

PROPOSAL - CONSTRUCTION OF A WIND FARM COMPRISING THE ERECTION OF FIVE WIND TURBINES PLUS UNDERGROUND CABLING, METEOROLOGICAL MAST, ACCESS TRACKS, CONTROL BUILDING, TEMPORARY SITE COMPOUND AND ANCILLARY DEVELOPMENT

SITE - SPRING FARM RIDGE, BEING LAND TO THE NORTH OF WELSH LANE BETWEEN GREATWORTH AND HELMDON, NORTHANTS

IN THE MATTER OF A PLANNING APPEAL UNDER S.78 TOWN AND COUNTRY PLANNING ACT 1990

BETWEEN:

BROADVIEW ENERGY DEVELOPMENTS LTD

Appellant

-and-

SOUTH NORTHAMPTONSHIRE COUNCIL

Respondent

PINS Ref: APP/Z2830/A/11/2165035/NWF

LPA Ref: S/2010/1437/MAF

DANIEL CALLIS MSc BSc MRTPI
SUMMARY
PROOF OF EVIDENCE
FOR THE LOCAL PLANNING AUTHORITY

BACKGROUND

- 1.1 In my proof I provide an overview of the relevant policies of the development plan, the emerging plan and other material considerations including the NPPF and the renewable energy policy framework.
- 1.2 It is clear that Government policy strongly promotes renewable energy developments as part of a commitment to a low carbon future. It is also clear that onshore wind energy continues to be regarded as an essential component of the energy mix. However, support for renewable energy development is qualified and recent government statements and guidance indicate something of a 'reining in' to the direction of travel, levelling the playing field between the unquestioned need for such development and the consideration of associated impacts.
- 1.3 In line with government policy and guidance the Council has a generally supportive and proactive approach towards renewable energy proposals. Insofar as it is appropriate to demonstrate that approach by reference to decisions taken by the Council, this generally positive approach can be shown by the Council's record to date in determining wind energy proposals to date.
- 1.4 Predominantly as a result of the submission of the FEI, the Council is no longer contesting three of the six original reasons for refusal. However, as demonstrated by the Council's witnesses, the level of harm relating to the three remaining reasons is significant, both individually and cumulatively.

Does the proposed development accord with the statutory Development Plan?

- 1.5 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Inspector to determine this appeal in accordance with the development plan for the area of the appeal site, unless material considerations indicate otherwise
- 1.6 As evidenced by the Council's Landscape witness, Kate Ahern, the proposed development of a wind farm of this size and extent in this open countryside location will clearly have a significant major adverse visual impact on the character and appearance of the site and the surrounding area as well as on residential amenity in the cases of Stuchbury Hall Farm and Grange Farm. As a result the proposal would be contrary SNLP policies G3 (A and D), EV2 and EV29, the South Northamptonshire Wind Turbines in the Open Countryside adopted SPD and Policies S1 and S11 of the draft JCS.
- 1.7 In addition, as evidenced by Naomi Archer and Richard Hall, the proposal would have a significant impact upon the setting of numerous important cultural and heritage assets and would be perceived by users of the local public rights of way network to severely harm their outlook and safety. As a result the proposal is contrary to SNLP policies G3(I and J), EV11, EV12 and EV28; the South Northamptonshire Wind Turbines in the Open Countryside adopted SPD and Policies BN5 and S11 of the draft JCS.

- 1.8 As discussed in my main proof, and as accepted by the Previous Inspector, Elizabeth Fieldhouse, the policies of the SNLP are considered to be consistent with the broad policy principles of the NPPF and, therefore, in relation to paragraph 216 of the NPPF, they are able to carry full, or at least significant, weight.

Do material considerations outweigh the provisions of the Development Plan?

- 1.9 In terms of prevailing national policy, it is my view that the support given for renewable energy development in the new NPPF is heavily qualified: context is everything, and planning permission should not be granted simply (or mainly) because a proposal is for renewable energy development, regardless of the adverse environmental and social impacts on the particular location in which the development is to be situated.

- 1.10 In terms of the emerging JCS, this is a material consideration. Although not yet part of the Development Plan, the JCS can be given significant weight because it is at an advanced stage of preparation, there are no significant objections relating specifically to the policies relevant to this appeal, and the emerging policies are all fully consistent with the NPPF. Policy S11 specifically relates to Low Carbon and Renewable Energy.

- 1.11 Other material considerations include:

- National energy policy and policy on renewable energy developments and the contribution that the proposal would make towards achieving renewable energy objectives, tackling climate change and improving national energy security;
- Progress at a national level towards the deployment of renewable energy in all its forms;
- National planning advice contained in the recently published 'Planning practice guidance for renewable and low carbon energy' and in NPS documents EN-1 and EN-3;

- 1.12 When carrying out the planning balance I believe it is clear that, despite the generic benefits, the proposal will cause an unacceptable harm in terms of its landscape and visual impacts and impacts to residential amenity. In addition, the proposal will also cause significant harm to cultural heritage assets and to the perceived safety and outlook for the valued local public rights of way network. Even if the Inspector concludes that the landscape, visual and residential amenity harm is not sufficient to sustain dismissing the appeal on its own, when taken cumulatively with the other harms identified, I believe the balance is weighed firmly against the proposal.

- 1.13 The proposal is contrary to the Development Plan and the other material considerations do not outweigh that conflict.

Overall conclusion

- 1.14 The importance of assisting in the delivery of the Government's climate change and energy policies is not disputed. However, very positive progress in deployment to date means that there is no longer quite the same urgency there once was. This is reflected in recent Government statements and

guidance which demonstrate a reining in to the direction of travel and something of a levelling of the playing field when it comes to assessing the benefits and impacts of such developments.

- 1.15 Developments that are inappropriate and unacceptable should not be permitted. In this instance the proposal is clearly contrary to the local Development Plan and the harms, in terms of landscape and visual, residential amenity, cultural heritage and public rights of way, clearly and demonstrably outweigh the benefits.
- 1.16 Therefore, respectfully, I invite the Inspector to dismiss this appeal and refuse planning permission.