BARNSLEY PARTNERSHIP FOR LEARNING

PENISTONE ADVANCED LEARNING CENTRE:
WIND TURBINE DEVELOPMENT

PLANNING STATEMENT

DECEMBER 2009

TURLEY ASSOCIATES

CONTENTS

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TURLEY ASSOCIATES

1. Introduction

1.1 This Planning Statement is submitted in support of a Full Planning Application by Barnsley Partnership for learning for wind turbine development at Penistone Advanced Learning Centre (ALC).

1.2 This proposal should also be considered within the context of the Outline Planning Permission (reference 2006/1053) and Reserved Matters Approval (reference 2009/0078) currently being implemented on the site for the construction of a new ALC. The proposals that this statement considers are a component part of the wider ALC construction programme. The application should therefore be viewed in that context.

The Submission

1.3 The application is also supported by the following technical documents:

- Landscape and Visual Impact Assessment;
- Design and Access Statement;
- Noise Impact Assessment.

Assessment of the Proposals

1.4 The findings of this statement and the accompanying documents submitted as part of the planning application, demonstrate that the development proposals meet all of the relevant criteria.

This Document

1.5 This planning statement sets out the relevant planning policy and material considerations associated with the type of development proposed. The statement then continues to set out why the proposals are acceptable and planning permission should be granted.

1.6 The remainder of this document is structured as follows:

- Chapter 2 sets out the background to the development;
- Chapter 3 describes the application site and surrounding context;
- Chapter 4 describes the proposals;

- Chapter 5 outlines the pre-application discussions that have been held with Barnsley Council;
- Chapter 6 sets out the relevant planning policies as they apply to the site;
- Chapter 7 presents the relevant planning history;
- Chapter 8 sets the context for the material considerations;
- Chapter 9 presents an assessment of the Green Belt;
- Chapter 10 discusses the other material considerations and technical matters; and
- Chapter 11 provides the summary and conclusions.

2. Background to the Development

Barnsley BSF

2.1 In response to the continued economic decline of Barnsley Borough since the 1980's, ambitious plans were drawn up for the regeneration of the Borough which is known as Remaking Barnsley. In association with this, there is Education Vision which underpins the regeneration of the Borough. This has become known as Remaking Learning. Remaking Learning is a radical programme of transformation that will provide the highest quality learning opportunities for every child, young person and adult. A key tool in the delivery of this agenda is the Building Schools for the future programme, within which Barnsley is a wave 3 Authority.

2.2 The Council's broad strategy for delivering the BSF programme rests on improving the quality of teaching, support to teaching and the experience the school can offer. The design, environment, equipment and servicing of school buildings are central to these strategies and this has clear linkages with providing appropriate facilities that are fit for purpose. The current building stock has suffered through lack of investment and this has had a detrimental effect on attainment levels in Barnsley. There are serious suitability, condition and sufficiency issues to be addressed.

2.3 To address these issues and to achieve the educational vision highlighted above (together with condition and suitability issues), the complete reorganisation of the secondary school stock resulting in the creation of a smaller number of new Advanced Learning Centres (ALCs) is the most appropriate solution and this is to be delivered through the BSF programme. As part of the new development programme is the delivery of cutting edge sustainability features and this includes the generation of a proportion of the energy consumed from renewable sources on site.

2.4 Upon completion the BSF programme will deliver state of the art facilities providing access to high quality learning environments for all learners aged 11+ fit for the 21st Century.

3. Site Description and Context

3.1 The application site boundary for the proposals is shown outlined in red on plan reference BP4L_PEN_AWP_DR_94_BW_LL_15 P02. However it should be noted that this is a component part of a wider site where construction for a new ALC is currently ongoing. However the area where construction of the wind turbines is to take place makes up part of the approved playing field provision The following planning policy designations apply to the site:

- Green Belt (saved UDP Policy PE5); and
- Existing Community Facility (saved UDP Policy PE20).

Site

3.2 The site lies wholly within the Green Belt to the north of the main urban area of Penistone and currently comprises Penistone Grammar School and its playing fields.

3.3 Following the original grant of outline planning permission in 2006, and reserved matters approval in 2009, construction of Penistone ALC is currently underway on the site.

Wind Turbine Location

3.4 The proposed wind turbines will lie wholly within operational land associated with Penistone ALC.

3.5 The turbines will be located to the south of the existing playing pitches which lie to the west of Huddersfield Road and south of Long Lane. The school buildings lie approximately 200 metres to the north east of the proposed turbines.

3.6 The nearest residential properties lie on Huddersfield Road, approximately 175 metres from the proposed wind turbines.

Surroundings

3.7 The proposed wind turbines are surrounded by open land to the south, west and east, the school playing fields to the north.

4. The Proposals

4.1 The proposals are to construct 5 wind turbines at a hub height of 25 metres at locations identified on plan reference BP4L_PEN_AWP_DR_94_BW_LL_15 P02. associated with this is a GRP structure as an ancillary adjunct to the turbines.

4.2 The purpose of the wind turbines is to help secure a source of energy supply to meet a proportion of the energy requirement for the ALC from renewable sources of energy. The proposed turbine model is the Power 15 with a power output of 15 kw each.

4.3 The location of the wind turbines have been determined following consideration of the acoustic impacts on the surrounding residential properties.

4.4 Wind turbines were considered to be the most appropriate source of renewable energy as it is the most financially viable source which takes advantage of the local climate and will therefore be the most effective source of renewable energy.

4.5 The proposals were screened on the need for an Environment Impact Assessment (EIA) in line with the requirements of Circular 2/99, where it was concluded that EIA was not required. The letter attached at Appendix 1 is confirmation from Barnsley Metropolitan District Council that an EIA is not required for these proposals.

5. Pre-application Discussion

5.1 In drawing up the proposals under consideration, there has been extensive dialogue and discussion with the Council, the school and other consultees. This is outlined below.

Barnsley Metropolitan Borough Council (BMBC)

5.2 Pre application discussions have been held with officers at BMBC regarding the proposed development. Initial discussions were held in February 2009 where the key issues were identified. In this respect the Council requested that due consideration be given to noise, landscape and visual impact and other matters such as shadow flicker and highways impact.

5.3 Further dialogue was held with the Council where proposed locations of the turbines were considered. Indicative location plans were submitted as part of a Screening request submitted under the Environmental Impact Assessment (EIA) regulations.

5.4 The proposals were screened on the need for EIA where it was concluded that this was not necessary.

Engagement with the school

5.5 As part of the ongoing BSF programme, extensive engagement was held with the school during the design process where the location of the proposed turbines was discussed and agreed. This engagement is ongoing

Other consultees

5.6 As part of the wider approach to pre-application engagement, the following consultees were also consulted:

- Civil Aviation Authority
- Ministry of Defence Estates
- National Air Traffic Service (NATS)

5.7 At the time of writing no adverse comment has been received from any of the above consultees.

6. Relevant Planning Policy

Statutory Context

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the statutory development plan, unless material considerations indicate otherwise.

6.2 The Development Plan of consideration for the application proposal comprises the adopted Regional Spatial Strategy (RSS) for Yorkshire and Humber (2008) and the Barnsley Metropolitan Council Unitary Development Plan (UDP) (2000).

6.3 Other documents which should be afforded appropriate material weight in the determination of the planning application include the following:

- Planning Policy Statement 1: Delivering Sustainable Development (2005);
- Planning and Climate Change: Supplement to Planning Policy Statement 1 (2007);
- Planning Policy Guidance 2: Green Belts (1995, amended in 2001);
- Planning Policy Statement 22: Renewable Energy (2004);
- Barnsley Metropolitan Borough Council Local Development Framework (LDF).

National Planning Policy

PPS1: Delivering Sustainable Development (2005)

6.4 PPS1 outlines the Government's vision for the planning system and the key policy principles which should underpin it. Principles include taking a spatial planning approach, promoting good design and actively seeking to support sustainable development through the development plan system.

6.5 A key principle of PPS1 is the requirement for development plans and decisions to contribute towards global sustainability by addressing the causes and potential impacts of climate change. This should be secured through policies which reduce energy use, reduce emissions, promote the development of renewable energy resources and take climate change impacts into account in the location and design of new development.

6.6 The prudent use of natural resources is a key aim of PPS1 (Paragraph 4) and a key principle of the Statement is the promotion of the development of renewable energy resources (Paragraph 5). Development plan policies and decisions should seek to minimise the need to consume new resources over the lifetime of the development by seeking to promote the use of renewable resources to encourage energy efficient developments.

6.7 Paragraph 13 promotes the development of renewable energy and paragraph 22 encourages the use of renewable energy schemes in developments.

Planning and Climate Change: Supplement to Planning Policy Statement 1 (2007)

6.8 The Supplement to PPS1 sets out how planning should contribute towards reducing emissions, stabilising climate change and securing the highest viable resource and energy efficiency by securing sustainable patterns of development.

6.9 Consideration of the environmental performance of a proposed development, particularly the climate that the development is expected to experience of its projected lifetime, is encouraged as a key part of the planning process.

6.10 The Supplement requires that opportunities for renewable and low carbon sources of energy supply and supporting infrastructure are maximised through regional and local plans. Regional targets for renewable energy generation should be set in line with PPS22 and should require that a proportion of the energy supply of new development is secured from decentralised and renewable or low-carbon energy sources.

6.11 In particular, paragraph 20 of the Supplement states that planning authorities should not require applicants for energy development to:

> *'…demonstrate either the overall need for renewable energy and its distribution, nor question the energy justification for why a proposal for such development must be sited in a particular location'.*

6.12 The effects of the proposal on existing and proposed development in close proximity should also be taken into consideration.

PPG2: Green Belts (1995; Amended 2001)

6.13 PPG2 outlines the fundamental aims of the Government's Green Belt policy as the prevention of urban sprawl and safeguarding greenfield land. Green Belts shape

the pattern of urban growth, ensuring that development occurs in locations allocated in development plans.

6.14 The five purposes of including land within Green Belts are:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns from merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve setting and special character of historic towns;
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

6.15 The positive role of Green Belts is outlined in terms of fulfilling objectives which provide opportunities for access to the open countryside and outdoor sport and recreation, retain and enhance attractive landscapes, improve damaged and derelict land, secure nature conservation and retain land in agricultural, forestry and related uses.

6.16 PPG2 sets guidelines and provides advice on the types of development which are appropriate within Green Belts. These are as follows:

- Agriculture and forestry;
- Essential facilities for outdoor sport and outdoor recreation, for cemeteries and other uses of land which preserve the openness of the Green Belt;
- Limited extension, alteration or replacement of existing dwellings;
- Limited infilling in existing villages and limited affordable housing for community needs under development plan policies according to PPG3; and
- Limited infilling or redevelopment of major existing developed sites.

6.17 There is a general policy presumption against inappropriate development unless very special circumstances can be demonstrated. The key guidance statement at Paragraph 3.2 states:

'Inappropriate development is by definition harmful to the Green Belt. It is for the applicant to show why permission should be granted. 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.'

6.18 The visual amenity of the Green Belt is identified at Paragraph 3.15 of PPG2 as a specific consideration. Proposals for development should not harm the visual amenity of the Green Belt by reason of their siting, materials or design.

PPS22: Renewable Energy (2004)

6.19 PPS22 sets out the Government's planning policy on renewable energy. The key objectives are the promotion and development of renewable energy and improvements to energy efficiency in order to mitigate climate change.

6.20 The document states that the wider environmental and economic benefits of all proposals for renewable energy projects, irrespective of scale, should be treated as a material consideration that will be given significant weight in determining whether proposals should be granted planning permission.

6.21 Paragraph 8 requires the on-site generation of renewable energy to only be applied to developments where the installation of renewable energy generation equipment is feasible given the type of development proposed, its location, and design and the policy should not be framed in such a way as to place an undue burden on developers, such as specifying that all energy to be used in a development should come from on site renewable generation.

6.22 Paragraph 13 relates to the development of renewable energy sources in the Green Belt. It is recognised that where renewable energy projects are located in the Green Belt, these constitute inappropriate development, and may impact on the visual amenity and openness of the Green Belt. Careful consideration is therefore required to the visual impact of projects; developers should demonstrate very special circumstances that clearly outweigh any harm, to justify proposals for renewable energy sources.

6.23 Developers will also need to demonstrate very special circumstances for wind turbine development in the Green Belt. PPS22 suggests that:

'such very special circumstances may include the wider environmental benefits associated with the increased production of energy from renewable sources.'

6.24 Paragraph 18 requires that local planning authorities and developers consider the opportunity for incorporating renewable energy projects in all new developments. Small scale renewable energy schemes, such as wind turbine, can be incorporated into new developments and some existing buildings. PPS22 requires that local planning authorities should encourage such schemes through positively expressed policies in local development documents.

6.25 Paragraphs 19 and 20 relate to the impacts of renewable energy development on the landscape and visual amenity, and ambient noise levels. Appropriate siting, design and landscaping schemes are emphasised as a means of minimising the impacts of the proposed renewable energy development.

Companion Guide to PPS22 (2004)

6.26 The Companion Guide to PPS22 sets out practical advice as to how the renewable energy policies set out in PPS22 can be implemented in practise.

6.27 The Companion Guide requires that where a renewable energy proposal is promoted, it should be demonstrated that the project:

- Meets the requirements of applicable development plan policies;
- Does not compromise the reasons behind any relevant area designation, or if it does, the proposal provides sufficient justification of the environmental, economic and social benefits which outweigh any harm; and
- Addresses the issues of visual impact, and cumulative visual impact, where appropriate.

6.28 Technical Annex 8 of the Companion Guide provides detailed information relating to development proposals for wind turbine. Key issues associated with such development may include impacts upon ambient noise levels, landscape and visual amenity, listed buildings and conservation areas and ecology.

The Development Plan

Regional Spatial Strategy for Yorkshire and the Humber (2008)

6.29 The Regional Spatial Strategy (RSS) for Yorkshire and the Humber was published in May 2008 and sets out the broad development strategy for the Region.

6.30 Policy ENV5 specifies that local authorities and developers should seek to increase renewable energy capacity and energy efficiency in prospective and existing developments. In specific reference to new non-residential developments over 1000$m^{2,}$ the Policy states that 10% of energy should be from decentralised and renewable or low carbon sources, unless due to the type or design of the development this is not feasible or viable.

6.31 Policy YH9 states that the Green Belts in North, South and West Yorkshire have a valuable role in supporting urban renaissance, as well as conserving countryside. Policy YH9 requires that the general extent of the Green Belt should not be changed.

Barnsley Unitary Development Plan (2000)

6.32 The Barnsley Metropolitan Borough Council Unitary Development Plan (UDP) (2000) and is the Council's statutory development plan whilst the Local Development Framework (LDF) is under preparation. Only the Local Plan policies which were 'saved' by the Secretary of State in September 2007 have been considered as part of this appraisal.

6.33 The site is allocated under Policy PE5 as Green Belt land and under Policy PE20 as an existing community facility.

6.34 Policy PE5 defines the extent of the Green Belt around the settlement of Penistone. Policy GS7 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.

6.35 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.

6.36 Policy PE20, states that existing community facilities should be protected against other forms of development.

6.37 Policy ES12 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.

6.38 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.

6.39 Policy BE6 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.

Barnsley Local Development Framework

6.40 In accordance with the requirements of the Planning and Compulsory Purchase Act (2004), the Council is currently preparing its Local Development Framework (LDF).

Core Strategy Preferred Options (2009)

6.41 The Core Strategy will sets out the proposed policies, spatial options and strategic objectives for the future development of the Barnsley Borough to 2026. The Core Strategy Preferred Options document was published in October 2005. This was updated by the Core Strategy Revised Preferred Options, published in June 2009.

6.42 Strategic Objective 6 requires that all new development is suitably designed and built to the highest standards, whilst Strategic Objective 8 seeks to minimise energy consumption and to support renewable energy facilities in the Borough.

6.43 Draft Policies CSP38 and CSP45 support Strategic Objectives 6 and 8 by promoting efficient and prudent use of resources in new developments, including reduced energy consumption and promotion of sources that utilise renewable energy.

6.44 Draft Policy CSP48 further promotes the use of renewable sources of energy, stating that:

> *'All development (either new build or extension) of 10 or more dwellings or exceeding 1000 sq m of non-residential floorspace must provide a minimum of 10% of predicted energy needs from decentralised, renewable and low carbon energy sources'.*

The draft Policy states further, that where it is not appropriate to incorporate such provisions within a development, an off-site contribution may be required.

6.45 Draft Policy CSP49 specifies however that proposals for renewable energy will only be permitted where there is no detrimental impact upon the character of the landscape and appearance of the area, residential amenity, biodiversity and any historical and cultural features.

6.46 Draft Policy CSP41 requires that the extent of the Green Belt is retained. New development should not conflict with the purposes of the Green Belt or have a negative effect upon its openness or appearance. Acceptable uses for development in the Green Belt are aligned with PPG2 and UDP Policy GS8. However, the draft policy also states that renewable energy schemes, such as wind farms, is defined as an acceptable use in the Green Belt..

Barnsley Education Sites Development Plan Document (2009)

6.47 The Council adopted the Education Sites Development Plan Document (DPD) in January 2009. The DPD sets out the planned sites for secondary schools across

the borough in accordance with the Government's Building Schools for the Future development programme.

6.48 The DPD sets out the Council's intention to create nine advanced learning centres in the borough, to replace the thirteen existing secondary schools.

6.49 The DPD refers to the development of new education centres in the Green Belt. The Council has partly reviewed the boundary of the Green Belt in preparing the local development framework. The DPD states that there are *'very special circumstances'* which justify using Green Belt land to provide the education centres (Paragraph 4.10) and to allow the Building Schools for the Future programme to go ahead.

7. Relevant Planning History

7.1 Table 5.1 below outlines the planning history of relevance to the site and the application proposal.

Application Number	Proposal	Decision	Decision Date
2006/1053	Demolition of existing school and erection of an Advanced Learning Centre and provision of additional sports pitches (Outline)	Approved	31/10/2006
2009/0033	Variation of conditions 4, 8 and 27 relating to trees, access details and community use agreement on previous permission 2006/1053 dated 22 September 2006 for demolition of existing school and erection of an Advanced Learning Centre and provision of additional sports pitches (Outline) at Penistone Grammar School	Approved	11/03/2009
2009/0078	Demolition of existing school and erection of Advanced Learning Centre with associated parking, bus and parent drop off area, hard and soft landscaping, sports pitches and bridge link between the new school and sports pitches (Reserved Matters)	Approved	12/03/2009

Table 5.1: Planning History

8. Material Considerations

8.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) refers to the Development Plan as a whole and states that:

> *'if regard is to be had to the Development Plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise'*

8.2 The key material planning considerations raised by the proposed wind turbines at Penistone ALC to be taken into account in the decision making process are therefore:

- Impact on the Green Belt;
- Impact on the landscape and visual amenity of the area;
- Impact on noise levels;
- The impact of shadow flicker;
- Impact on ecology / ornithology;
- Impact of the wind turbines surrounding footpaths / highways;
- Impact of construction on the highway;
- Television / telecommunications interference; and
- Impact on Air Safety.

8.3 These are discussed in more detail in the following two sections.

9. Green Belt Assessment

9.1 It is accepted that the wind turbine development constitutes inappropriate development in the Green Belt. Paragraph 3.1 of PPG2 makes it clear that there is a general presumption against inappropriate development in the Green Belt and that such development should not be approved except in very special circumstances. Paragraph 3.2 also makes clear that inappropriate development is, by definition, harmful to the Green Belt. The presumption against development in the Green Belt is also reflected in the saved policies of the Barnsley UDP (2006).

9.2 The centre issue, therefore, is whether very special circumstances exist which outweigh the harm to the Green Belt resulting from the inappropriateness of the proposed development. In considering the issue, it is necessary to assess:

- The impact on the openness of the Green Belt;
- The impact on the visual amenities of the Green Belt;
- The impact on the purposes of including land within the Green Belt; and
- The impact on the use of land within the Green Belt.

Very Special Circumstances

9.3 Paragraph 13 of PPS22 states that the development of renewable energy is inappropriate development in the Green Belt in the context of PPG2, therefore very special circumstances will need to be demonstrated.

9.4 PPS22 also suggests that:

> *'Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.'*

9.5 It is therefore considered that the very special circumstances in this case are the wider environmental benefits of the proposals.

9.6 National policy and the statutory development plan seek to reduce climate change and increase the use of renewable sources of energy. The proposals will secure a renewable source of energy generation in line with the overriding national and regional planning policy objectives. It is considered that this constitutes very special circumstances for this development in the Green Belt.

9.7 The development of 5 wind turbines within the grounds of the new school is a key component to the wider school redevelopment proposals, as this will secure a proportion of energy is derived from on site renewable sources in accordance with the national planning policy objectives, the statutory development plan and the Design and Development Brief for the BSF Programme.

9.8 The erection of the turbines will secure a source of renewable energy generation that will play its part in the wider objective of reducing greenhouse gas emissions, a principal cause of global climate change. The need to secure and deliver sources of renewable energy generation in order to reduce CO2 emissions is a key national objective.

9.9 The provision of 5 turbines at Penistone ALC will meet this overriding objective and consequently this represents the very special circumstances that justifies the proposals within the Green Belt. The development will therefore meet wider planning policy objectives, most notably RSS policy ENV5. It is therefore considered that the need for the development outweighs the harm to the Green Belt and that this constitutes very special circumstances.

Location and Alternative sites

9.10 The location of the wind turbines has been selected so as to minimise the impact of the proposed turbines on the surrounding residential properties in terms of noise and visual impact.

9.11 During initial discussions with the Council a request was made to consider alternative siting for the proposals.

9.12 In this respect, regard should be had to the legal case of Derbyshire Dales District Council v Secretary of State for Communities and Local Government [2009] EWHC 1729 (Admin) where a similar matter was considered. In this particular case, the courts concluded that there was no onus on developers to consider alternative sites for development of this type. The Council could not point to any national or local policy that required the consideration of alternative sites, in particular PPS22. With regard to the case in hand, saved UDP policy ES12 does not require the consideration of alternative sites as a policy approach.

9.13 The aim of wind turbine development at the ALC is to provide a sustainable and renewable source of energy for the facility. This will allow the development to adhere to national, regional and local planning policy objectives whilst also adhering to the Design and Development Brief for the BSF Programme. The

turbines are therefore considered to be ancillary to the ALC and therefore need to be located within the school site.

9.14 Notwithstanding this, two alternative sites that warrant comment are attached at Appendix xx:

- One would locate the turbines closer to residential properties which would increase the prospect of the turbines having an adverse impact on residential amenity; and
- The second would locate the turbines further up the hill which would have a greater impact on the landscape and would have implications for the financial viability of the scheme.

Impact upon the Openness of the Green Belt

9.15 It is now necessary to consider whether the proposed development would have an impact upon the openness of the Green Belt (i.e. freedom from development): it's most important attribute. The impact on openness is assessed on the basis of the presence and extent of buildings and other urbanising features, with proposed development being compared with existing as a means of demonstrating the balance of change. Impact can be assessed in terms of change in developed footprint and site coverage, and in terms of changes in building scale and mass.

9.16 Whilst it is acknowledged that the proposed wind turbines will constitute an increase in 'built form' in the Green Belt, the proposed development does lie wholly within the land associated with the grounds of the Penistone ALC.

Impact on the Purposes of Including Land within the Green Belt

9.17 The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It establishes five purposes of including land within the Green Belt. Considering the effect of the proposed wind turbine upon each of the five purposes, it is concluded that:

i) To check the unrestricted sprawl of large built up areas

The Green Belt in this location fulfils this function. It is not considered that the proposed wind turbines will prevent the fulfilment of this function as the proposed development lies wholly within the curtilage of Penistone ALC.

ii) To prevent neighbouring towns from merging into one another

The Green Belt in this location performs this function in relation to preventing coalescence between Penistone and surrounding urban areas. As the proposed wind turbines will be wholly within the curtilage of the ALC, there will be no adverse impact on this function of the Green Belt in this location.

iii) To assist in safeguarding the countryside from encroachment

The Green Belt fulfils this function in this location and will not be adversely affected by the proposals as the proposed wind turbines lie wholly within the curtilage of Penistone ALC. .

iv) To preserve the setting and special character of historic towns

The Green Belt in this location does not undertake this function and does not need to be considered in this instance.

v) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land

The re-use or recycling of urban land would not be prevented by this development proposal.

9.18 Paragraph 1.6 of PPG2 advises that once Green Belts have been defined, the use of land has a positive role to play in fulfilling five objectives as set out in chapter 6 of this statement and above. As demonstrated above, it is not considered that the proposed development would not undermine any of those objectives. It can therefore be concluded that the proposed wind turbines will not prevent the functions of the Green Belt being fulfilled in this location.

10. Other Material Considerations and Technical Matters

10.1 This application is supported by a number of accompanying reports which set out specific details relating to landscape and visual impact and noise. The impact of the proposed wind turbines on TV / telecommunications will also be considered in this chapter. All of these matters should be considered as material to the determination of the application.

Principle of Development

10.2 National, regional and local planning policy supports the development of renewable sources of energy to support sustainable development objectives.

10.3 The proposals are for the generation of energy from renewable sources of energy. This is supported by adopted and emerging national, regional and local planning policy, namely:

- PPS1 and its supplement;
- PPS22 and the Companion Guide to PPS22;
- RSS Policy ENV5; and
- Draft Core Strategy Policy CSP48.

10.4 The objective of PPS1 is the promotion of sustainable development and identifies the prudent use of natural resources as one of the key principles. Similarly, the key objective of PPS22 is the promotion and development of renewable energy in order to mitigate against climate change.

10.5 Policy ENV5 of the RSS requires developers to increase renewable energy capacity and energy efficiency in all developments and states that 10% of energy should be from decentralised and renewable or low carbon sources.

10.6 This is also reflected in emerging policy. Strategic Objective 8 of the Core Strategy Preferred Options seeks to minimise energy consumption and supports the development of renewable energy sources. Draft Core Strategy Policy CSP48 seeks the provision of a minimum of 10% of the energy requirements of all new developments to be provided from decentralised, renewable or low carbon sources.

10.7 Wind turbines were considered to be the most appropriate source of renewable energy in this location as they will take advantage of the local climatic conditions and will be the most financially viable source.

10.8 The development of wind turbines in this location is therefore considered to be acceptable.

10.9 In summary, the wind turbines are considered to be ancillary to Penistone ALC and are the most appropriate source of renewable energy in this location. The development will ensure the ALC will adhere to the requirements of the statutory development plan and national planning policy. The principle of the development of wind turbines in this location is therefore considered to be acceptable.

Green Belt

10.10 Notwithstanding the above, it is acknowledged that the proposed development constitutes inappropriate development in the Green Belt. However, very special circumstances for the development are considered to exist and the benefit of the proposals in terms of the wider environmental benefits associated with the increased production of energy from renewable sources.

10.11 The proposed wind turbines seek to provide a proportion of the ALC's energy requirements, therefore they will need to be located in close proximity to the school. Therefore, as the ALC is located wholly within the Green Belt, the wind turbines will also need to be located here. The location of the wind turbines within the ALC site has been carefully considered to ensure that the surrounding residential properties experience minimal disturbance in terms of noise and visual impact. Supporting documents demonstrate that the application site is the most appropriate location for the wind turbines.

Landscape and Visual Impact

10.12 In terms of landscape and visual impact, the photomontages submitted with the application show that in terms of impact views of the turbines from the north, south and east will be limited, when looked at from the agreed viewpoint. See Drawing Penistone ALC1, ALC3 and ALC4.

10.13 From the north the view of the turbine is more prominent where a good proportion of the mast and rotor will be visible. This is however an isolated feature within the wider landscape and sits well within an area which has other urbanising influences, for example car parking.

10.14 As previously mentioned, the location of the wind turbines has been chosen to as to provide sufficient distance from residential properties whilst maintaining operational efficiencies. Therefore, the proposed location is considered to be the most appropriate..

10.15 The accompanying landscape and visual impact assessment provides more detail on this. However it is considered that the proposal is acceptable.

Noise

10.16 The detailed noise report has been prepared by SRL and has been submitted as part of this application package.

10.17 The assessment concludes that the measured data indicate that ETSU criteria for the acceptability of wind turbine noise are likely to be met at all wind speeds during both the daytime and the night time. In terms of noise impact, the proposed wind turbines are therefore considered to be acceptable.

10.18 The location of the wind turbines within the ALC site has been carefully considered to ensure that the surrounding residential properties experience minimal disturbance.

Shadow flicker

10.19 The Companion Guide to PPS 22 Planning for Renewable Energy, Technical Annex: Wind states:

> *"Under certain combinations of geographical position and time of day, the sun may pass behind the rotor of a wind turbine and cast a shadow over neighbouring properties. When the blades rotate, the shadow flicks on and off; the effect is known as 'shadow flicker'. It only occurs inside buildings where the flicker appears through a narrow window opening."*

10.20 Shadow flicker is not a common occurrence and has been proven to occur only within ten rotor diameters of properties within 130 degrees either side of north. In terms of assessing the potential effect of Shadow Flicker the first assessment that should be made is the proximity of sensitive receptors that lie within 10 rotor blade diameters of the proposed turbine. In this case given the type of turbine proposed (a Proven 15 with a rotor diameter of 9 metres) the potential effect may only be assessed within 90 metres (the equivalent of 10 rotor diameters) of the proposed turbines.

10.21 In terms of assessment it should be noted that when determining the location of the proposed turbines at Penistone that are now being applied for, the turbines are located at least 175 metres from residential properties where shadow flicker might be experienced. With regard to the turbine proposed and associated rotor diameter of 9 metres, this is clearly in excess of 90 metres where the effect of shadow flicker is proven to potentially occur.

10.22 As this is the case, shadow flicker in residential properties is not an issue that is likely to be experienced as a result of the development.

Ecology/Ornithology

10.23 The application site does not contain designated sites of ecological importance nor are they located within 3 kilometres of such a site. There is, therefore, no impact on issues of acknowledged ecological importance.

10.24 The proposals are a necessary adjunct to the wider construction of the ALC and construction impacts upon ecology are considered below. Nonetheless these matters will have been considered when planning permission was granted and will not differ as a result of construction of the turbines.

Surrounding footpaths/highways

10.25 In terms of surrounding public rights of way and highways, the nearest footpath/bridleway is some 150 metres from the closest turbine to the east whilst the nearest highway is some 150 away to the east. In terms of potential effects on safety for users of the surrounding the distance of the turbine exceeds the fall over distance of the turbine. Therefore in the event of a catastrophic failure/collapse of the turbine

Construction effects on highways

10.26 In terms of the effects of construction on surrounding highways, it should be noted that at Pensitone ALC, construction is ongoing and there is in place existing infrastructure to enable access to the site.

10.27 This has been agreed by the Council as part of the discharge of conditions attached to planning permission 2006/1053. In this regard. The construction effects report submitted with the application sets out that in terms of additional vehicle movements as a result of proposals these are minimal. Given that there is already a construction access on site, along with associated traffic generation and

management measures, the impact of the additional vehicle movements is considered minimal. As this is the case the construction effects on highways are minimal. A construction impacts assessment for all sites is attached at Appendix 3

TV/Telecommunications interference

10.28 As part of preparing the proposals as assessment of the potential for interference to television and radio signals was undertaken using a web based tool provided by the BBC. A copy of the response is attached at Appendix 4. The outcome of this assessment is there is a potential for up to 2913 receptors to be affected where there is no alternative off air service and a further 520 homes where an alternative off-air service may be available.

10.29 The web based tool does not consider the precise location, number or height of proposed turbines. Therefore as part of the assessment as the extent of impact (if any) will only be known once the turbines are constructed and operational.

10.30 When compared to commercial wind farms, the proposals are modest in scale and operation and the issue in hand clearly relates to establishing mechanisms for mitigating impact should it be proven to occur as a result of construction of the turbines. As this is the case, and accepting the potential for an impact, we are prepared to accept a planning condition to a planning permission in this regard.

Air Safety

10.31 As part of pre-application engagement with a number of consultees confirmation has been received from the following bodies that the proposals will not impact upon air safety:

- Civil Aviation Authority
- Defence Estates.

10.32 Responses received at the time of writing are presented at Appendix 5.

11. Summary and Conclusions

11.1 This Planning Statement has been prepared to support the Planning Application for 5 wind turbines at Penistone ALC to provide a proportion of the schools energy requirements.

11.2 There is an overriding need to provide additional facilities for the generation of renewable energy sources and this is supported by national, regional and local planning policy. Therefore, the proposed wind turbines will satisfy some of this need.

11.3 The application proposal is to provide 5 wind turbines at Penistone ALC. This planning statement has demonstrated that the redevelopment proposals will:

11.4 Therefore, although constituting inappropriate development in Green Belt policy terms, the proposals are justified and acceptable having regard to the very special circumstances which exist in this case. Moreover, it is considered that the development would not harm the functions of the Green Belt in this location.

11.5 Also, there are no technical constraints on the proposed development in this location.

11.6 It is therefore considered that the proposal is fully compliant with national guidance and all of the relevant planning policy objectives of the development plan and local guidance, and that planning consent should be granted for this important and extremely beneficial development. Therefore, we respectfully request that the application be permitted.

Appendix 1 - – Screening Opinion Response

BARNSLEY
Metropolitan Borough Council
Planning and Transportation Service
Assistant Director: Stephen Moralee BA (Hons) MBA
Development Control Section
PO Box 604, Barnsley, S70 9EF
Tel: (01226) 770770 Fax: (01226) 772591 E-mail: developmentcontrol@barnsley.gov.uk
The website address for all Council services is www.barnsley.gov.uk

My ref – MW/ALC/PEN Your ref – LAIY2009

Date: 06/10/2009 Enquiries to: Matthew Woodward Dial Direct 01226 772587

Dear Sir,

I write to provide both a response to a formal screening request (regulation 5 (1)) and guidance on the proposal outlined in your letter dated 16th September 2009.

The proposal involves five wind turbines with a tower (hub) height of up to 25m and a blade diameter of 9m (total height of approximately 29.5m from base to blade tip). The turbines would be located to the south of the proposed Penistone ALC in an area intended as playing fields. Currently the land comprises fields located in the Green Belt.

The proposal falls within Schedule 2 of the Environmental Impact Assessment (EIA) 1999 regulations (as amended) as the applicable thresholds in respect of wind turbine proposals are as follows:

- *Development involving the installation of more than 2 turbines;*

- *The hub height of any turbine or structure exceeds 15 metres.*

The proposal exceeds both of these criteria. However, the indicative thresholds and criteria also highlight the following:

"The likelihood of significant environmental effects will depend on the scale of the development, and its visual impact, as well as noise impacts. EIA is more likely to be required for commercial developments of 5 or more turbines, or more than 5 MW of new generating capacity".

As the proposal is 5 turbines with an output significantly less than 5MW, the determining factors are primarily those of visual impact and noise. There is a clearly a distinction to be drawn between the turbines hereby proposed and the larger commercial turbines commonly associated with large wind farms. The latter often require an EIA because of the potential visual impact, noise, ecology, TV interference, air safety issues, vehicular movements as well as the impacts of the ancillary infrastructure. I would not anticipate a proposal on this scale to give rise to the same level of environmental effects. Whilst there are potential visual impacts, the turbines are not of the same magnitude as those larger commercial turbines.

FAO Matthew Collins
Turley Associates
33 Park Place
Leeds
LS1 2RY

With regards to the noise, size and number of the turbines and the proximity of sensitive receptors; these issues would need to be adequately addressed, but the effects are not considered to be significant enough to warrant a formal EIA. Furthermore, the proposal does not fall within an environmentally sensitive area.

There are a number of issues which need addressing in detail as part of a planning application. Firstly, it is considered the proposal amounts to an inappropriate development in the Green Belt. Planning Policy Statement 22 (Renewable Energy) advises as follows:

"*when located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development, which may impact on the openness of the green belt. Careful consideration will therefore need to be given to the visual impact of projects, and developers will need to demonstrate very special circumstances that clearly outweigh any harm by reason of inappropriateness and any other harm if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable source".*

You need to clearly demonstrate that there are very special circumstances which clearly outweigh harm to the Green Belt, and any other harm, in order to satisfy this policy. PPS22 also states:

"The landscape and visual effects of particular renewable energy developments will vary on a case by case basis according to the type of development, its location and the landscape setting of the proposed development. Some of these effects may be minimised through appropriate siting".

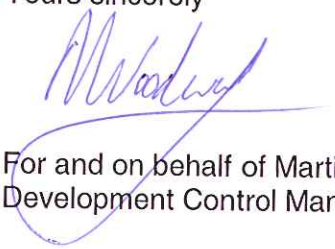
I am aware that Regulatory Services have provided some guidance in relation to noise impacts and the turbines would need to be located sufficient distance away from sensitive receptors. However, in terms of visual impact and associated harm to the Green Belt I have some reservations about the siting of the turbines. The location is a distance (240m) due west of the proposed ALC buildings. It follows that locating turbines closer to the footprint of the ALC would potentially reduce visual harm while promoting a better visual relationship with the ALC, thus negating the concerns I currently have regarding the relatively conspicuous and open nature of the site. I also note that views of the turbines may be obtainable from the centre of Penistone which would likely include the Conservation Area. There is clearly a balance to be struck and therefore careful siting is essential in order to successfully integrate such proposals into the wider landscape. As well as siting, there may also be scope for reducing the height/number of turbines in order to further minimise the visual impact. It is difficult to draw definitive conclusions on the suitability of the site based on the information provided which is why a substantive landscape and visual assessment is required in any submission. However, I would appreciate if you would consider the points outlined in this letter.

Furthermore, you need to comprehensively address the following issues in any subsequent planning application:

- Landscape and Visual Impact (including cumulative effects)
- Noise/Shadow Flicker
- Ecology/Ornithology
- Proximity of highway/footpaths
- Highways Impacts
- Interference to TV/telecommunications
- Impact on air safety

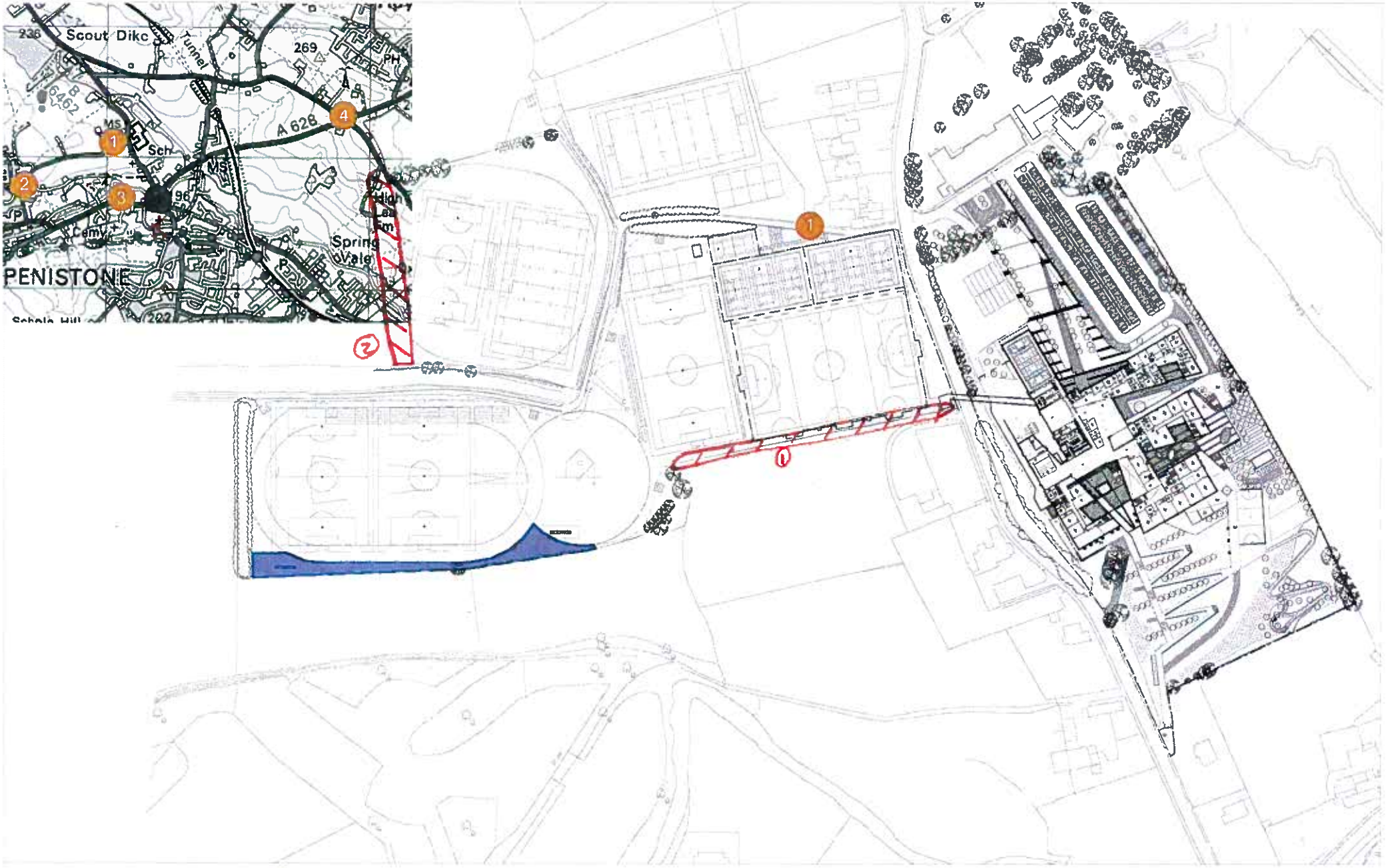
I trust this clarifies the Council's opinion and provides you with the necessary information to be considered in any subsequent planning application. I look forward to hearing from you in due course.

Yours sincerely



For and on behalf of Martin Winnard,
Development Control Manager

Appendix 2 – Alternative Sites Considered: Correspondence from BMBC



1. Old Ana Lane/Residential properties
2. Residential properties/PROW to east of Thurlstone
3. Leisure Centre and grounds to south of site
4. Roundabout on east of site on A628

Barnsley BSF - PENISTONE ALC
Potential viewpoints for wind turbine photomontages
1:2000@A3
PEN_SK61 28.09.09

Appendix 3 - Construction Impacts Assessment Methodology

Matthew Collins

From: Mills, Peter [pmills@laingorourke.com]
Sent: 02 December 2009 08:50
To: Matthew Collins
Cc: Mills, Peter
Subject: method statement for installation of wind turbines
Follow Up Flag: Follow up
Due By: 03 December 2009 01:00
Flag Status: Red

Scope of works.

To install two wind turbines at each school to achieve 10 % of the schools renewable energy target.
The location of the wind turbines have been determined by acoustic consideration to the surrounding neighbours which generally requires the location to be atleast 175m from residential properties.

Method statement.
Foundations
The bearing pad size for a 15kw Proven wind turbine is 4m x 4m x 2m deep*
Excavate an area on plan of 5m x 5m with battered sides at 45 degree slopes. Use JCB 3B Backacter excavator to excavate.
Soil removed from the excavation to be redistributed on site via a small dump truck.
Blind the formation with 50mm 15N/mm2 concrete
Install timber formwork to form the sides of the bearing pad
Install reinforcement bars
Set free issue holding down bolts in the centre of the form work
Place 35 N/mm2 concrete into form work by pouring directly from the back of the concrete wagon into form work.
There will be 6 deliveries of concrete to complete the 32m3 pour.
Trowel the concrete surface and allow to set.

Erection of mast and turbine
Locate 20 tonne crane adjacent to the foundation
Manouver the trailer carrying the 25m high mast adjacent to the crane and using a quick release web sling attach the crane to the mast.
Lift and slew the mast into place securing the bolts to the base plate
Release the slings

Lift the turbine section into position, carefully locate the turbine onto the mast fixing bolts. This is done by locating a mobile work platform (Genie 3TS or similar) and manouvering the working platform adjacent to the turbine motor.

Once the turbine is fixed then each of the 3 blades are lifted and securely bolted into place.
Remove the craned and mobile work platform from site.

Vehicle movements

1. delivery of JCB
2. delivery of mobile platform
3. delivery of crane
4. delivery of wind turbine on low loader articulated vehicle.
5. Delivery of 6 concrete wagons

Programme
Forming foundation = 1 week
Installation of wind turbine = 2 days.

* subject to bearing pressure testing of the excavated ground.

Appendix 4 – TV / Radio Interference Search Results

The BBC Windfarms Tool Your query results.
From: Windfarms [Windfarm.Tool@bbc.co.uk]
Sent: 01 December 2009 11:59
To: Matthew Collins
Subject: [The BBC Windfarms Tool] Your query results.

If you were to place turbines in the following locations:

SE238039
SE239039

You would be likely to affect 2913 homes for whom there is no alternative off-air service.

In addition, you may affect up to 520 homes for whom there may be an alternative off-air service.

The transmitters likely to be affected are:

STOCKSBRIDGE
EMLEY MOOR CH5
EMLEY MOOR
MILLHOUSE GRN

This information is provided for the guidance of Wind Farm developers.
The results of this query are a rough estimate of populations that may suffer interference from wind farms built at the locations specified.
The information is not intended to be a substitute for an on-site survey where the potential for disruption to television services may more accurately be assessed.

The BBC does not accept liability for the consequence of any use of the information provided by this web site. All television reception difficulties caused by the erection of wind turbines are the responsibility of the wind farm developer.

This email was automatically generated in response to a query at the BBC Windfarms Tool website. Please do not reply to this address.

If you wish to contact the BBC, please visit:
http://www.bbc.co.uk/feedback/

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Appendix 5 – Responses from Consultees Regarding Air Safety

From: Pope DelphaL [DelphaL.Pope@caa.co.uk]
Sent: 16 November 2009 15:52
To: Matthew Collins
Subject: Penistone WindFarm

Our Ref: DAP/Wind/Penistone\1481
Your Ref: LAIY2009

Dear Mr Collins
Wind Farm Proposal – Penistone

Thank you for notification of the title proposal. In line with the guidance provided within the Department for Trade and Industry document Wind Energy and Aviation interests, which does not differentiate, in consultations terms between very small turbines such as that associated with the application in question, and larger proposed developments. This Directorate has no further observations.

There may however be issues related to en route navigational facilities. Accordingly details of your proposal have been copied to National Air Traffic Services for any comment. If you do not hear from NATS or wish to contact them, they can be contacted at:

National Air Traffic Services Ltd
Navigation Spectrum & Surveillance
Corporate and Technical Centre
4000 Parkway, Whiteley
Fareham
Hampshire
PO15 7FL
Email: nerlsafeguarding@nats.co.uk
For completeness it would also be sensible to establish the related viewpoint of local emergency services air support units. This is because of the unique nature of their operations in respect of operating altitudes and potentially unusual landing sites.

In respect of any aviation need to increase the conspicuity of the turbines, developers should be aware that there may be a need to install aviation obstruction lighting to some or all of the associated wind turbines should this development be progressed. This comment is made specifically if there were concerns expressed by other elements of the aviation industry; ie the operators. For example, if the Ministry of Defence or a local aerodrome had suggested such a need, we the Civil Aviation Authority (sponsor of policy for aviation obstruction lighting) would wish, in generic terms, to support such a claim. We would do so if it could reasonably be argued that the structure(s), by virtue of their location and nature, could be considered a significant navigational hazard. That said, if the claim was clearly outside credible limits (ie the proposed turbine(s) was/were many miles away from an any aerodrome or it/they were of a height that was unlikely to effect even military low flying) the Authority would play an 'honest-broker' role.

All parties should be aware that international aviation regulatory documentation requires that the rotor blades, nacelle and upper 2/3 of the supporting mast of wind turbines that are deemed to be an aviation obstruction should be painted white, unless otherwise indicated by an aeronautical study. It follows that the CAA advice on the colour of wind turbines would align with these international criteria.

The number of pre-planning enquiries associated with windfarm developments has been significant. It is possible that the proliferation of wind turbines in any particular area might potentially result in difficulties for aviation that a single development would not have generated. It is, therefore, not necessarily the case that, because a generic area was not objected to by the aviation industry, future, similarly located potential developments would receive the same positive response.

Developers are advised that there is a civil aviation requirement in the UK for all structures over 300 feet high to be charted on civil aviation maps (I understand that the ministry of defence utilises a lower threshold height). Should this proposed wind turbine development progress and the 300 feet height be breached, to achieve this civil aviation charting requirement, developers will need to provide details of the development to:

Defence Geographic Centre

AIS Information Centre
Jervis Building
Elmwood Avenue
Feltham
Middlesex
TW13 7AH
Telephone: 020 8818 2708 (This number is for Defence Geographic, not the CAA)

An amendable version of the proforma is available electronically at http://www.bwea.com/docs/developers_proforma.doc and can be E-mailed to windfarms@caa.co.uk when submitting preplanning information.

Please be aware that due to the rationalisation of CAA Email addresses the windfarms Email address is now windfarms@caa.co.uk, the previous address windfarms@dap.caa.co.uk will no longer work.

Regards

Delpha

Mrs Delpha L Pope
S&SM Administration Officer
Civil Aviation Authority
Surveillance and Spectrum Management, K6G6, CAA House, 45-59 Kingsway, London, WC2B 6TE
Tel 020 7453 6557 Fax 020 7543 6556 Email DelphaL.Pope@caa.co.uk

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SOUTHAMPTON	023 8072 4888

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