sites rural location the number of cultural heritage assets in close proximity are limited. There are a number of Grade II listed buildings in the area however these are primarily residential in nature and at some considerable distance from the site.
- *Ecology* - the proposed development will not have any adverse effects on key receptors that are significant in planning terms. The turbine is far enough away from hedgerows and treelines to ensure that there are no detrimental impacts upon bat foraging areas.

## **Planning Balance**

- 4.3 In the first instance it has been demonstrated that the scheme would make a meaningful contribution toward meeting the national need for renewable energy generation which is described as being “urgent” and to which “substantial” weight must be attached. In doing so it will assist in meeting the twin challenges of climate change and ensuring national security of energy supply which is critical to the future economic growth and stability of the nation.
- 4.4 In all planning decisions on wind energy developments there are balancing judgements that have to be made. It is necessary to weigh the Government's energy policy requirements and the advice at national level that flows from this. The balancing exercise has been undertaken for a large number of wind proposals in the past and those that have been granted consent have done so because they have been deemed to be consistent with planning policy and the benefit has been considered to outweigh the harm.
- 4.5 Paragraph 88 of the NPPF requires that substantial weight be attached to any harm to the Green Belt. Although Paragraph 91 accepts that the wider environmental benefits associated with increased production of energy from renewable sources can provide the very special circumstances needed to outweigh Green Belt and any other harm, this harm must be clearly outweighed by other considerations.

- 4.6 A recent planning appeal decision at Shepham Lane refers specifically to the “substantial benefits which carry a great deal of weight” when referring to the amount of renewable energy generated by a 3 turbine proposal in East Sussex.<sup>11</sup>
- 4.7 Considerable weight must be given to the fact that not only will the proposal generate renewable energy it will be generating renewable energy for, in the first instance, the high energy using New Maythorne Farm. The proposal will generate sufficient energy not only for use at the host farm but also a number of properties connected to the local grid network. Not only does this have an environmental benefit but also a significant cost saving benefit to the farm due to the amount of electricity from the turbine that would be used. In addition it would make a significant contribution to the economics of the business, assisting viability and possibly allowing the business to expand and take on additional employees as well as initiating a stewardship scheme to the long term benefit of the surrounding landscape.
- 4.8 While the scheme will give rise to some landscape and visual effects within the immediate locality of the wind turbine, NPS EN-3 recognises the potential occurrence of such effects. The impacts predicted in this case are not unusual or out of the ordinary and are of a magnitude experienced in association with most wind developments. Indeed such impacts are temporary and entirely reversible. Temporal duration is a matter to be afforded significant weight in the planning balance. That the scheme will make a positive contribution to addressing / preventing the deleterious effects of climate change on landscape character both during the period of operation and beyond is a further consideration of material weight.
- 4.9 There are no technical issues with the proposal and substantial weight can be applied to the benefits associated with the proposal. Not only should substantial weight be afforded to the renewable energy element of the proposal but there should also be significant weight attached to the fact that the wind turbine will be connected to the farm which will directly offset the existing energy use on the site. As such it is considered that the benefits of the proposal significantly outweigh the harm and as such very special circumstances exist. The proposed development is in compliance with those saved policies which are consistent with the NPPF and indeed the NPPF as a whole. Planning permission should therefore be granted without delay.

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<sup>11</sup> Appeal Decision APP/C1435/A/13/2208526. Land off Shepham Lane BN24 5BT. Decision date 7<sup>th</sup> January 2015.

