

**DONCASTER METROPOLITAN BOROUGH COUNCIL**

**PLANNING COMMITTEE – 7 March 2017**

<b>Application</b>	1
--------------------	---

<b>Application Number:</b>	12/02140/FULA	<b>Application Expiry Date:</b>	13th December 2012
----------------------------	---------------	---------------------------------	--------------------

<b>Application Type:</b>	Full Application with Environmental Assessment
--------------------------	--

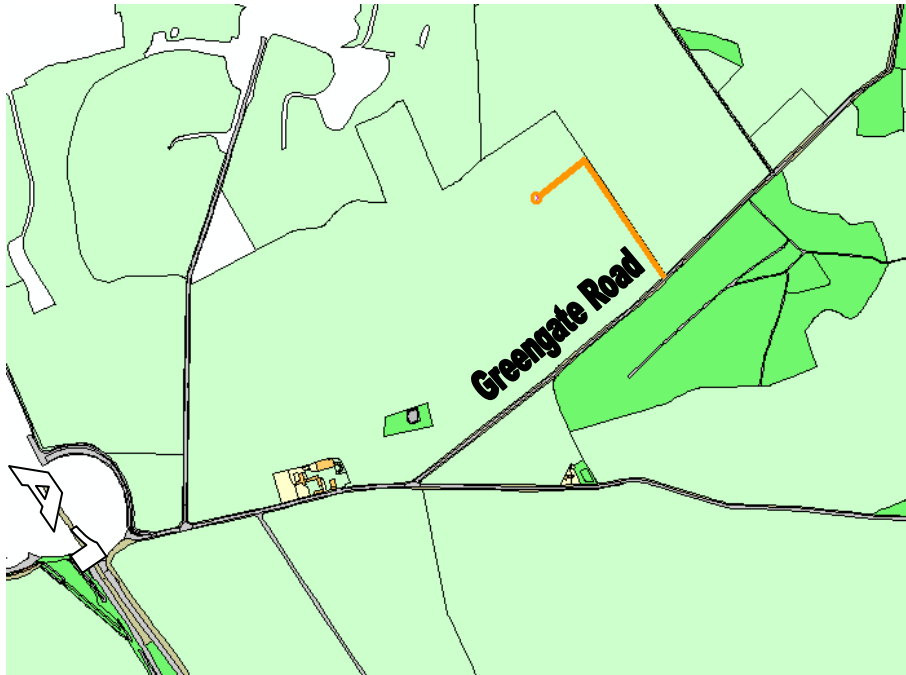
<b>Proposal Description:</b>	Erection of 1no. 2.5MW wind turbine (80m to hub, 120m to blade tip) and the construction of associated access tracks
<b>At:</b>	Norton Doncaster

<b>For:</b>	Origin Energy CIC
-------------	-------------------

<b>Third Party Reps:</b>	163 for Original submission 136 to amended scheme & Petition of 65	<b>Parish:</b>	Norton Parish Council
		<b>Ward:</b>	Askern Spa (Historic) Norton and Askern (Current)

<b>Author of Report</b>	Mark Ramsay
-------------------------	-------------

<b>MAIN RECOMMENDATION:</b>	REFUSE
-----------------------------	--------



## **1.0 Reason for Report**

1.1 This application was presented to the Planning Committee meeting held on 25 August 2015, and members resolved to defer the application for a site visit and technical briefing which was scheduled for Friday 18<sup>th</sup> September. The application was originally presented to committee due to the level of public interest in the application and the proposal represents a departure from the local plan, being development in the Green Belt.

1.2 The application and following report was scheduled to the 22<sup>nd</sup> September Planning Committee but deferred for officers to give consideration to the implications of a decision by the Secretary of State for a wind farm at Hemswell Cliff in Lincolnshire which referenced the Written Ministerial Statement issued by the Minister in summer 2015

1.3 In 2016 the applicants amended the scheme to remove turbine T2 and its access to the east of Greengate Road... Supporting documentation was updated following a community consultation exercise that took place in the summer of 2016.

## **2.0 Proposal and Background**

2.1 The original application involved the erection of two wind turbines each generating 2.5 MW of power, with 80m tall tower and 40m blades. The scheme as detailed above has been reduced to a single turbine T1a and associated access to the west of Whiteley Road and is the only development for consideration by this application.

2.2 The sites lies next to Greengate Road on agricultural land. The road forms a link from the west of Norton Village to the Barnsdale Bar junction of the A1. There is a woodland to the East and a quarry to the Northwest (outside the borough boundary). The site is on land with a modest profile rising from the South. There is a scattering of rural dwellings and agricultural buildings in the surrounding area.

2.3 The application has been made on the basis that the resultant operation will be connected to a community company that local residents can be a part of and profits can be invested in the community of Norton.

## **3.0 Relevant Planning History**

3.1 None

## **4.0 Representations**

4.1 There were a total of 154 representations, 9 supporting to the original submission on the basis that the development is beneficial by the provision of renewable energy and consequent lower carbon emissions plus supporting the principal behind the development of investing profits in the parish and helping its regeneration

4.2 Following the initial application, a further 96 representations were received with 63 being against and 33 in support. Many of the letters in support were short standard letters. A public consultation exercise was held by Origin in Summer 2016 and they hosted displays open to the public. They elicited 77 responses which were split 50:50 in support and against with one undecided.

A petition of 65 names was raised against the proposal by the local campaign group NoNow and when the council formally opened up representations at the start of this year 42 representations were received with all but 2 objecting.

4.3 The representations making objections to the proposal raised the following issues

- Dominate skyline and cause visual harm to the landscape of the area
- Potential harm to wildlife
- Impact on neighbouring dwellings through noise and shadow flicker
- Harm to setting of the listed Norton Windmill
- Detrimental effect on nearby footpaths
- Cumulative impact of other turbines in the area
- Impact on nearby Campsmount Academy
- Highway safety at access to site and impact of construction traffic on surrounding area
- Technology not proven effective or cost effective
- Not supported by local community (referring to local vote organised by the Parish Council in 2012 and response to subsequent rounds of publicity )

## **5.0 Parish Council**

### Norton Parish Council

5.1 Objects on the basis that the development is inappropriate development in the Green Belt, Broc o dale wood lies within 3.5km, the nearest properties including Campsmount School are within 800m, concern over effect on house prices and that a hill will be destroyed to accommodate the development.

5.2 Neighbouring councils were also consulted and responses were as follows;

### Askern Town Council

5.3 Objects on grounds of the visual aspect of the turbines and because of the noise pollution it will cause to surrounding residents.

### Burghwallis Parish Council

5.4 Objections were raised regarding visual impact, effect on wildlife, close proximity to homes and schools and noise.

### Kirk Smeaton Parish Council

5.5 Objections were raised regarding inappropriate Green Belt development, visual impact, and effect on wildlife, construction traffic and close proximity to homes and schools and noise.

## **6.0 Relevant Consultations**

### Ecologist

6.1 Concerns originally raised regarding White Lea Wood are no longer relevant since the turbine next to, and access through the wood are no longer part of the proposal.

### Highways

6.3 No objections in principle subject to a construction traffic management plan which is to include dilapidation surveys along the transport route before and after construction activity.

### Historic England

6.4 The application should be determined according to local and national planning policy

### Ministry of Defence

6.5 No objections

### Woodland Trust

6.6 The trust objected due to direct loss and damage to ancient woodland being White Ley Plantation. They consider any loss or damage to be unacceptable and due to the irreplaceable nature of ancient woodland its loss cannot be mitigated for.

### Natural England

6.7 No objection regards Nature Conservation Sites. Notes the site has potential to adversely affect designated ancient woodland and refers to standing advice on the subject. Concerns originally raised regarding White Lea Wood are no longer relevant since the turbine next to, and access through, that wood are no longer part of the proposal

### Robin Hood Airport

6.8 The airport notes the applicant's own statement that the turbines are likely to be detected by the Primary Surveillance Radar and that is confirmed by the airport creating clutter on the radar e.g. in the form of twinkling or the formation of tracks on the screen. This effect can cause confusion when trying to distinguish between real aircraft and false targets. Instrument flights rules aircraft from the west and southwest are vectored and receive final instructions from Air Traffic Control within this piece of airspace when making an approach for RHADS' runway 20.

6.9 Since the original consultation response the Airport has been in dialogue with the applicant regarding possible and available mitigation solutions. The Airport has identified a technical mitigation solution that can be applied (at the developers cost and risk) to mitigate this scheme within the timescale of a consent. Upon completion of a legal agreement with the developer for the implementation of this solution the Airport will be in a position to lift its objection to this scheme. This will be subject to the imposition of a radar mitigation condition to ensure the solution is implemented prior to the implementation of the wind turbines. However, from the last response from the airport the legal agreement has not been entered and the airport maintains their objection.

### Environmental Health

6.10 No objections raised. The Environmental Health Officer has considered the acoustic reports submitted with the application for wind farms and the main elements of concern being the noise generated and flicker. He confirms that the report was found to be satisfactory from the readings taken at the three locations and given the remote location of the site feels that the flicker aspect is not likely to adversely affect nearby receptors.

### Public Health

6.11 Referred to the Health Protection Agency (HPA) guidance 'HPA position in relation to applications for onshore and offshore wind farms (28/01/13)

### Trees and Hedgerows

6.12 When this proposal was first looked at, White Ley Plantation had not been identified as ancient woodland. However this is also now moot since turbine 1 was removed from the scheme.

6.19 Whilst there are no objections on arboricultural grounds to the proposed access track to Turbine T1a it should be noted that the hedgerow to the north east (marking the boundary between the two fields) can be traced back to the 1818 Campsall, Askern and Norton Enclosure Award and is therefore considered to be 'important' under the Hedgerow Regulations 1997. This hedgerow should be retained intact through development.

### Conservation

6.20 Three heritage assets were assessed as being affected by the original proposal; The Windmill, Norton (Grade II Listed building): setting affected by Turbine T2; Summer House Farm, south of Woodfield Road (Grade II): setting potentially affected by Turbine T1a in significant views from the A1; Campsmount Walled Garden, designated in the Doncaster Unitary Development Plan (1998) as a Park or Garden of Local Historic Interest: setting affected by Turbine 2.

6.21 It was noted that the Campsall Conservation Area was omitted from consideration by the applicant but the impact was considered slight by the conservation officer even though the conservation area extends beyond the built up area of the village.

6.22 The views from the Campsmount walled garden would be affected.

6.23 In conjunction with Summer House Farm, it is possible, given the location and height of Turbine 1a, that it would be seen from the northbound carriageway of the A1 in a manner which would significantly adversely affect the historic setting and design intent of the building. Although it is acknowledged that highway users, concentrating on the road, have low sensitivity to views (seeming to ignore the amenity and observations of passengers), and also that views east from the A1 are limited by roadside and adjacent vegetation, especially in summer but much less so in winter when vegetation has died away.

6.24 The concerns raised regarding turbine T2 are no longer relevant as it has been removed from the scheme.

#### Archaeology

6.28 South Yorkshire Archaeology Service requested further on site investigation prior to determination which has since been carried out.

#### Neighbourhood Manager

6.29 Concern expressed over the size of development and the access. Further it was noted there was considerable local opposition.

#### National Air Traffic Service

6.30 Initial objections have been rescinded as the applicant has entered into an agreement to pay for radar blanking and therefore accept the proposal subject to condition requiring its implementation.

#### Highways

6.31 No objections raised subject to conditions requiring prior approval of full details of the access tracks and a Construction Traffic Management Plan.

### **7.0 Relevant Policy and Strategic Context**

#### National Planning Policy Framework

##### Core Planning Principles

The Presumption in favour of sustainable development

Section 9. Protecting Green Belt Land

Section 10. Meeting the challenge of climate change, flooding and coastal change

Section 11. Conserving and enhancing the natural environment

Section 12. Conserving and Enhancing the Historic Environment

## National Planning Policy Guidance

Para 33: Renewable and Low Carbon Energy

## National Policy Statement for Renewable Energy Infrastructure.

## Doncaster Unitary Development Plan

ENV3 Green Belt

ENV34 Impact on Listed Building

## Doncaster Council Core Strategy 2011 – 2028

CS3 Countryside

CS16 Valuing our Natural Environment

CS19 Renewable Energy

## **8. Planning Issues and Discussion**

### Written Ministerial Statement

8.1 On 18 June 2015, following a Written Ministerial Statement, the National Planning Policy Guidance was updated. It states at Paragraph 33 that,

‘Local Planning Authorities should only grant permission where the development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan; and following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing. Whether the proposal has the backing of the affected local community is a planning judgment for the local planning authority’

8.2 There is a transitional provision for assessing applications, like this one that had already been submitted which reads as follows;

‘Where a valid planning application for a wind energy development has already been submitted to a local planning authority and the development plan does not identify suitable sites, the following transitional provision applies. In such instances, local planning authorities can find the proposal acceptable if, following consultation, they are satisfied it has addressed the planning impacts identified by affected local communities and therefore has their backing.’ The ministerial statement also states that ‘Whether a proposal has the backing of the affected local community is a planning judgement for the local planning authority’

8.3 The applicant in responding to this change highlights the consultation events held in 2012 prior to the application being submitted and the survey carried out on their behalf which showed a majority of respondents in favour of the proposal and nearly 200 households registered to the Norton Energy Company. Also they point to how the application documentation covers the issues raised by the objectors and they have also amended the access to overcome the issues raised by the harm to the woodland.

8.4 Since the application was modified, there has been further significant correspondence to the Local Planning Authority, the majority of which raise objections to the application, in addition to the response from the Parish Council. The reference in the NPPG and the Written Ministerial Statement does not define what constitutes 'local communities' but it would be reasonable to look at the locality of the respondents and that of the Parish areas in relation to the immediate surrounds of the site.

8.5 The vast majority of the respondents are from within the Norton Parish and neighbouring Kirk Smeaton surrounding (110 from addresses in the Norton Parish which includes the villages of Campsall and Sutton and 15 from addresses in Kirk Smeaton which includes Little Smeaton) with most of the remainder from other parts of Doncaster and two from outside the borough. The Parish Councils of Norton, Askern, Kirk Smeaton and Burghwallis have registered objections. It is not known if the Parish Councils undertook any form of consultation within their areas prior to their responses but it is known that Norton Parish Council held a public meeting relating to the application.

8.6 It should be noted that the consultation undertaken by the applicant at the pre-application stage showed the majority of respondents were either supportive or not against the proposal. This covered the parish area of Norton and consisted of a questionnaire. However, other surveys conducted at the time of the pre application organised by local councillors and the Parish Council showed opposition.

8.7 Additionally, a local protest group known as 'NoNow' has been formed in the locality and has been campaigning against the proposal. It is therefore concluded, that the weight of the response from the local community specifically to the submitted planning application, either individually or through representations of the Parish Councils, has been against the development. It is clear that the proposal does not have the backing of the affected local community. In assessing how much weight to give to this opposition it is necessary to look at each planning issue including those identified by affected local communities and assess whether they have been satisfactorily addressed.

#### Wind Turbine Development in the Green Belt

8.8 Planning Law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Policy ENV 3 of the Doncaster Unitary Development Plan states that development in the Green Belt is not permitted other than for a limited number of uses that include such things as agriculture and forestry related developments unless they demonstrate very special circumstances.



8.9 The National Planning Policy Framework (NPPF) at Para 91 states that, “when located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.”

8.10 At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development. In this planning application it is clear that the nature of a wind turbine as a ‘renewable energy device’ represents a development which forms part of a sustainable scheme which delivers the aim of moving to a low carbon economy.

8.11 Para 93 of the (NPPF) states that ‘Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure.’ This is central to the economic, social and environmental dimensions of sustainable development that are set out earlier in the NPPF at Para 7.

8.12 The National Planning Policy Framework at Paragraph 17 also states that among the 12 core planning principles there should be support for the transition to a low carbon future in a changing climate...and encourage the use of renewable resources (for example, by the development of renewable energy).

8.13 National Policy Statement for Energy states that the UK is determined to obtain 15% of its energy from renewable sources by 2020. To hit this target, and to largely decarbonise the power sector by 2030, it is necessary to bring forward new renewable electricity generating projects as soon as possible. The need for new renewable electricity generation projects is therefore urgent (para 3.4.5).

8.14 It is acknowledged that a number of planning applications have been approved and are generating power in the borough including Marr (8MW) , Hampole (8.2MW) and Tween Bridge (total 44MW although 3 of the turbines equating to approx. 6MW are located in East Riding) etc. Core Strategy policy CS19 sets out a target of at least 37 MW of power from renewables by the turn of the next decade. It should be noted, however, the requirement is a minimum requirement and not a maximum.

8.15 Paragraph 11 of the National Planning Policy Framework reminds us that planning permission should be determined according to the development plan and the status of the development plan is not changed by the Framework.

8.16 At Paragraph 98, Local Planning Authorities are instructed, “to not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and approve the application (unless material considerations indicate otherwise) if its impacts are (or can be made) acceptable.”

8.17 It is necessary to assess the purpose of the Green Belt in this area and to assess whether the purpose would be harmed by the proposed development. The Green Belt was first designated in the South Yorkshire Structure Plan to protect land between the Urban Centres of Wakefield, Barnsley, Rotherham and Doncaster which are particularly sensitive to urban expansion and settlement coalescence and was then adopted as part of the Doncaster Unitary Development Plan.

8.18 The proposed development is now for a single wind turbine. The plan area of the turbine tower is 4.0m diameter having a visible ground area of 12.6m<sup>2</sup> which together with two ancillary buildings the development comprises 31.2m<sup>2</sup>. The development of any structures (other than those specifically defined as exceptions) in the Green Belt should be regarded as inappropriate and a loss of openness (albeit small in footprint).

8.19 In assessing the impact of the proposal on the openness of the Green Belt the turbine tower at its widest at the base is 4.0m in diameter and in rising to 80m to its hub (and 120m to blade tips) is a tall, slender structure when viewed in its rural context. Wind turbines are quite familiar structures in rural locations. Fields, field boundaries and woodlands can be seen all around the site. The harm to the openness of the Green Belt is considered to be small.

8.20 Paragraph 91 of the NPPF states that very special circumstances can include the wider environmental benefits which, in this case, is the generation of 2.5MW of renewable energy and the consequent reduction in generation of greenhouse gases which delivers the objectives of moving to a low carbon economy. No other very special circumstances are considered to exist in this case or are put forward by the applicant.

#### Community Benefits from Wind Turbines

8.21 In October 2014 the Department of Energy produced a document 'Community Benefits from Onshore Wind Developments: Best Practice Guidance for England', which states that community benefits should be considered, '... separate from the planning process and are not relevant to the decision as to whether the planning application for a wind farm should be approved or not – i.e. they are not 'material' to the planning process.' This means the community benefits put forward by the applicants should generally not be taken into account by the Local Planning Authority when deciding the outcome of a planning application for a wind farm development.

8.22 Further the guidance reminds the authority that the only situation in which financial arrangements are considered material to planning is under the Localism Act, as amended (2011) which allows a local planning authority to take into account financial benefits where there is a direct connection between the intended use of the funds and the development. In this case the benefits would be to residents in the wider parish and not directly linked to the development.

## Setting of heritage assets

8.23 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA 1990), sets out a statutory duty that when considering whether to grant planning permission for development which affects a listed building or its setting, the authority shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses. In this context 'preserving' means doing no harm.

8.24 It has become apparent through court cases that when considering the impact of a proposal on the significance of a designated heritage asset, "considerable importance and weight" should be given to the desirability of preserving the setting of listed buildings. This wording reflects the statutory duty in sections 66(1). The NPPF sets out in paragraphs 132-134 and the court cases have highlighted that the opening section of para 132 should be read together with the other paragraphs when applying the statutory test. The courts have also emphasised that there is a strong presumption against granting permission for a scheme which would harm a heritage asset or its setting.

8.25 Policy ENV34 states that planning permission will not normally be granted for development which would adversely affect the setting of a listed building by virtue of its nature, height, form, scale, materials or design or by the removal of trees or other important landscape features.

8.26 The revised scheme was re-assessed by the applicant and highlighted four heritage assets surrounding Turbine 1a; Campsall Conservation Area, Campsmount Walled Garden, Summer House Farm and The Windmill (Norton).

8.27 Campsmount Conservation Area includes the village of Campsall and some fields to the west. The Design and Conservation Officer considered the impact of T2 would be slight and no harm would be caused by T1a.

8.28 Campsmount Walled Garden is designated as a Park or Garden of Local Historic Interest lying just over a kilometre to the south east of T1a. The Conservation Officer did consider its setting would be adversely affected but not sufficiently to outweigh the public benefits of the development when T2 was included. The removal of T2 further denudes the impact on the Park.

8.29 The Summer House Farm, south of Woodfield Road (Grade II) sits south west of the proposed turbine site, approx. 1.5km from T1. The Conservation Officer advised that it is possible that it would be seen from the northbound carriageway of the A1 in conjunction with the turbine 1a and therefore have its setting adversely affected.

8.30 Having reviewed the Conservation Officer comments and viewed the setting from the highlighted viewpoints it is noted that there are a significant amount of trees and hedges on the side of the road as well as the central reservation which widens as the two carriageways cross different levels. The southbound carriageway also partially obscures views to the east from the northbound carriageway along parts of the road.

8.31 The setting of the farm is barely noticeable from the road behind the trees and the relief rises quite significantly. The Conservation Officer advises that it is possible that the farm and turbine would be seen together and the farm's setting affected. On further assessment the turbine would be directly in line with the farm from the available views on the A1 and there would be rolling landscape with rising relief in between.

8.32 The applicant's updated assessment does conclude that the turbines rotation would increase the degree to which it would alter the setting of the building and would distract from the planned view of Summer House Farm which is a key part of its historic significance. The available views have further been reduced by the closure of all the laybys along this stretch of road that lies between the motorway sections that finish at Redhouse and begin again at Ferrybridge and the degree of harm is limited by the relative distance between the farm and the turbine. The harm is regarded as less than substantial and would have a minor adverse effect.

8.33 The Windmill, Norton (Grade II Listed building) is the remaining 4 storey part of an 18 Century tower mill that has had 20<sup>th</sup> Century house (not significant according to the English Heritage listing) built onto the southern elevation. Since its sails were removed it has been capped in felt. On the issue of effect on listed buildings it is the setting of the Windmill that is of most concern to local objectors.

8.34 The Conservation Officer considered the impact of Turbine 2 on the setting of the Windmill was understated and not acceptable because Turbine T2 would be in direct view from all the upper-floor windows of the five-storey Windmill. Although turbine 2 has been removed, the applicant's assessment picks up that turbine 1a would still be 35m taller than the windmill although 1.8km away. The turbine will intrude on its setting and despite its distance would be visible in views from upstairs windows as well as from the footpath that runs from the Windmill towards Whiteley Plantation. The turbine would otherwise be screened from most other viewpoints of the windmill along Ryecroft Road.

8.35 The applicant's study concludes that there would be an adverse impact on the assets significance, although the degree of harm is limited, it would alter the windmills relationship with the wider agricultural landscape, being a key element of its special historic interest. This harm to the setting has not been addressed and, therefore, on this basis amongst other planning objections, the scheme does not have the backing of the community.

#### Visual and landscape impacts

8.36 The applicant has updated their assessment of landscape and visual impacts. The original proposed development was assessed as not having an impact on the fabric of the local landscape character or quality. Visually, due to the relatively small scale of the proposal and the distance from sensitive receptors, the turbines have mostly Medium, Medium-Low or Low Visual impacts; and Medium or Low Landscape Impacts.

8.37 Despite the removal of one of the turbines, the new assessment highlights that there is one significant impact (White Ley Road Footpath) regarded as having High to Medium Adverse impact and 5 instances of locations regarded as Medium Adverse impact. The harm from the visual impact of a wind turbine has been highlighted within representations and this harm has not been addressed. On this basis, the scheme cannot be said to have the backing of the community.

#### Noise

8.38 The Environmental Health Officer has reviewed the submitted acoustic report and considered the proposal acceptable in the context of the readings taken at the three locations.

#### Shadow flicker

8.39 There is no current guidance to assess shadow flicker but in the now deleted Companion Guide to PPS22 (2004) it states that impacts occur within 130 degrees either side of north from a turbine. This has been found to be an acceptable metric. Additionally, the '10 rotor diameter rule' (multiplying the rotor diameter length by 10 which is equivalent to 800m) has been widely accepted across different European countries, and is deemed to be an appropriate assessment area. The nearest dwellings and school buildings are at least this distance away. The applicant's own assessment states that one dwelling may be affected at certain times of the year at certain times of the day, but there are methods to restrict the use of the turbine and it is quite common to control this through planning conditions. The Environmental Health Officer has also reviewed the information supplied with the application and after talking to residents, taken the view that due to the remote location there should be no impact on nearby receptors.

#### Bio diversity

8.40 Since the application was first submitted the wooded area known as Ley Plantation has been re-classified as Ancient Woodland. The ecologist did not consider there was an issue regarding protected species with turbine 1a. The concerns regarding the historic woodland are not relevant as turbine 2 and its access are no longer part of the scheme.

#### Air Safety

8.41 National Air Traffic Service and Robin Hood Airport have raised objections to the original proposal. Since then the developer has entered into negotiations with both parties in order to make a legal agreement to provide mitigation strategies to overcome radar clutter. NATS have agreed terms of the agreement and provided planning conditions to ensure they are implemented before the turbines become operational.

## 9.0 Summary and Conclusion

9.1 The application is in the Green Belt and represents a departure from the Local Plan. The small loss of openness caused by the development which would otherwise represent inappropriate development is balanced against the very special circumstances that exist due to the wider environmental benefits associated with increased production of energy from renewable sources which are acknowledged in National Policy. In favour of the scheme are the public benefits arising from the production of renewable energy. No other very special circumstances have been advanced.

9.2 Harm to the setting of historic assets does not exist to the walled gardens and Conservation Area. However, there would be harm to the setting of Summer House Farm and The Windmill, Norton. This gives rise to a presumption against the proposal and must be weighed against the scheme as “other harm” when applying the Green Belt test.

9.3 Furthermore, the Government have set out that local communities should have the final say in these types of Planning Applications and judging by the response to community consultation to the planning application, the proposal is viewed unfavourably by the majority of the respondents. It is clear that the local community does not back the scheme and the planning objections raised in respect of the harm to heritage assets and visual impact remain unaddressed in the Council’s view.

9.4 The guidance and accompanying Ministerial Statement is a material consideration and in several<sup>1</sup> call-in decisions issued by the minister, he attached substantial weight to the statement as the most recent expression of Government planning policy for onshore wind development.

9.5 Key to these decisions are the conclusions reached that the schemes in question did not address the planning impacts identified by the local community and dismissal of the appeals. As such the proposals did not meet the transitional provisions of the Ministerial Statement and significant weight needs to be given to this non-compliance. In the present case, the same objections arise and the failure to meet the requirements of the Ministerial Statement and the PPG weighs heavily against the scheme.

9.6 In the circumstances, the scheme conflicts with the development plan and other material indications such as the WMS/NPPG further militate against the grant of permission. No other material considerations clearly outweigh these impacts that would indicate that planning permission should be granted contrary to the Development Plan.

---

1

2195630 SHORESWOOD FARM, ANCROFT, BERWICK-UPON-TWEED  
2217829 LAND NORTH OF HEMSWELL CLIFF, LINCOLNSHIRE  
2219268 25 WAKEFIELD ROAD, GRANGE MOOR, WAKEFIELD  
2220136 FRENCH FARM, FRENCH DROVE, THORNEY, PETERBOROUGH  
2221985 GLEASTON PARK FARM, GLEASTON, ULVERSTON

## **RECOMMENDATION**

That Planning Permission be REFUSED for the following reason

In the opinion of the Local Planning Authority the proposal to erect a wind turbine will adversely affect the setting of the grade II Listed Buildings, known as The Windmill, Norton and Summer House Farm. Special regard has to be paid to the desirability of preserving the setting of listed structures according to paragraph 66 of the Listed Building and Conservation Area Act 1990 and “considerable importance and weight” needs to be given to the desirability of preserving their setting according to paragraphs 132-134 of the National Planning Policy Framework. The erection and operation of the wind turbine would have a harmful visual impact on the surrounding landscape and detract from the character and appearance of the area. The Local Authority is not satisfied that these planning impacts identified by local communities have been addressed and therefore do not have their backing. The proposal is contrary to Doncaster Unitary Development Policy ENV 34 (adopted July 1998 and saved by authority of the Secretary of State September 2007 and listed in Appendix 3 of the Doncaster Council Core Strategy 2011-2028 as not being replaced by the Core Strategy). It is also contrary to paragraph 33 of the National Planning Policy Guidance and the transitional provision of the Written Ministerial Statement issued on 18 June 2015 by the Secretary of State for Communities and Local Government.

Figure 1 Location Plan

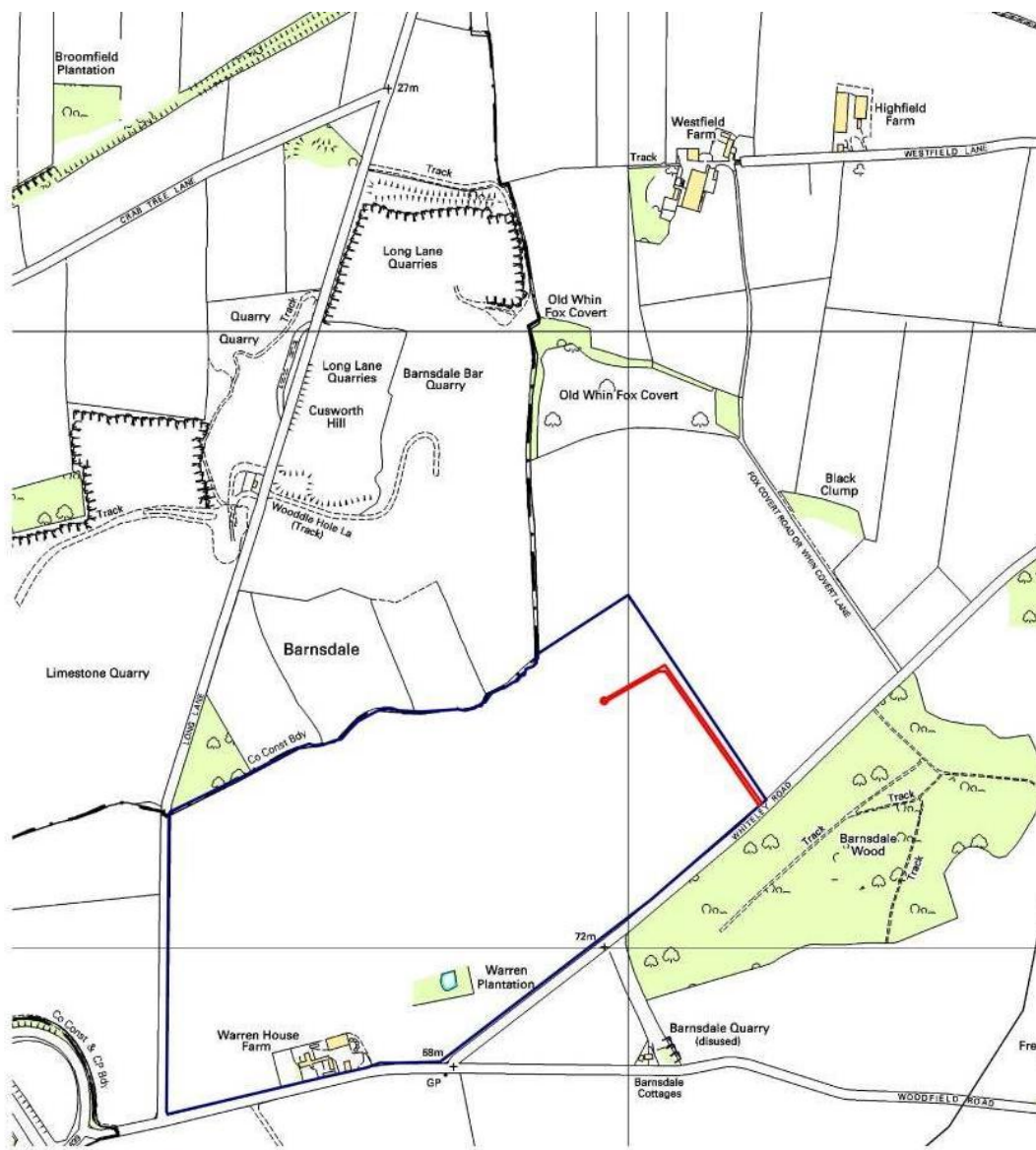




Figure 2: Site Plan

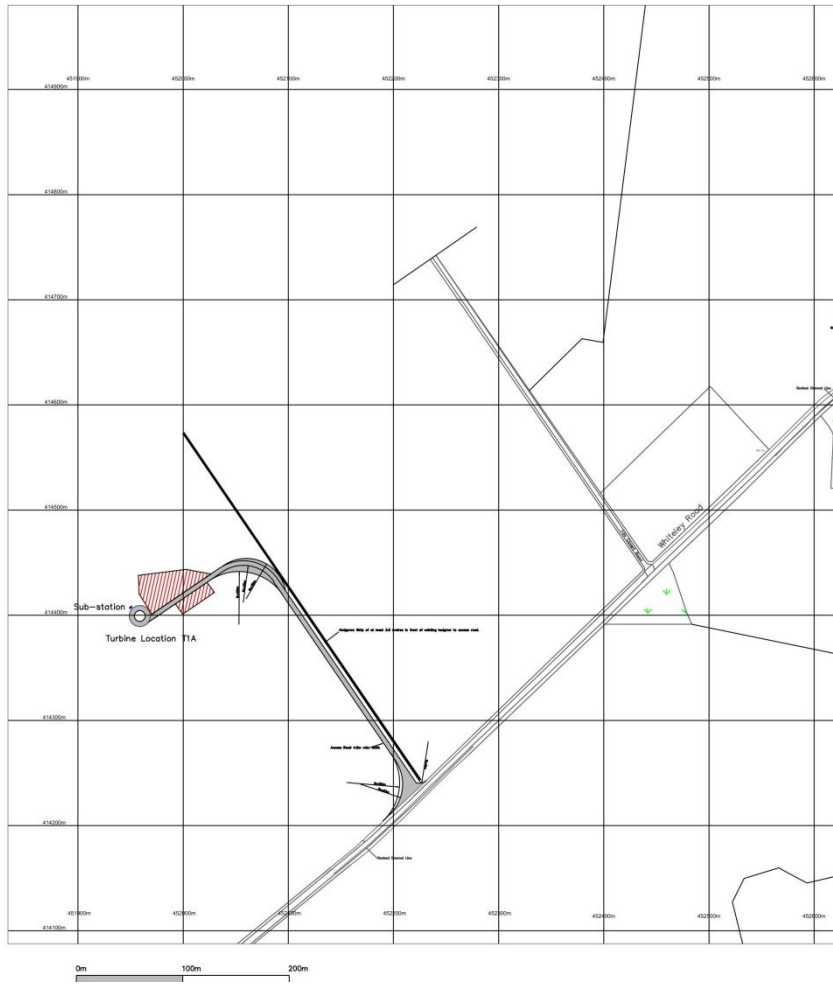


Figure 3: Turbine drawings

