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Delivered by Post

Development Control
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FAO: Matthew Woodward

DC
Barnsley Metropolitan
Borough Council
117 JUN 2010

Our ref: LAIY2009
PP ref: PP-01103442
E: mcollins@turleyassociates.co.uk

£335.00
Iain O'Rourke Vtd
538875

Dear Mr Woodward

FULL PLANNING APPLICATION – ERECTION OF WIND TURBINES AT PENISTONE ADVANCED LEARNING CENTRE (PLANNING PORTAL REFERENCE: PP-01102479)

Further to our recent discussions, the revised planning application for 2 wind turbines at Penistone ALC has been submitted via the Planning Portal website today (16 June 2010, reference PP-01103442).

Enclosed with this letter is a cheque for £335 for the requisite planning application fee.

The Proposals

The proposal seeks to erect 2 wind turbines turbine within the school grounds with a hub height of 15 metres. This will provide a secure and direct supply of renewable energy and a financially viable resource in meeting the energy requirements of the Advanced Learning Centre.

The proposal should be considered within the context of the Outline Planning Permission (reference 2009/0033) and Reserved Matters Approval (reference 2009/0078) currently being implemented on the site for the construction of a new Advanced Learning Centre. The wind energy development is a component of the wider Advanced Learning Centre construction programme and the proposal should be viewed in that context.

Pre-application Discussions

As you know prior to re-submission we had dialogue with you, Elaine Ward, Sport England and Natural England. This development proposal reflects the outcome of these discussions. As agreed with the Council, the planning statement addresses the impact of the turbines upon Shadow Flicker and TV/Telecommunications interference. Also, it was agreed that no ecology report is provided to accompany the application as this issue was considered by the Council as part of the Outline Planning Permission and Reserved Matters Approval. Notwithstanding this, a bat survey has been undertaken

and the siting of the turbine has taken account of the survey outcomes and also previous consultation responses received from Natural England.

Town And Country Planning (Environmental Impact Assessment) (England And Wales) Regulations 1999: Deemed Screening Direction Request.

The proposals fall under the scope of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999. Therefore please treat this planning application as a deemed screening request.

In assessing the need for EIA, we have referred to further guidance on the interpretation of the Regulations, provided in Circular 02/1999: Environmental Impact Assessment. Annex A to the Circular provides guidance on the types of case where, in the Secretary of State's view, EIA is more likely to be required for Schedule II developments. Paragraph A15 of the circular states:

"The likelihood of significant effects will generally depend upon 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 5 MW of new generating capacity."

Circular 02/1999 encourages each request to be judged on its own merit. The fundamental test to be applied in each case is whether that particular type of development and its specific impacts are likely to have a significant effect on the environment, particularly those relating to environmentally sensitive locations.

The potential environmental effects and their likely significance is set out below in line with the selection criteria specified in Schedule 3 to the Regulations.

Scale of the development

Whilst the proposed development exceeds the indicative thresholds set out in the regulations, the size of the proposal (2 turbines at 15 kW generational capacity each) falls below Circular 02/1999 guidance at paragraph A15. The proposed development would therefore be less likely to require EIA. Pollution generated from the development will be negligible, and the scheme will provide a means of generating electricity which will be utilised by the school, which is an important element in the suite of sustainability measures that forms part of the ALC design and offsetting carbon emissions from traditional fossil fuel methods of energy generation.

Whilst the proposed development is Schedule 2, the scheme falls below the indicative scale set out in the Circular as being less likely to require EIA.

Environmental Sensitivity: "Sensitive Area"

The site is not located within nor are there any of the following designations within 3km of the site

- Site of Special Scientific Interest (SSSI),
- RAMSAR site
- Special Protection Area (SPA)
- Special Area of Conservation (SAC)
- National Nature Reserve
- National Park
- Area of Outstanding Natural Beauty (AONB),
- World Heritage Site

Consequently we conclude that the site is not a "sensitive area" as defined by the regulations.

Assessment of Potential Environmental Effects

A desk top study of baseline conditions has enabled us to establish the scope of potential environmental effects and make an assessment of the likely significant environmental effects of the development. The development will not involve emissions which are potentially hazardous to humans, flora or fauna, nor would it lead to the escape of hazardous emissions. Waste generation will be limited to that incurred during the construction phase. The operational phase will produce waste equivalent to domestic use with a small amount of special waste associated with maintenance activities. The potential waste generated will be minor and is unlikely to be hazardous potentially comprising oils for lubrication etc.

From our desk top assessment we identified the following issues where potential effects may need to be considered:

- Noise;
- Landscape and visual;
- Ecology, particularly bats
- Shadow Flicker
- Cumulative Effects

It is considered that none of these potential effects will be significant by virtue of the lack of proximity of sensitive receptors, the siting of the turbines and the lack of sensitive ecological receptors.

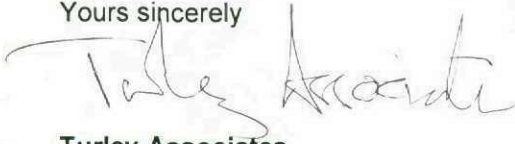
Summary

Our assessment is that do we not consider that significant effects are likely. Whilst the proposal is schedule 2 development, its' scale is limited. Circular 2/99 advises that proposals of this scale are less likely to require EIA by virtue of the scale of development. We also conclude that the site is not "sensitive" in the terms meant by the regulations and the development will not have any particular polluting or other significant environment effect by virtue of its siting, design and inherent qualities.

We conclude that the development will not have significant environmental effects and in this context, EIA should not be required.

I trust the enclosed satisfies your requirements and look forward to receiving confirmation of the validation of the application in due course. In the meantime if you have any queries, please contact Matthew Collins or Rebecca Palmer at this Office.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Turley Associates', is written over the typed name.

Turley Associates

Enc. fee cheque