



Seamer Wind Farm

Planning Statement

July 2008

BROADVIEW

Preface

This Planning Statement has been prepared by TNEI Services Limited for Broadview Energy Developments Limited to support an application for planning permission for the Seamer Wind Farm. The site lies approximately 8km from the town centre of Middlesbrough, **4km east of Ingleby Barwick and 5km west of Stokesley between the villages of Seamer and Hilton**. The proposed application site straddles the administrative boundary of both Stockton-on-Tees Borough Council and Hambleton District Council, North Yorkshire. Broadview Energy Developments Limited will be referred to as "The Applicant" for the remainder of this Planning Statement.

This Planning Statement forms part of the planning application submissions, but does not form part of the Environmental Statement (ES).

Executive Summary

This Planning Statement assesses the acceptability of the proposed Seamer Wind Farm development in the light of relevant national, regional and local policy and other material considerations. In summary, the proposal entails:

- Five wind turbines each with a foundation and crane hardstanding area.
- 1.6km site access tracks leading to the wind turbines and site meteorological mast:
- Meteorological mast;
- Control building;
- Temporary compound area for the duration of the construction period.
- Underground electrical cabling and communications cables; and
- Upgrading of entrances to site north and south of the Seamer/Hilton road access junctions.

This Planning Statement balances the effects of the proposal identified in the Environmental Statement against the quantifiable benefits of the proposal in relation to criteria outlined in PPS 22: Renewable Energy (and its Companion Guide) and other relevant national planning guidance.

In terms of regional and local planning policy regard will be had to the following development plan documents:

- Stockton-on-Tees Local Plan - adopted June 1997;
- The North East of England Plan, Regional Spatial Strategy to 2021 - adopted July 2008;
- Hambleton District Wide Local Plan - adopted January 1999;
- Hambleton Local Development Framework, Core Strategy - adopted April 2007 and Development Policies - adopted February 2008;
- Regional Spatial Strategy for Yorkshire and Humber - Adopted May 2008

The suitability of the Seamer Wind Farm site is demonstrated by the significant absence of environmental and technical constraints normally associated with Wind Energy developments. This Planning Statement, with reference to specific Sections within the ES, outlines the suitable wind resource on site, the absence of international and national landscape designations and the absence of statutory cultural heritage designations within the application boundary.

The proposed wind farm would contribute 10-15MW to the regional and local energy mix. The savings to green house gas emissions, by displacing fossil fuel electricity generation, ensure that the proposal is in full compliance with the overriding principles of UK renewable energy policies.

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1 Introduction

The primary purpose of this Planning Statement is to assess the acceptability of the proposed Seamer Wind Farm in light of relevant national, regional and local policy and other material considerations.

The policy context for the proposed development includes national energy policy, particularly with regard to the role for renewable energy in lessening the impacts of climate change and local and regional policies that are the primary consideration in the determination of applications for planning permission. The Planning Statement, therefore, provides details of the national, regional and local energy policies relevant to the Seamer proposal.

This Statement also describes the locational considerations influencing the identification of wind energy sites in the UK and also identifies the local, regional, national and international benefits, which would be derived from the construction and operation of the proposed wind farm.

The relevant policies in the development plan are set out in this document. In applying the findings of the ES to relevant policies, reference has been made to the ES rather than quoting the relevant ES text in full.

The proposed development is described in detail within the ES, particularly within Chapter 2.

A brief description of what is proposed is set out below:

- Five wind turbines each with a foundation and crane hardstanding area.
- 1.6km site access tracks leading to the wind turbines and site meteorological mast;
- Meteorological mast;
- Control building;
- Temporary compound area for the duration of the construction period.
- Underground electrical cabling and communications cables.
- Upgrading of entrances to site north and south of the Seamer/Hilton road access junctions.

All on site electrical infrastructure would be underground. Connections from the wind turbines to the site control building would be buried in trenches running alongside the site access tracks.

The control building would be connected to the local electricity grid network. This connection would remain underground whilst within the site boundary. Upon leaving the site it is likely that this would continue underground following the road to Middleton-on-Leven, then continuing south towards Rudby. Three options have been identified (details at Appendix 3 of the ES):

1. Tee connection into the 33kV Rudby to Bowsfield circuit;
2. Connect to a new substation on the Bowsfield-Rudby circuit; and
3. Connect at the existing substation at Rudby.

This would be the subject of a separate consent application by NEDL, under Section 37 of the Electricity Act 1989, as amended by the Utilities Act 2000.

The installed capacity of the proposed Seamer Wind Farm would be 10-15 Megawatts (MW), utilising 2-3MW wind turbines.

Two out of the five turbines proposed are within the administrative district of Hambleton in North Yorkshire, this equates to 4-6MW of power.

The approved regional renewable energy target for Yorkshire and Humber requires 708MW of installed capacity by 2010 and 1862MW by 2021. The target for the North Yorkshire sub-region is 209MW by 2010 and a 2021 target of 428MW. Whilst the North Yorkshire area benefits from a number of wind turbines, current operational capacity falls significantly short of the 2010 target of the Regional Spatial Strategy.

Three turbines, generating 6-9MW of electricity would be situated within the administrative boundary of Stockton-on-Tees Borough. The North East of England Plan, Regional Spatial Strategy to 2021 was formally adopted on 15th July 2008. This policy sets an overall regional renewable energy target for the North East requires a minimum of 454MW by 2010. The target for the Tees Valley area is 138MW.

Assuming an installed capacity of up to 15MW, the Seamer Wind Farm would, according to calculations, provide sufficient renewable electricity supply for between 5,890 and 8,840 homes. As with all renewable energy projects, the actual amount of carbon emissions offset by the Seamer Wind Farm will depend on the make up of the UK's electricity generating industry over the life of the proposal. However, assuming the energy mix of fuel sources remains as it is currently; the proposed wind farm has the capacity to offset between 22,600 and 33,901 of CO₂ emissions during each year of its operational life, dependant upon the energy mix at the time.

2 Constraints to Developing Wind Energy

The paragraphs below outline the process under which the Seamer Wind Farm site was assessed against a range of constraint criteria by the Applicant, following the initial identification of the potential for wind development within this area.

The Applicant identified the Seamer site following a detailed evaluation of the constraints to wind energy development. The search area identified by the Applicant included a review of Yorkshire and North Lincolnshire counties for suitable sites for a development of between 2 and 10 turbines. This process was undertaken by independent consultants.

2.1 Wind Resource

Wind energy proposals can clearly only be developed in areas where the existing wind resource can be converted into sufficient electrical output to provide commercial return on the costs of installation and operation of the wind turbine(s). The identification of the likely wind resource from existing available data is clearly an important first step in identifying potential areas of search, although specific on-site monitoring is usually required to give wind farm developers and their financial backers the necessary confidence to proceed with specific developments.

Broadview consider that wind speeds of 6.5 metres per second and above are viable for the commercial development of wind farms. Available NOABL¹ data for this site shows it to have a good wind resource. Although no long term monitoring has occurred on site, a 10m temporary mast was located on site for the duration of the noise monitoring period. Although indicative of a short period only, this data confirmed the good wind speeds available at this location.

2.1.1 Planning and Environmental Considerations

The broad site identification process considers relevant existing national and local planning policies which can both support or constrain finding sites in a particular area. Outwith the consideration of policies set out to deliver renewable energy development (Chapter 4) these mainly relate either to constraints imposed by designated areas and sites, or in cases where specific areas have been identified, the identification of preferred renewable energy zones.

At a National level this includes designations for landscape, such as National Parks (NP), Areas of Outstanding Natural Beauty (AONB); for ecology, such as Special Protection Areas (SPA) and Special Areas of Conservation (SAC).

¹ DTI now BERR Windspeed database for the UK

Features of environmental importance are also identified and considered. These include, Areas of High Landscape Value (AHLV), Scheduled Ancient Monuments (SAM), Designated Buildings and Gardens and Local Wildlife Sites.

2.1.2 Proximity to Grid Infrastructure

Wind farms require a grid connection at the right voltage suitable for its output. Such a connection needs to be within a distance which maintains the commercial viability of the project.

The grid connection assessment undertaken for this site (Appendix 3) has identified that a suitable connection is available for the proposed site. The exact route of this connection would be subject to a separate application under Section 37 of the Electricity Act 1989, as amended by the Utilities Act 2000 by Northern Electricity Distribution Ltd (NEDL).

2.1.3 Site Access

It is critical that proposed wind farm sites can be accessed from the strategic road network. Roads surrounding the site have to be able to accommodate the large vehicles required for the delivery of the wind turbine components as well as the large number of Heavy Goods Vehicle (HGV) deliveries required during the construction period. Access to the site and the management of traffic generated by the wind farm has to be undertaken with full consideration for the safety of other road and rights of way users.

In consultation with the relevant highway departments and local councils, the public roads were assessed for their suitability with a traffic assessment undertaken. Suitable routes have been identified for both the delivery of wind turbine components (abnormal loads) and the movement of HGV's (details in Appendix 7 to the ES).

2.1.4 Landownership

A supportive landowner is key to any wind farm development. No development is possible without their support.

2.2 Site Selection Process Summary

The Seamer proposal site location was identified following the steps identified above and followed further desk based studies, site visits and land owner discussions to confirm suitability and availability.

The location was found to have:

- Supportive planning policies in place;

- Good wind resource;
- Was not located in an area designated for its landscape or ecology and was suitably retreated from dwellings;
- Suitable access to the grid connection network was identified;
- Access to the site was identified for both the vehicles bringing the wind turbines to the site and the heavy goods vehicles necessary for the roadstone and concrete; and
- The landowners were willing to enter into an agreement to have wind turbines located on their land.

The site was then progressed on what was initially considered as being the suitable location for a medium size wind farm of up to 8 wind turbines.

2.3 Analysis

A key consideration in the assessment of wind energy proposals such as the Seamer proposal is the relative scarcity of unconstrained sites, where development is both technically and environmentally deliverable. At present there is a significant disparity between the rate at which such sites get through the planning process and can be developed in order to come close to delivering national, regional and sub-regional targets. In these circumstances a site which 'falls through' all of the technical and environmental sieves must be considered positively given the limited nature of such opportunities.

2.4 Site Design and Turbine Layout

Having identified Seamer as a suitable site for the development of a wind farm, careful consideration has been given to the layout of the site. The layout of the proposed wind farm, as submitted, is illustrated by Figure 2.7. The development of this final layout was devised following careful consideration of the operation requirements of the site and the need to minimise environmental impacts on the surrounding area.

Wind Turbine Layout design is very much an iterative process. The number of turbines and layout of the proposed wind farm has progressed over the course of the site assessment consultation and development period.

The combination of technical, commercial and environmental parameters has, through the iterative process, allowed the development of the final site layout shown in table below. The final layout represents the 'best environmental fit' within the technical and environmental parameters of the project.

Layout Number	Number of Wind Turbines	Layout Considerations
Layout 4	8 turbines	This layout was identified prior to any site parameters being included. This identified the maximum number of wind turbines put forward for the scoping stage.
Layout 13	6 turbines	A greater separation distance was found to be necessary from the 400kV pylons crossing the site. The standard (6 x 4) separation distance was applied to the turbine layout - to maximise efficiency.
Layout 15	5 turbines	Layout included new ecological constraints.
Layout 19	5 turbines	Alternative 5 turbine layout considering all constraints.
Layout 28 - proposed	5 turbines	Layout to include all constraints including input from Landscape Architect and change in turbine separation applied.

The final layout of the Seamer Wind Farm is considered to represent a Scheme which is of a suitable scale for the area and one which would make a significant contribution to achieving Renewable Energy targets as set out in the recently adopted Regional Spatial Strategy for Yorkshire and Humber and the recently adopted Regional Spatial Strategy for the North East.

3 The Public Perception of Wind Energy

A comprehensive summary of public attitude surveys concerning both proposed and existing wind energy proposals, and public attitudes towards wind energy in general, is provided in Chapter 9 of 'Wind Power in the UK', published by the Sustainable Development Commission in May 2005 (The SDC Report).

Table 12 on pages 83 and 84 of the SDC report summarises 24 public attitude surveys on wind power, which have been undertaken in the UK since 1992. These surveys demonstrate that 80% of respondents support wind energy in general, and that similarly, 80% of respondents support wind energy schemes in their local area.

3.1 Recent Public Attitude Survey Findings

Since the publication of the SDC report several other public opinion studies have been released. One such report, produced by the School of Environmental Sciences at the University of East Anglia (2006), presents the findings of a large scale British survey of public opinion towards future energy options for the nation with a focus on attitudes to nuclear power in the context of climate change. One of the main conclusions of this study was that people tend to favour renewable energy sources over fossil fuels, whilst nuclear power is the least favoured of the three. Most people perceived wind power as clean, safe, good for the economy and cheap.

The 'Wind Tracker' is a survey of public attitudes to wind energy in the UK which has been conducted by the independent research company GfK NOP and governed by Market Research Standards Codes of Conduct. The tracker was first undertaken in August 2004, and has subsequently been repeated four times. The results of each wave of the tracker show that the majority of the population - some three-quarters - agree that wind farms are necessary to help us meet current and future energy needs in the UK. The results of the latest wave, based on telephone research conducted among 973 adults in July 2006 showed that:

- 76% of people in Great Britain agreed that wind farms are necessary so that we can produce renewable energy to help us meet current and future energy needs in the UK;
- 52% of people disagreed that wind farms are ugly or would be a blot on the landscape with 21% having no strong views;
- 60% of people think that what they look like is unimportant, because wind farms are necessary; and
- 56% said they would be happy to have a wind farm in their local area, with 21% having no strong views

More than half of the sample claims that they would be happy to have a wind farm 'in their own back yard'. Of the remainder, almost half are neutral about the issue.

Some wind energy proposals generate a significantly greater level of 'visible' opposition than the above surveys of general attitudes would suggest. The Planning Inspector who considered the Knabbs Ridge proposal in North Yorkshire in 2005 (APP/E2734/A/04/1161332, September 2005), recognised that supporters of wind energy proposals are generally less likely to come forward at the planning stage than objectors. The Inspector concluded that: *'in my experience supporters of development proposals are generally less inclined than objectors to take the trouble to submit written representations....'*

A recent study, carried out by Caledonian University, for the Scottish Government and published in March of this year, focuses on the possible impact of wind farm developments on Scottish tourism. 'The Economic Impacts of wind farms on Scottish tourism particularly focused on four case study areas, namely Caithness and Sutherland, Perth and Kinross, the Scottish Borders and Dumfries and Galloway.

This study identified that whilst wind farm developments do impact upon tourism, this impact is very small. In fact of those surveyed, three quarters felt that wind farms had a positive or neutral impact upon the landscape and 97% of people stated that the presence of wind farm developments would not impact upon their decision to visit Scotland again.

3.2 Analysis

A range of public surveys have been undertaken by a number of organisations to identify and understand people's perception and attitude towards wind power and the development of wind farms. Some of these are touched upon in Chapter 4. These include the British Wind Energy Association (BWEA)², MORI³, Scottish Renewables Forum (SRF) the DTI/BERR, BBC, CCW, Scottish Government⁴ etc.

The BWEA briefing sheet 2004 states:

"With over 13 years experience and more than 50 separate surveys, the results can be taken as conclusive, showing as they do a consistently high

² A Summary of Research Conducted into Attitudes to Wind Power from 1990-1996. Compiled by Anne Marie Simon Planning and Research for the BWEA September 1996.

BWEA Briefing Sheet; Public Attitudes to Wind Energy in the UK November 2004

³ MORI survey October 2002 taken from BWEA web site

⁴ Economic Impacts of Wind Farms on Scottish Tourism; Glasgow Caledonian University 2007

level of support for the development of wind farms, on average 70-80%, both in principle, as a good thing, and also in practice, among residents living near wind farms." Although undertaken four years ago, the conclusions of this study are still of relevance and are reflective of more recent studies.

The most recent survey undertaken for the Scottish Government looking into the impacts of wind farms on Scottish Tourism, identified that "the Scottish Government would be able to generate at least 50% of Scotland's electricity from renewable sources by 2020 with minimal impact on the tourism industry's ambition to grow revenues by over £2 billion in real terms in the 10 years to 2015."

It summarises that should the majority of renewables be provided from wind generation, Scottish tourism revenues in 2015 are forecast to be 0.18% lower than if no wind farms were present.

Key issues identified as in other surveys showed that people with experience of wind farms or those who lived near wind farms were significantly more positive towards having more wind farms and experiencing them in the landscape.

There is a misconception that all public attitudes towards wind turbines are founded upon negative perceptions. However, the public attitude surveys conducted do not support this false impression. Many separate studies, have demonstrated that significantly more people view wind farms positively than negatively.

4 UK Energy and Climate Change Policy

This section provides an overview of current UK energy policy, and further information on how national policy has been evolving. Current policy on that aspect here is considered primarily to include the 2007 Energy White Paper, Planning Policy Statement 1 (PPS1): Delivering Sustainable Development and Planning Policy Statement 22 (PPS22): Renewable Energy. PPS1 and PPS22 will be considered in more detail below in relation to planning policy, but it may be said now that it is a fundamental part of the primary national policy statement relating to renewable energy provision, and thus acts as the most important policy document.

As initial background, the starting point for current UK policy on climate change and energy can be traced to a series of Earth Summits and the Kyoto Agreement in 1997. The agreement established the principle of seeking to achieve reductions in emissions of carbon dioxide and other greenhouse gases through the pursuit of targets. It is now the EU and nationally established targets which are the main drivers of current energy and climate change policy.

4.1 Climate Change Programme 2006

In March 2006 the government published its revised and updated climate change programme. The document briefly summarises the findings of scientific research into climate change and its effects and then goes on to set down a strategy to reduce the UK's green house gas emissions through a series of clear programmes for action in a number of broad sectors: energy supply, business, transport, domestic, agriculture, forestry and land management and public and local government.

The key principles of the programme are:

- the need to take a balanced approach with all sectors and all parts of the UK playing their part;
- the need to safeguard, and where possible enhance, the UK's competitiveness, encourage technological innovation, promote social inclusion and reduce harm to health;
- the need to focus on flexible and cost effective policy options which will work together to form an integrated package;
- the need to take a long term view, looking to targets beyond the first Kyoto commitment period and considering the need for the UK to adapt to the impacts of climate change; and
- the need for the Programme to be kept under review.

In relation to the energy supply sector the programme document notes:
The direction of the energy supply sector over the coming decade will be critical to our ability to make the much deeper emission cuts to which the Government is committed.

In relation to the role for renewable energy the document cross refers to the review of the 2003 Energy White Paper discussed in more detail below.

4.2 The Energy Challenge – The Review of the Energy White Paper 2006

Published in July 2006 this document reviewed the 2003 Energy White Paper which, for the first time, brought environmental concerns properly into the debate on energy policy. The approach the Government has taken is to define a long-term strategic vision for energy policy which combines the UK's environmental, security of supply, competitiveness and social goals.

In launching the review the then Prime Minister stated in the opening sentence of the forward to the document:

"A clean, secure and sufficient supply of energy is simply essential for the future of our country".

Referring to two of the overarching goals of the government's policy, improving the country's energy security through the use of more indigenous sources of supply, and tackling the global (and more local) effects of our energy use, the Prime Minister stated that:

"Overcoming these two major challenges – which are faced across the world, will require hard decisions both nationally and internationally."

On the subject of the role of renewable energy sources in achieving the goals set by the energy White Paper the Prime Minister notes in the forward to the document:

"It is clear that we must significantly increase investment in, and support for, renewable energy so that it plays a larger role in our energy needs. This is vital not just to give us a secure source of energy but also to meet our obligations to our children to tackle climate change. Chapter 5 of the review addresses the issue of options for electricity generation in the UK".

Having identified the country's current heavy reliance on ageing generation infrastructure the review notes that:

"It will be for private sector companies to make the necessary investment decisions within the regulatory framework set by the Government. We need to ensure that this framework provides the right incentives for adequate and

timely investment, consistent with our goal of moving to a low carbon economy."

The regulatory framework referred to includes the Electricity Act and the Town and Country Planning legislation which are addressed in some detail later in the review.

On the subject of the role of renewable energy generation the review states:

"Renewable energy is an integral part of the Government's long-term aim of reducing CO₂ emissions by 60% by 2050. As it produces very little carbon dioxide and other greenhouse gases, it plays an important part in tackling climate change.

Further, if we can increase the amount of energy we get from the renewable sources around us, we can reduce our dependence on imported fossil fuels. In this way, the extra diversity that renewables bring to the UK's energy infrastructure can make a significant contribution to the Government's goal of ensuring secure and reliable energy supplies."

The review goes on at paragraph 5.19 to specifically recognize the exceptional potential offered by the UK's wind resource:

"The UK is naturally endowed with very favourable resources of renewable energy – especially onshore and offshore wind – and there is the potential for the UK to be a world-leader in emerging renewable technologies."

At paragraph 5.24 of the review the government expresses the view that for wind energy at least, it expects suitable sites to come forward however, it notes in relation to offshore wind development, sometimes suggested by objectors as an alternative to onshore wind energy development:

"The growth of emerging technologies is currently constrained by their relative cost. For example, offshore wind, which was expected to make a substantial contribution to the Government's 10% target and 20% aspiration, is currently proving more expensive than anticipated."

On wind energy the review concludes:

"If we are to achieve 20% of electricity from renewable sources by 2020, then both onshore and offshore wind will need to make a significant contribution."

Of particular relevance, the review also addresses the regulatory framework, including Town and Country Planning legislation and the way in which the legislative framework is affecting the development of renewable energy schemes. Chapter 7 of the review addresses this matter in some detail and identifies a particular issue which is of relevance to this application. The

chapter notes that in drawing the planning balance, something every local authority planning officer and councillor must do in reaching a view on a proposal, it has proved particularly difficult for decision makers to balance the global and national benefits associated with major renewable energy development with what may be significant local effects and local objections. The review sums this issue up thus:

"Individual energy projects are part of large national systems that provide benefits enjoyed by all communities. The areas in which they are located share in these benefits – and may also gain some economic advantage, for example, in terms of employment. But the benefits to society and the wider economy as a whole are much larger. These larger, wider benefits are not always visible to the specific locality in which energy projects are sited. Therefore, local opposition can often be strong."

Reflecting its concerns at the way in which determinations were being made and to address this matter the government issued a "statement of need" for renewable energy as Annex D of the review. The statement of need is subsequently repeated as policy in the 2007 Energy White Paper.

4.3 Meeting the Energy Challenge: A White Paper on Energy 2007

Published in May 2007 "Meeting the Challenge – The Energy White Paper" sets down the government's energy strategy for the foreseeable future. The document builds on the themes and issues raised in the Energy Review discussed above.

Now a White Paper, and therefore a clear statement of Government policy, the strategy set down in this document contains a number of key elements of relevance to the consideration of this planning application. Section 5.3 of the White Paper addresses policy on renewables and starts with a simple statement.

"Renewable energy has a key role to play in reducing carbon emissions and achieving security of supply."

The White Paper recognises the progress which renewable energy has made to reducing emissions but goes on to address directly the barriers which it notes are *"slowing the rate of renewables deployment in the UK in both the short and long term."*

Under the heading of 'planning' the White Paper sets down how the government expects the planning system to respond. In relation to commercial wind energy developments the government's actions are as follows:

- Underlining that applicants will no longer have to demonstrate either the overall need for renewable energy or for their particular proposal to be sited in a particular location; and
- Giving a clear steer to planning professionals and local authority decision makers, that in considering applications they should look favourably on renewable energy developments.

The White Paper goes on to place into policy, the "Statement of Need" previously published in the energy review. The statement is reproduced below:

"We remain committed to the important role renewables has to play in helping the UK meet its energy policy goals. In this publication we are reiterating previous commitments we have made, not least in the 2003 Energy White Paper and Planning Policy Statement 22 on renewable energy (PPS22), on the importance of renewable generation and the supporting infrastructure. We intend this to reconfirm the UK Government policy context for planning and consent decisions on renewable generation projects. As highlighted in the July 2006 Energy Review Report 150, the UK faces difficult challenges in meeting its energy policy goals. Renewable energy as a source of low carbon, indigenous electricity generation is central to reducing emissions and maintaining the reliability of our energy supplies at a time when our indigenous reserves of fossil fuels are declining more rapidly than expected. A regulatory environment that enables the development of appropriately sited renewable projects, and allows the UK to realise its extensive renewable resources, is vital if we are to make real progress towards our challenging goals.

New renewable projects may not always appear to convey any particular local benefit, but they provide crucial national benefits. Individual renewable projects are part of a growing proportion of low carbon generation that provides benefits shared by all communities both through reduced emissions and more diverse supplies of energy, which helps the reliability of our supplies. This factor is a material consideration to which all participants in the planning system should give significant weight when considering renewable proposals. These wider benefits are not always immediately visible to the specific locality in which the project is sited.

However, the benefits to society and the wider economy as a whole are significant and this must be reflected in the weight given to these considerations by decision makers in reaching their decisions.

If we are to maintain a rigorous planning system that does not disincentivise investment in renewable generation, it must also enable decisions to be taken in reasonable time. Decision makers should ensure that planning

applications for renewable energy developments are dealt with expeditiously while addressing the relevant issues."

The Seamer proposal will make a significant contribution to renewable energy generation in Hambleton District and Stockton-on-Tees and contribute to renewable energy targets in both North Yorkshire and Tees Valley. The proposal will also have local economic and environmental benefits, including opportunities for employment during the construction phase and habitat enhancement within and surrounding the site.

4.4 Climate Change Bill

In March 2007 the Government published a draft Climate Change Bill. The draft Bill reiterates the government's commitment to the role of wind energy as an important factor in the move to a low carbon economy. The bill also states that current targets will be reviewed, based on a report from the new independent Committee on Climate Change to consider whether these should be even higher. The mechanism for implementation of these targets is proposed as five-year carbon budgets, which will set binding limits on carbon dioxide emissions ensuring every year's emissions count. The achievement of carbon reduction targets is directly linked to the ability of every region of the country to meet and then review their targets for installation of renewable energy capacity.

4.5 Planning For a Sustainable Future

In May 2007 the Government published a White Paper which directly addresses the role of the planning system in delivering infrastructure developments which support a secure energy supply and reduce carbon emissions.

This document states directly the need for the planning system to provide access to clean, affordable energy alongside the need to protect the natural and historic environment.

At paragraph 1.14 the White Paper sets down some key challenges which the planning system must face. The ones of relevance here are:

- Meeting the challenge of climate change; and
- Maintaining security of energy supply.

The documents outlined above, as White Papers (as opposed to Green Papers) are clear and up-to-date statements of government policy and should be afforded appropriate weight in drawing the planning balance in relation to the proposed development. It is of note that the Planning Policy Statement on Climate Change (discussed in Section 5 below) recognises that

differences in emphasis may occur between the government's latest pronouncements on climate change and past planning policy statements. In recognition of the weight the government expects to be given to the need to tackle climate change, the policy statement makes it clear that where there is perceived to be any difference in emphasis, the policy statements in relation to climate change must take precedence.

There is now a wide array of current international, European and national policy which establishes a positive framework for renewable energy, aimed at stimulating and increasing the production of energy from renewable sources. In the UK, the Energy White Paper now sets out a clear policy framework within which renewable energy developments should be considered. A series of targets at the European and UK level have established the proportion of electricity that is to be generated from renewable sources. These are important measures by which progress made can be determined and include a target to achieve 10% of electricity supply in the UK from renewables by 2010. **Significantly, these targets are not caps but effectively bare minima and if met, will be reviewed upwards.**

There is now widespread recognition that the increasing use of renewable energy sources will contribute towards targets established to reduce emissions of green house gases. The setting of targets for renewable energy production forms a very important part of the UK response to the threats posed by climate change. Renewable energy generation is only one aspect of the response and must come forward alongside other measures such as the 'greening' of conventional power generation, more efficient use of energy and the increased use of more sustainable transport options. However, the Government's policy documents have made it clear that none of these matters can be seen as an alternative to the other.

However, it is also now clear – and acknowledged by the Government itself – that progress towards the goals is patchy and on current progress the earliest targets are not going to be met unless there is much more concerted action.

If the UK is to meet these targets, it must make use of all the technologies and fiscal measures at its disposal. The development of renewable energy generation is only one element of the measures available, and wind power only one part of that, but it does mean that positive consideration must be given to proposals such as this one at Seamer to assist in even meeting those targets, let alone exceed them as proposed in PPS22.

As noted above, the Energy Review and subsequent White Paper refer not only to the benefits of renewables in relation to climate change but also the advantages in terms of security of supply. Security of supply is a matter of concern also echoed in the Stern Report which refers not only to threats in terms of physical generation of power (e.g. a terrorist threat), but also

economic threat. In short, the White Paper recognises that the stability of the UK economy depends, irrespective of climate change, upon freeing the country as much as possible from dependence upon imported energy sources. Taking natural gas as an example, by 2010 Transco estimate that the UK will be 50% dependant on imported gas, rising to 80% by 2020.

4.6 UK Renewable Energy Strategy: Consultation Document

In June 2008 the UK Government published a consultation document seeking views on how to drive up the use of renewable energy in the UK, as part of an overall strategy for tackling climate change and to meet the UK share of the EU target to source 20% of the EU's energy from renewable sources by 2020. Responses to the consultation will help shape the UK Renewable Energy Strategy which will be published in Spring 2009, once the UK's share of the target has been agreed.

The document reinforces the two key energy policy challenges: to tackle climate change and ensure security of energy supply. It is confirmed that renewable sources of energy are vital as they provide low-carbon energy, increase diversity to the energy mix and bring key business and employment opportunities.

The UK Government agreed a binding target that 20% of the EU's energy consumption must come from renewable sources by 2020. The European Commission has proposed that the UK's contribution to this should be to increase the share of renewables in our energy mix from around 1.5% in 2006 to 15% by 2020.

The primary role of the document is therefore to consult on a range of possible measures to deliver the UK share of the EU target. Together they could lead to a ten fold increase in renewable energy – across electricity, heat and transport – by 2020. The Government believe that everyone in the UK has a role to play in this endeavour.

The document reinforces the UK Government's commitment to expanding renewable energy across the UK to significantly higher levels.

4.7 Renewable Energy Targets

According to the British Wind Energy Association there are, to date, 175 operating wind turbine projects within the UK. These consist of 2032 turbines with an installed capacity of 2545.5MW, sufficient to meet the domestic energy needs of around 1,423,300 households⁵.

⁵ Source www.bwea.com (June 2008)

Placing the regional renewable targets for the Yorkshire and Humber Region in this national context, it is currently estimated in the approved RSS that 708MW of installed renewable electricity is required in the region to achieve the 2010 targets of 10% of electricity used in the region being produced from renewable sources. A target of 1862MW FOR 2021 has also been set.

The newly adopted Regional Spatial Strategy (RSS) for the North East, contains a regional target of 454MW by 2010.

4.8 Regional Energy Policy

The wider environmental and economic benefits which can accrue from renewable energy developments were recognised in the Yorkshire and Humber region in the early 2000's with the selective review of the then regional planning guidance RPG12.

As a consequence, since 2004, with the publication of Regional Spatial Strategy 2004, the region has progressed its proactive approach to planning for renewable energy developments. This proactive approach is reflected in the new Regional Spatial Strategy, adopted in May 2008.

The approved RSS (2008) clarifies that if the targets for 2010 and 2021 are achieved, this would equate to 9.4% of the region's electricity consumption by 2010 and 22.5% by 2021.

The RSS apportions the regional targets as follows: -

	<u>2010</u>	<u>2021</u>
Humber	124MW	350MW
North Yorkshire	209MW	428MW (our emphasis)
South Yorkshire	47MW	160MW
West Yorkshire	88MW	295MW
Offshore	240MW	630MW
Total	708MW	1862MW

These targets have been derived from an assessment undertaken in 2004 on behalf of the Government Office for Yorkshire and Humber which was commissioned to identify the region's capacity to generate electricity from renewable sources and to set regional and sub-regional renewable energy targets to 2010 and 2021.

The study is clear on the role of wind power in meeting the region's targets for renewable: "For 2010 onshore wind is the single most important renewable energy technology at the local authority level..."

Hambleton is one of the larger local authorities within North Yorkshire. Large portions of the district are classed as being of medium sensitivity to wind development, with some areas being classed as being of high sensitivity or

very high sensitivity. There is an area of land to the north of the district which is classed as being of low sensitivity to wind development, and the Seamer site is situated within this area.

The area is recognised as providing good potential for wind development in the form of small and medium scale wind farms.

The Regional Spatial Strategy for Yorkshire and Humber sets a renewable energy target of 40MW by 2010 and 97MW by 2021 for Hambleton. Clearly, a significant increase in renewable energy development will be required to achieve this target.

With regards to regional guidance for the North East, the newly adopted RSS, contains the following targets for 2010:

- Northumberland 212MW
- Durham 82MW
- Tyne & Wear 22MW
- **Tees Valley** **138MW** (our emphasis)
- **Total** **454MW**

5 National Planning Policy

In England the national planning policy context is set by a series of Planning Policy Guidance notes (PPGs), currently being revised and published as Planning Policy Statements (PPSs). Each PPG/PPS outlines national policy relating to a particular topic, such as housing or rural areas.

The text below sets out the national planning policies of direct relevance to this proposed development.

5.1 PPS 1: Creating Sustainable Communities

PPS1 was published in 2005, and sets out the Government's overall objectives for the planning system. It advises that planning policies should seek to achieve a number of specific objectives for sustainable development and sustainable communities, including addressing the causes and impacts of climate change.

Within the key principles of the Statement, item [ii] at paragraph 13 states:

"regional planning bodies and Local Planning Authorities should ensure that development plans contribute to global sustainability by addressing the causes and potential impacts of climate change – 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 development".

More specific guidance on the role of renewable energy and the means by which proposals for renewable energy should be determined are set down in specific guidance.

5.2 Planning Policy 22: Renewable Energy

PPS22 sets down the Government's planning policy framework for renewable energy and essentially provides the clear link or bridge between the Government's energy policy and land use planning policy. The policies set down in the PPS are firmly based on the principles set out in the Energy White Paper.

Much of the document is based on previous guidance in PPG22, which has been updated as appropriate to reflect the rapid development of renewables and strong government support for the sector.

PPS22 differs from PPG22 in a number of ways; primarily it incorporates:

- a clearer focus on the role of planning in assisting the UK to meet national and international targets for the reduction of emissions of

greenhouse gases, including the longer term goal to cut the UK's carbon dioxide emissions by some 60% by 2050, with real progress by 2020;

- a proposal to establish regional targets for renewable energy;
- clearer proposals against the use of buffer zones, which prevented wind energy development in proximity to National Parks and other National designations; and
- an emphasis on the use of clear, criteria based policies for use in regional guidance and development plans.

The key principles of PPS22 are outlined in paragraph 1 of the Statement. Addressing these principles and the way in which the Seamer proposal complies with them:

i) Renewable energy developments should be capable of being accommodated throughout England in locations where the technology is viable and environmental, economic, and social impacts can be addressed satisfactorily.

The locational benefits highlighted through the site selection process undertaken by the company above indicate the viability and suitability of wind energy development in this area. The findings of the ES indicate that the impacts of the proposed development can be kept to acceptable levels.

ii) Regional Spatial Strategies and Local Development Documents should contain policies designed to promote and encourage, rather than restrict, the development of renewable energy resources. Regional planning bodies and Local Planning Authorities should recognise the full range of renewable energy sources, their differing characteristics, location requirements and the potential for exploiting them subject to appropriate environmental safeguards.

iii) At the local level, planning authorities should set out the criteria that will be applied in assessing applications for planning permission for renewable energy projects. Planning policies that rule out or place constraints on the development of all, or specific types of, renewable energy technologies should not be included in regional spatial strategies or local development documents without sufficient reasoned justification. The Government may intervene in the plan making process where it considers that the constraints being proposed by local authorities are too great or have been poorly justified.

iv) The wider environmental and economic benefits of all proposals for renewable energy projects, whatever their scale, are material considerations

that should be given significant weight in determining whether proposals should be granted planning permission.

The RSS establishes regional and sub-regional renewable energy targets and accords with this guidance.

The socio-economic impacts of the proposal would not be potentially significant but would produce a number of positive impacts including:

- contribution to the region's renewable energy targets and to the national targets for reducing carbon dioxide emissions;
- direct economic benefits for agricultural land-owners, promoting farm diversification and enhancing farm viability;
- direct contributions to a community fund for local renewable energy schemes;
- provision of jobs, training and skills during construction; and
- increased revenue for hotels and restaurants from construction workers.

It is clear from point (iv) that the government recognises, and draws a distinction between more localised effects and what is described as wider effects. It is considered that the localised benefits of the proposed development are not small or insignificant. It is however the case that the reason for the proposed development is to deliver benefits which will be felt over a far wider spatial extent.

v) Regional planning bodies and local planning authorities should not make assumptions about the technical and commercial feasibility of renewable energy projects (e.g. identifying generalised locations for development based on mean wind speed). Technological change can mean that sites currently excluded as locations for particular types of renewable energy development may in future be suitable.

vi) Small scale projects can provide a limited but valuable contribution to regional renewable energy and to meeting energy needs both locally and nationally. Planning Authorities should not therefore reject planning applications simply because the level of output is small.

vii) Development proposals should demonstrate any environmental, economic and social benefits as well as how any environmental and social impacts have been minimised through careful consideration of location, scale, design and other measures.

The environmental, economic and social benefits of the Seamer proposal are described in the ES.

The development of a 10-15MW wind farm, whilst not significant in the context of national energy targets, would represent a significant contribution to the regional and sub-regional targets.

PPS22 makes it clear that there are certain things that regional planning bodies and local planning authorities should not do. In particular:

Paragraph 14 of the Statement deals with buffer zones, stating that: *'Regional planning bodies and local planning authorities should not create 'buffer zones' around internationally or nationally designated areas and apply policies to these zones that prevent the development of renewable energy projects. However, the potential impact on designated areas of renewable energy projects close to their boundaries will be a material consideration to be taken into account in determining planning applications'; and*

Paragraph 15 of the Statement deals with local designations, and states that: *'Local landscape and local nature conservation designations should not be used in themselves to refuse planning permission for renewable energy development. Planning applications for renewable energy developments in such areas should be assessed against criteria based policies set out in local development documents, including any criteria that are specific to the type of area concerned'.*

The Seamer site is not located in an area designated at a national or local level for landscape quality.

5.3 PPS 22 Companion Guide

The PPS22 Companion Guide offers detailed advice on implementing each area of policy set out in PPS22. In particular Section 3:

- Explains that the establishment of renewable energy targets is an outcome of the interplay between resource assessment and criteria based policies, with reference to national aspirations;
- Describes the approach that should be taken in drafting criteria policies and considers key policy areas such as landscape and designated areas.
- Describes different approaches to the identification of broad areas which may be appropriate for renewable energy development; and

The PPS22 Companion Guide also contains a Technical Annex on Wind which deals with a number of the matters relevant to the consideration of the Seamer Wind Farm proposal, namely: noise, ecology and ornithology,

proximity to roads and other rights of way and safety. Each of these issues has been considered in detail as part of the EIA process.

The key issues addressed in the PPS and its companion guide can be summarised as follows:-

- Renewable energy developments should be capable of being accommodated throughout England.
- Policies at all levels should be designed and interpreted to promote and encourage rather than restrict the building of renewable energy capacity
- The wider environmental and economic benefits of renewable energy (whatever the scale of contribution) must be given significant weight in drawing the planning balance.
- Planning policy documents should not make assumptions based on technical issues when identifying locations for renewable energy development. Rather, that should be left to the individual site assessment processes (usually in the form of an Environmental Impact Assessment).
- Regional targets should be set in regional planning documents for both 2010 and 2020. Progress towards meeting the targets should be closely monitored and such targets should be revised upwards if they are met subject to the region's capacity and resource potential.
- The PPS places a lot of emphasis on the use of criteria based policies specifically aimed at renewable energy development to assess the acceptability of individual proposals.
- The PPS also recognises that as most resources can only be developed where they exist and are economically viable, it is not appropriate to create some form of sequential test.

5.4 PPS7: Sustainable Development in Rural Areas

PPS 7 relates to sustainable development in rural areas. In relation to development proposals in rural areas which coincide with local designations, such as 'Special Landscape Areas', PPS7 states that:

'The Government recognises and accepts that there are areas of landscape outside nationally designated areas that are particularly highly valued locally. The Government believes that carefully drafted, criteria-based policies in Local Development Documents, utilising tools such as landscape character assessment, should provide sufficient protection for these areas, without the need for rigid local designations that may unduly restrict acceptable,

sustainable development and the economic activity that underpins the vitality of rural areas.' (para. 24).

As with PPS22, PPS7 further emphasises that local landscape designations should not, in themselves, be used to resist otherwise acceptable forms of sustainable development such as renewable energy proposals. Refusing a proposal due to such local landscape designations would represent a significant deviation from the policy within the guidance.

Many wind energy proposals, including the Seamer scheme, represent examples of sustainable farm diversification as encouraged in paragraph 14 of PPS7.

PPS7 notes in paragraph 14 state that *"Whilst much of the land use activity in the countryside is outside the scope of the planning system, planning has an important role in supporting and facilitating development and land uses which enable those who earn a living from, and help to maintain and manage the countryside, to continue to do so"*.

The proposed Seamer Wind Farm will support and enhance the management of agricultural land and support the local agricultural economy. The wind farm would diversify the income stream for the hosting landowner(s) and their dependents over its anticipated 25 year life.

5.5 PPG15: Planning and the Historic Environment

PPG15 provides comprehensive advice on controls for the protection of historic buildings and Conservation Areas. There are no Listed Buildings, World Heritage Sites or Conservation Areas present within the application boundary. A comprehensive cultural heritage evaluation is outlined within Chapter 13 of the ES.

5.6 PPG16: Archaeology and Planning

PPG16, published in November 1990, outlines the Secretary of State's policy on archaeological remains on land. It states that:

"The desirability of preserving an ancient monument and its setting is a material consideration in determining planning applications whether that monument is scheduled or unscheduled" (Paragraph 18).

As such, emphasis is placed on the need for appropriate management in ensuring such remains are preserved and survive in good condition. PPG16 provides guidance on the preservation and recording of remains and discoveries in both an urban and rural environment. It advises on the importance to be placed on such remains and discoveries in the context of

planning decisions. In addition, the guidance provides recommendations on the use of planning conditions.

5.7 PPS: Planning and Climate Change

The Government released PPS: Planning and Climate Change in December 2007 as a supplement to PPS1. The PPS sets out how spatial planning should contribute to reducing greenhouse gas emissions, contributing to a stabilisation of climate change, which is now accepted to be inevitable. The PPS also requires that Local Planning Authorities should also take into account the predicted and unavoidable consequences of climate change.

Significantly, the PPS states that where there is any difference in emphasis on climate change between the policies in the PPS and others in the national series, the Climate Change PPS would take precedence.

Planning and Climate Change sets out a clear and challenging role for regional and local spatial strategies. It states that planning has a key role in helping tackle climate change and used positively, it has a pivotal and significant role in helping to create an attractive environment for innovation and for the private sector to bring forward investment, including renewable and low-carbon technologies and supporting infrastructure. The PPS states that in particular, regional planning bodies should:

- ensure opportunities for renewable and low-carbon sources of energy supply and supporting infrastructure, including decentralised energy supply systems, are maximised; and
- set regional targets for renewable energy in line with PPS22, and ensure their ambition fully reflects opportunities in the region are consistent with the Government's national targets and, where appropriate in the light of delivery, are periodically revised upwards.

Furthermore the PPS states that planning authorities should provide a framework that promotes and encourages renewable and low-carbon energy generation. Policies should be designed to promote and not restrict renewable and low-carbon energy and supporting infrastructure:

In particular, planning authorities should: -

- not require applicants 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;
- ensure any local approach to protecting landscape and townscape is consistent with PPS22 and does not preclude the supply of any type of renewable energy other than in the most exceptional circumstances; and

- alongside any criteria-based policy developed in line with PPS22, consider identifying suitable areas for renewable and low-carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources, but in doing so take care to avoid stifling innovation including by rejecting proposals solely because they are outside areas identified for energy generation.

6 The Development Plan

The Government remains fully committed to the plan-led system, given statutory force by Section 38 (6) of the Planning and Compulsory Purchase Act 2004.

Under the provisions of the Act, development plans provide a framework for rational and consistent decision-making. They also provide a system which enables the whole community, businesses, other organizations and the general public, to fully participate in the shaping of planning policies and land use for their area.

The current statutory development plans relating to the site, which straddles the boundary other Stockton-on-Tees and Hambleton District are as follows:

- Stockton-on-Tees Local Plan – adopted June 1997;
- The North East of England Plan, Regional Spatial Strategy to 2021 – adopted July 2008;
- Hambleton District Wide Local Plan – adopted January 1999;
- Hambleton Local Development Framework, Core Strategy – adopted April 2007 and Development Policies – adopted February 2008; and
- Regional Spatial Strategy for Yorkshire and Humber – adopted May 2008.

6.1 The North of England Plan Regional Spatial Strategy to 2021⁷

The North of England Plan, Regional Spatial Strategy was formally adopted on 15 July 2008. -There are three policies within the adopted RSS which are of direct relevance to the assessment of the Seamer Wind Farm proposal.

Policy 40 – Renewable Energy Generation specifies that strategies, plans and programmes should:

"Facilitate the achievement of the following minimum sub regional [renewable energy generation] targets for 2010:

- | | |
|----------------------|------------------------------------|
| • Northumberland | 212MW |
| • Durham | 82MW |
| • Tyne and Wear | 22MW |
| • Tees Valley | <u>138MW</u> (our emphasis) |
| Total | 454MW |

Clearly, the RSS recognises that the Tees Valley area has the capacity to make a significant contribution to meeting the 2010 targets for the generation of renewable energy.

⁷ The North of England Plan Regional Spatial Strategy to 2021 (July 2008) <http://www.gos.gov.uk/nestore/docs/planning/rss/rss.pdf>

The 10-15MW capacity proposed for the Seamer Wind Farm, 6-9MW of which would be within Stockton on Tees, would make a valuable contribution towards achieving the Tees Valley targets for installed renewable electricity capacity by 2010 and clearly accords with the aims of **Policy 40** of the adopted RSS for the North East.

Policy 41 – Planning for Renewables states that:

"Strategies, plans and programmes should support and encourage renewable energy proposals and identify renewable resource areas. In assessing proposals for renewable energy development significant weight should be given to the wider environmental, economic and social benefits arising from higher levels of renewable energy, and the following criteria should be considered:

- a. anticipated effects resulting from development construction and operation such as air quality, atmospheric emissions, noise, odour, water pollution and the disposal of waste;*
- b. acceptability of the location and the scale of the proposal and its visual impact in relation to the character and sensitivity of the surrounding landscape;*
- c. effect on the region's World Heritage Sites and other national and internationally designated heritage sites, areas or their settings*
- d. effect of development on nature conservation sites and features, biodiversity and geodiversity, including internationally designated and other sites of nature conservation importance, and potential effects on settings, habitats, species and the water supply and hydrology of such sites;*
- e. maintenance of the openness of the Region's Green Belt;"*

This policy stresses the importance of support and encouragement of renewable energy proposals. In line with government guidance in PPS22, this policy stresses that significant weight should be given to the wider environmental, economic and social benefits arising from renewable energy development.

The criteria outlined within this Policy will be discussed in detail in the subsequent section of the Planning Statement, however in summary it is not considered that the proposal would conflict with any of the detailed criteria and the proposal is therefore considered to be compliant with the provisions of **Policy 41**.

Policy 42 – Onshore Wind Development; details a number of broad areas within the region in which wind energy developments should be supported by a positive policy framework.

Tees Valley area is named as being an area in which small scale wind farms in urban areas and on the urban fringe should be supported. It should be noted that the identification of these areas does not preclude proposals being considered in other areas.

6.2 Regional Spatial Strategy for Yorkshire and Humber

The Yorkshire and Humber RSS⁸, adopted in May 2008, contains one policy of direct relevance to renewable energy development. Policy ENV5 states that:

"The Region will maximise improvements to energy efficiency and increases in renewable energy capacity. Plans, Strategies, investment decisions and programmes should:

A Reduce greenhouse gas emissions, improve energy efficiency and maximise the efficient use of power sources by:

1. Requiring the orientation and layout of development to maximise passive solar heating
2. Ensuring that publicly funded housing, and Yorkshire Forward supported development, meet high energy efficiency standards
3. Maximising the use of combined heat and power, particularly for developments with energy demands over 2MW, and incorporating renewable sources of energy where possible
4. Ensuring that development takes advantage of community heating opportunities wherever they arise in the region, including at Immingham and near Selby
5. Providing for new efficient energy generation and transmission infrastructure in keeping with local amenity and areas of demand
6. Supporting the use of clean coal technologies and abatement measures

B Maximise renewable energy capacity by:

1. Delivering at least the following Regional and Sub-Regional targets for installed grid-connected renewable energy capacity:

	2010	2021	
Humber	124MW	350MW	
North Yorkshire	209MW	428MW	(our emphasis)
South Yorkshire	47MW	160MW	
West Yorkshire	88MW	295MW	
Offshore	240MW	630MW	
Total	708MW	1862MW	

⁸ The Yorkshire and Humber Plan, Regional Spatial Strategy (May 2008)
<http://www.qoyh.gov.uk/qoyh/plan/regplan/?a=42496>

2. Monitoring annually planning permissions and developments against the indicative local authority targets for 2010 and 2021 set out in Table 10.2 and taking action accordingly in order to ensure the regional and sub regional targets are exceeded

3. Promoting and securing greater use of decentralised and renewable or low-carbon energy in new development, including through Development Plan Documents (DPDs) setting ambitious but viable proportions of the energy supply for new development to be required to come from such sources. In advance of local targets being set in DPDs, new developments of more than 10 dwellings or 1000m² of non-residential floorspace should secure at least 10% of their energy from decentralised and renewable or low carbon sources, unless, having regard to the type of development involved and its design, this is not feasible or viable.”

Table 10.12 of the RSS indicates the renewable energy potential within Local Authority Areas to 2010 and 2021. The table provides the following indicative renewable energy potential for the North Yorkshire sub region:

	2010	2021
York	11MW	31MW
Craven	18MW	48MW
Hambleton	40MW	97MW (our emphasis)
Harrogate	17MW	70MW
Richmondshire	18MW	39MW
Ryedale	10MW	19MW
Scarborough	5MW	24MW
Selby	14MW	32MW
Co-firing	75MW	67MW
Total	209MW	428MW

b) Maximise the use of renewable energy resources, technologies such as biomass, on and offshore wind power, active solar systems, and small scale hydro- electricity schemes.

As outlined in the introduction and Section 5 of this Planning Statement, the Seamer proposal would comply with this Policy in helping to deliver Government targets for Carbon Dioxide reduction and greater use of renewable energy. Specifically, with a capacity of 4-6MW, of which would be within Hambleton District Council’s area, the proposal would make a valuable contribution towards the current adopted 2010 sub-regional target for North Yorkshire.

As such, the Seamer Wind Farm proposal is in accordance with **Policy ENV5**.

6.3 Stockton-on-Tees Local Plan

The Stockton-on-Tees Local Plan, adopted in June 1997, contains one policy specifically related to renewable energy development, **Policy EN42**.

Whilst this policy specifically relates to the development of single wind turbines, it is considered, given the fact that there is no policy for multiple turbine developments and the generality of the policy criteria, that this policy would be material in the determination of the Seamer Wind Farm application.

The policy is generally supportive of wind turbine developments subject to there being no detrimental impact to the character of any special landscape area and where there would be no unacceptable harm to the amenity of neighbouring residents.

It is considered, in light of the lack of any directly relevant policy, that the provisions of the newly adopted RSS for the North East should be given greater consideration. The RSS provides the overarching spatial policies for the region and, as detailed within PPS1, is intended to guide and be delivered through both LDF's and planning decisions. The RSS forms part of the Development Plan and clearly provides more up to date guidance, reflective of the Government's current position on the importance of addressing Climate Change and specifically the drive for increased use of renewable energy.

In addition to the above, there are also a number of other policies which may be considered of relevance to the proposed development.

Policies EN1(a), EN2 and EN4 seek to ensure that development would not adversely impact upon the interests of nature conservation.

Policy EN1(a) states that:

"proposals for development in or likely to affect sites of special scientific interest will be subject to special scrutiny where such development may have a significant adverse effect directly or indirectly on the SSSI, it will not be permitted unless the reasons for the development clearly outweigh the value of the site itself and national policy to safeguard the intrinsic nature conservation value of the national network of such sites.

Where development is permitted, the council will consider the use of planning obligations to ensure the protection and enhancement of the site's nature conservation interest."

Policy EN2 states;

"Proposals for the development or land use which may affect a European site, a proposed European site or a Ramsar site will be subject to the most rigorous examination. any proposal which is not directly connected with, or necessary for, the management of the site for nature conservation and which

is likely to have a significant adverse effect on the integrity of the site will only be permitted if:-

- (i.) "there is no alternative available site or practicable approach for the proposal; and either,*
- (ii.) for sites which host priority habitat types and/or species, there are overriding human health and safety considerations or benefits or primary importance to the environment; or*
- (iii.) for sites which do not host priority habitat types or species, there are imperative reasons of overriding public interest for the proposal."*

Policy EN4 states;

"Development which is likely to have an adverse effect upon sites of nature conservation importance will only be permitted if:-

- (i.) there is no alternative available site or practicable approach; and*
- (ii.) any impact on the site's nature conservation value is kept to a minimum.*

Where development is permitted the council will consider the use of conditions and/or planning obligations to provide appropriate compensatory measures."

Policy EN7 seeks to ensure that new development does not adversely impact upon any designated Special Landscape Areas, stating that;

'Development which harms the landscape value of the following special landscape area will not be permitted:-

- (a.) Leven Valley*
- (b.) Tees Valley*
- (c.) Wynyard Park'*

Policy EN11 relates to the Cleveland Community Forest (now Tees Valley Forest). This policy states that:

'The planting of trees, of locally appropriate species, will be encouraged within the area indicated on the proposals map as community forest. In considering applications for planning permission in the community forest area, the local planning authority will give weight to the degree to which the applicant has demonstrated that full account has been taken of existing trees on site, together with an appraisal of the possibilities of creating new woodland or undertaking additional tree planting. In the light of the appraisal the local planning authority will require a landscaping scheme to be agreed which makes a contribution to the community forest.'

Policy EN13 relates to proposals for development outside of defined settlement limits (as detailed on the proposals map). Development outside of the limits to development may be permitted where:

*'(i.) It is necessary for a farming or forestry operation; or
(ii.) It falls within policies en 20 (reuse of buildings) or tour 4 (hotel conversions); or*

In all the remaining cases and provided that it does not harm the character or appearance of the countryside; where:

*(iii) It contributes to the diversification of the rural economy; or
(iv.) It is for sport or recreation; or
(v.) It is a small-scale facility for tourism.'*

Policy EN28 seeks to ensure that new development would not adversely impact upon listed buildings and stipulates that:

"Development which is likely to detract from the setting of a listed building will not be permitted."

Policy EN29 seeks to ensure that new development would not adversely impact upon any Scheduled Ancient Monuments and states that:

"Development which will adversely affect the site, fabric or setting of a scheduled ancient monument will not be permitted."

Policy EN30 seeks to ensure that proposals would not adversely impact upon archaeological remains and states that:

"Development which affects sites of archaeological interest will not be permitted unless:

*(i.) an investigation of the site has been undertaken; and
(ii.) an assessment has been made of the impact of the development upon the remains; and where appropriate;
(iii.) provision has been made for preservation 'in situ'.
Where preservation is not appropriate, the local planning authority will require the applicant to make proper provision for the investigation and recording of the site before and during development."*

6.4 Hambleton District Wide Local Plan

Hambleton District Wide Local Plan was adopted in January 1999. All policies contained within this plan have now been superseded by the Local Development Framework Core Strategy, adopted April 2007 and Development Policies, adopted February 2008, with the exception of **Policy L1** which is saved until it is superseded by the Development Limits to be defined in the Allocations Development Plan Document (anticipated for adoption in 2010).

Policy L1 states that:

Development will generally be restricted to within the Development Limits of settlements as defined on the Inset Maps.

"Outside Development Limits, development will be restricted to that required for the purposes of agriculture or forestry or that required to meet the social and economic needs of rural communities. Development appropriate for the enjoyment of the scenic qualities and character of the countryside and other developments appropriate to a rural area may also be acceptable."

6.5 Hambleton Local Development Framework, Core Strategy and Development Policies (Development Plan Document)

The Hambleton Local Development Framework contains a number of policies which may be considered of relevance to the proposed wind farm. These policies are contained within the Core Strategy and Development Policies Development Plan Document (DPD), adopted in April 2007 and February 2008 respectively.

6.5.1 Core Strategy Policies

The Core Strategy sets out the overarching long term spatial vision, the spatial objectives and strategic policies to deliver the Council's vision. The following Core Strategy policies are considered to be of relevance to the proposed Seamer Wind Farm development.

Policy CP4 – Settlement Hierarchy states that developments or activities of a scale and nature appropriate to secure the sustainability of each settlement will be supported within the Development Limits in the hierarchy designated.

"Development in other locations (in settlements to in countryside) will only be supported when an exceptional case can be made for the proposals in terms of Policies CP1 and CP, and where....."

v. it would make provision for renewable energy generation, of a scale and design appropriate to its location."

Policy CP16 – Protecting and Enhancing Natural and Man-made Assets seeks to ensure that new development does not adversely impact upon the natural assets of the District. The policy is reproduced below:

"Development or other initiatives will be supported where they preserve and enhance the District's natural and man made assets, where appropriate defined in the Development Policies Development Plan Document and identified on the Proposals Map."

Particular support will be given to initiatives to improve the natural environment where it is poor and lacking in diversity.

Development or activities will not be supported which:

- i. has a detrimental impact upon the interests of a natural or man-made asset;*
- ii. is inconsistent with the principles of an asset's proper management;*
- iii. is contrary to the necessary control of development within nationally or locally designated areas.*

Any necessary mitigating or compensatory measures must be provided to address potential harmful implications of development."

Core Strategy **Policy CP17** is also be considered of some relevance to the assessment of the proposed Seamer Wind Farm. This Policy seeks to secure development of high quality design. The principles of this Core Strategy Policy are also reflected in **Policy DP32** of the Development Policies Development Plan Document, similarly the general design principles maybe applied to this development.

Policy CP18 – Prudent Use of Natural Resources states that:

'Development and service provision must seek to ensure that impact on natural resources is minimised and the potential use of renewable resources maximised.

Proposals must take all potential opportunities to:

- i. minimise energy demand, improve energy efficiency and promote renewable energy technologies;*
- ii. maximise the re-use and recycling of waste materials and minimise the environmental consequences of waste production.'*

In all cases, development should not conflict with the environmental protection and nature conservation policies of the LDF, and the requirements of Policy CP16 that seek to protect and enhance the District's natural and manmade assets. Any necessary mitigating or compensatory measures should be provided to address harmful implications.

6.5.2 Local Development Framework Development Plan Policies DPD

This document concerns the detailed policies that form one of the Development Plan Documents (DPDs) within the LDF. The Development Policies DPD provides further details to assist the delivery of the LDF's Core Strategy. The policies relevant to the assessment of the Seamer Wind Farm proposal are detailed below.

The adopted LDF Development Plan Policies contains one specific renewable energy policy, namely **Policy DP34 – Sustainable Energy**, the relevant section of which is reproduced below:

"Development proposals should minimise energy demand, improve energy efficiency and promote energy generated from renewable resources, as part of an integrated strategy.

Developments will be promoted which enable the provision of renewable energy through environmentally acceptable solutions, and support will be given to proposals that enable the District to achieve the RSS targets set for renewable energy provision. Permission will be granted for related development, if also acceptable in terms of other LDF policies. Consideration of such proposals will include the cumulative implications taking account of other proposals and safety issues (e.g. in relation to airfields)."

In addition to the above policy there are a number of other policies within the DPD which are considered to be of relevance to the assessment of this application.

Policy DP1 – Protecting Amenity seeks to ensure that new development does not have unreasonable impact upon the amenities of the district.

"All development proposals must adequately protect amenity, particularly with regard to privacy, security, noise and disturbance, pollution (including light pollution), odours and daylight.

Development must make provision for the basic amenity needs of occupants and/or users, including where appropriate provision for an adequate level of open space for the use of occupants/users of the development.

Developments must not unacceptably reduce the existing level of amenity space about buildings, particularly dwellings, and not unacceptably affect the amenity of residents or occupants."

Policy DP9 – Development Outside Development Limits relates to those developments proposed outside of the defined settlement limits as detailed on the proposals map. This policy stipulates that:

"Permission will only be granted for development outside Development Limits in exceptional circumstances having regard to the provisions of Core Policy CP4, or where it constitutes replacement of a building, where that replacement would achieve a more acceptable and sustainable development than would be achieved by conversion."

Policy DP10 – Form and Character of Settlements seeks to ensure that new development does not adversely impact upon the open areas of the district. The policy states that:

"Permission for development will only be granted where it respects (by protecting or enhancing) the intrinsic qualities of open areas that have particular importance in contributing to the identity or character of settlements. This includes Green Wedges between (and extending into) settlements, and spaces and landscaping of townscape importance (in both towns and villages, and including protected trees and woodland)."

Policy DP28 - Conservation aims to protect the historic environment by:

"Conservation of the historic heritage will be ensured by:

- i. preserving and enhancing Listed Buildings;*
- ii. identifying, protecting and enhancing Conservation Areas;*
- iii. protecting and preserving Historic Battlefields and Historic Parks and Gardens;*
- iv. protecting and preserving any other built or landscape feature or use which contributes to the heritage of the District.*

Development within or affecting the feature or its setting should seek to preserve or enhance all aspects that contribute to its character and appearance, in accordance with the national legislation that designates the feature, and in the case of a Conservation Area, any appraisal produced for that Area. Permission will be granted, where this is consistent with the conservation of the feature, for its interpretation and public enjoyment, and developments refused which could prejudice its restoration.

Particularly important considerations will include the position and massing of new development in relation to the particular feature, and the materials and design utilised."

Policy DP29 – Archaeology, seeks to protect archaeological remains and protect Scheduled Ancient Monuments within the district. This policy states that:

"The preservation or enhancement of archaeological remains and their settings will be supported, taking account of the significance of the remains as follows:

- i. in the case of Scheduled Monuments (shown on the Proposals Map) and other nationally important archaeological sites and their settings, by operating a presumption in favour of their preservation; and*
- ii. in the case of other remains of lesser significance, development affecting the site and its setting will only be permitted where the need for development and other material considerations outweigh the importance of*

the remains. Such remains should be preserved in situ. Where this is not justifiable or feasible, appropriate and satisfactory arrangements will be required for the excavation and recording of the archaeological remains and the publication of the results.

In areas of known or potential archaeological interest, an appropriate assessment and evaluation must be submitted to accompany any development proposals.

Where appropriate, provision should be made for interpretation and access of remains in situ, and for realising tourism and cultural benefits where public access is possible without detriment to the site."

Policy DP30 – Protecting the Character and Appearance of the Countryside, seeks to protect the countryside from inappropriate development and states that:

"The openness, intrinsic character and quality of the District's landscape will be respected and where possible enhanced. Development within the Areas of Outstanding Natural Beauty shown on the Proposals Map will be subject of particular controls, in accordance with national planning policy, in order to secure the conservation of these important landscape assets. Throughout the District, the design and location of new development should take account of landscape character and its surroundings, and not have a detrimental effect on the immediate environment and on any important long distance views.

The design of buildings, and the acceptability of development, will need to take full account of the nature and distinctive qualities of the local landscape. The use of techniques such as landscape character analysis to establish the local importance, and the key features that should be protected and enhanced, will be supported.

Where possible opportunities should be taken to add appropriate character and distinctiveness through the contribution of new landscape features, particularly to landscapes which otherwise lack interest."

Policy DP31 – Protecting Natural Resources: Biodiversity/Nature Conservation, seeks to protect habitats of nature conservation, geological or geomorphological value. This policy states that:

"Permission will not be granted for development which would cause significant harm to sites and habitats of nature conservation, geological or geomorphological value, together with species that are protected or under threat. Support will be given (and permission granted for related development, if also acceptable in terms of other LDF policies) to the enhancement and increase in number of sites and habitats of nature

conservation value, and in particular to meeting objectives identified in the proposals of the Biodiversity Action Plan.

Sites designated under national legislation are shown on the Proposals Map (Sites of Special Scientific Interest - SSSIs, and Local Nature Reserves - LNRs), and will be protected under the terms of that legislation. Locally important sites are also identified (Sites of Importance for Nature Conservation - SINCs) and will be protected and enhanced as appropriate to their local importance. Outside the areas designated, the interests of nature conservation must be taken into account, in accordance with national guidance.

Any proposed development that could have an adverse effect on the integrity of an international wildlife site (Natura 2000 or Ramsar site) alone or in combination with other plans or projects will not be permitted unless it can be demonstrated that the legislative provisions to protect such sites can be fully met."

Policy DP44 – Noise, seeks to protect noise sensitive locations from harmful noise levels. This policy states that:

"Noise sensitive development will not be permitted in areas where potential for harmful noise levels is known to exist.

Development likely to generate harmful noise levels will be directed to appropriate locations, away from known noise sensitive locations."

6.6 Other Relevant Documents

Whilst the following documents do not form part of the development plan, they do provide useful guidance on renewable energy within the application site area and accordingly are considered to be of relevance. 'Planning for Renewable Energy Targets in Yorkshire' is a study which was commissioned by the Government Office for Yorkshire and Humber to identify the renewable energy capacity of the region. The findings of the study heavily influenced the renewable energy targets now adopted in the Regional Spatial Strategy for Yorkshire and Humber. With regards to 'Delivering Sustainable Energy in North Yorkshire' this study was commissioned by a partnership of Local Authorities within North Yorkshire in order to identify how the County was going to meet its sub regional targets.

6.6.1 Planning for Renewable Energy Targets in Yorkshire and the Humber

The Government Office for Yorkshire and the Humber (GOYH) appointed consultants to undertake an assessment of the region's capacity to generate electricity from renewable sources and to set regional and sub-regional renewable energy targets to 2010 and 2021. Following general agreement

with the region on the need for further work to develop those targets, the Renewable Energy Targets Final Report was published in late December 2004⁹.

The study outputs have largely influenced the regional and sub-regional renewable energy targets within the newly adopted RSS for Yorkshire and Humber. The study was also intended to aid local authorities in the preparation of local plans and assist in determining future planning applications.

The study is clear on the role of wind power in meeting the region's targets for renewables: *"For 2010 onshore wind is the single most important renewable energy technology at the local authority level..."*

The study identified that the sub-region of North Yorkshire has a potential capacity to generate 209MW of power through renewable energy development by 2010.

Appendix 1 of the study outlines the renewable energy potential for each local authority area with regards to Hambleton it states that:

"Hambleton is one of the larger local authority districts in the region but with a relatively low population. The district has a large proportion of land classified as medium sensitivity to wind development but also some areas classified as high sensitivity and very high sensitivity. The North York Moors National Park extends into north east of the district.

There is an area to the north of the region classified as having low sensitivity to wind development. There is good potential for some wind development in the Hambleton district.

Built-up areas in Hambleton will provide opportunities for PV development but less so than the average for the region. Biomass technologies will become increasingly important for the area by 2021. Hambleton may have the capability to grow significant amounts of renewable wood in coppice plantations as an alternative to other agricultural crops. No significant potential for small hydro has been identified.

Hambleton can make an important contribution to renewable energy generation in the region, mainly through small/medium sized wind developments."

⁹ Government Office for Yorkshire and Humber. Planning for Renewable Energy Targets in Yorkshire and the Humber, Final Report
www.goyh.gov.uk/497763/docs/199734/199731/247395/290895

6.6.2 Delivering Sustainable Energy in North Yorkshire

Land Use Consultants and the National Energy Foundation were commissioned by a partnership of local authorities in North Yorkshire (comprising North Yorkshire County Council, District Councils, National Park Authorities, City of York Council, the Regional Assembly and the Government Office for Yorkshire and the Humber) to undertake a sub regional renewable energy study.

The study, *Delivering Sustainable Energy in North Yorkshire*¹⁰, was conducted in 2005 and consisted of the following elements:

- Review of the technical constraints and opportunities for renewable energy development in North Yorkshire;
- Preparation of planning guidance on sustainable energy for local planning authorities;
- Assessment of the sensitivity of the landscape to accommodate renewable energy developments; and
- Preparation of guidance for local authorities on delivering renewable energy as part of their corporate strategies.

Whilst this document is non-statutory, informal guidance on planning for sustainable energy in North Yorkshire, it is considered to be of relevance.

The study recognised that in order to meet the sub-regional targets for North Yorkshire, there will have to be a significant increase in the deployment of renewable energy projects within the area and that *"each district and National Park Authority has an important contribution to make towards meeting the targets, both in terms of developing renewable resources and in reducing the overall demand for energy."*

It is expected that all types of renewable energy will come forward within North Yorkshire. However, it is anticipated that the majority of renewable energy developments coming forward to meet the 2010 regional sub regional targets will be for wind energy developments.

The study highlighted the need for Local planning authorities to positively encourage the development of all forms of renewables within their districts, and highlight which renewable resources are most prevalent within their area.

As stated above, the study highlights the key role wind energy is likely to play in meeting the sub regional targets for North Yorkshire. However, it is recognised that renewable energy developments need to be balanced against

¹⁰ *Delivering Sustainable Energy in North Yorkshire* (October 2005)
<http://www.gos.gov.uk/goyh/menvrur/engry/247547/renenergproj/>

the quality and character of the landscape. Renewable energy technologies, particularly wind turbines, can, if inappropriately located, have a major impact on the landscape.

In order to identify the broad areas in which wind energy development may be considered appropriate a Landscape Sensitivity Assessment was undertaken, a full copy of which may be viewed in Appendix 4 of the study. The area in which the Seamer Wind Farm is proposed is identified as being of "medium" sensitivity to wind energy development and states:

"Due to the intensively settled and farmed nature of this typology, the introduction of wind farms may be considered to be suitable in some locations..."

It is considered, that this study clearly recognises the important role which North Yorkshire has to play in the delivery regional renewable energy targets set out in the RSS and states that:

"The challenge for the planners and developers of North Yorkshire is to find a means of securing sustainable energy development and its associated economic environmental and social benefits whilst ensuring that the local environmental effects are minimised and that the unique heritage of the county is protected, if not enhanced."

It should be noted that there is a difference between the sensitivity class given to the area in which the Seamer Wind Farm is situated within each of the above documents. The AEA Technology study classifying the area as 'low' sensitivity (as discussed at 4.7 above), whilst 'Delivering Sustainable Energy in North Yorkshire' classifies the area as of 'medium' sensitivity.

There is a distinct difference between the definition of 'sensitivity' in a capacity study and a sensitivity study.

Sensitivity studies focus on drawing out the inherent sensitivities of the study area to any 'development', highlighting those areas most vulnerable or 'sensitive' to changes in character. In contrast, capacity studies take this sensitivity information, and judgements about landscape value, and draw out the potential opportunities for a specific development type under consideration.

For the purpose of the 'Delivering Sustainable Energy in North Yorkshire' study visual sensitivity is defined as 'the degree to which a particular view or visual experience is vulnerable to change with detrimental effects on its Character.

However capacity studies, like that carried out by AEAT, are typically a more detailed and concentrated study, considering the specific effects of a

particular form of development, e.g. wind energy development. This is considered to account for different sensitivity classifications between the two studies.

7 Planning Policy Analysis

The Seamer proposal should be assessed against the relevant development plan policies as detailed above. The following discussions are considered to envelop the key material planning considerations of the proposed wind farm.

7.1.1 Landscape and Visual Amenity

Chapter 9 of the ES contains a full landscape and visual impact assessment of the proposal. The proposed layout has evolved through a number of design iterations which have been incrementally changed to account for environmental and technical constraints on site and to minimise environmental effects. An important aspect of this is to minimise, through design, effects on the landscape resource and effects on visual amenity.

The Landscape and Visual Impact Assessment is essentially divided into two distinct sections, considering the wind farms affects on landscape resource and visual amenity.

With regards to the impact of the proposal upon landscape resource, it has been assessed that the wind farm would only have a significant effect upon the landscape character of the site and its immediate surroundings.

Whilst acknowledging this impact, it is important to recognise that the significant effects would be limited to a localised area within the 16km study area.

Wind turbines, by the inherent nature of their height, scale and locational requirements, normally being within areas of open countryside, are acknowledged to have significant visual and landscape effects. However, in this instance, it should be recognised that the significant effects are limited to a small geographical area within the study area and would not cause any significant effects on landscape character in the wider area. Furthermore, the proposal would not have significant adverse effects on the existing historic or designated landscapes, landscape features or landform value.

With regards to impact on visual amenity, it has been assessed that the proposal would have significant effects on the visual amenity of 6 dwellings within 1km, a further 7 dwellings within 2.5km, views from Seamer village (within 0.4km of the nearest turbine), views to the setting of Seamer and Hilton from up to 2.5km and parts of small local roads within 5km.

It should be noted that during the construction phase of the development only the 6 dwellings within 1km and views from Seamer would be significantly affected. All of the receptors listed above may experience significant effects during the operational life of the wind farm.

The open and elevated nature of the site and its immediate context would result in some open views to the proposal within a radius of 2.5km of the outer most turbines. At a greater distance, the field boundary trees and undulating terrain would limit effects on visibility.

As detailed within Chapter 9 of the ES, a total of 104 dwellings were assessed of which only 6 dwellings within 1km and a further 7 within 2.5km will experience significant effects. Whilst acknowledging that there would be some significant effects on the visual amenity of local residents, it should be noted that the number of dwellings is very small. Furthermore, the LVIA has highlighted that whilst these properties would experience significant effects, the turbines would not be overwhelmingly dominant.

The proposals would not significantly affect the visual amenity of receptors located within a broader area of up to 16km radius. These include receptors at other dwellings, Grade I and II* Listed Buildings, Scheduled Monuments and Conservation Areas; other settlements; other local or national landscape designations including the North York Moors National Park, registered Parks and Gardens or the River Leven Special Landscape Area; and sequential users of roads, railways, local footpaths and bridle ways, long distance footpaths, cycle ways or travelling by air. The proposals would not significantly affect visual perceptions of local or regional landmarks including Roseberry Topping, the Middlesbrough Transporter Bridge or the escarpment edge of the North York Moors; or the perception of the North York Moors National Park in terms of views towards it as well as from it.

PPS 22, paragraphs 19 & 20 state that:

"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, design and landscaping schemes, depending on the size and type of development proposed. Proposed developments should be assessed using objective descriptive material and analysis wherever possible even though the final decision on the visual and landscape effects will be, to some extent, one made by professional judgement. Policies in local development documents should address the minimisation of visual effects (e.g. on the siting, layout, landscaping, design and colour of schemes)

Of all renewable technologies, wind turbines are likely to have the greatest visual and landscape effects. However, in assessing planning applications, local authorities should recognise that the impact of turbines on the landscape will vary according to the size and number of turbines and the type of landscape involved, and that these impacts may be temporary if conditions are attached to planning permissions which require the future decommissioning of turbines."

On the basis of the above assessment it is considered that the proposal would comply with national planning policy in the form of PPS22, and comply with the provisions of **Policy EN3** of the Regional Spatial Strategy for the North East, **Policies EN7** and **EN42** of the Stockton-on-Tees Local Plan, Hambleton Local Development Framework Core Strategy **Policy CP16** and Development Policies, **Policy DP1, DP10 and DP30**.

7.1.2 Noise

This section discusses the issues of noise and shadow flicker. Chapter 8 of the ES assess the potential impact of noise from the proposed Seamer Wind Farm on nearby noise sensitive receptors during the construction, operation and decommissioning phases.

With regards to potential noise effects, PPS22 provides guidance to local authorities on policy matters relating to renewable energy developments. In terms of noise it states:

"Renewable technologies may generate small increases in noise levels (whether from machinery such as aerodynamic noise from wind turbines, or from associated sources – for example, traffic). Local planning authorities should ensure that renewable energy developments have been located and designed in such a way to minimise increases in ambient noise levels. Plans may include criteria that set out the minimum separation distances between different types of renewable energy projects and existing developments. The 1997 report by ETSU for the Department of Trade and Industry should be used to assess and rate noise from wind energy development".

The Companion Guide to PPS22 provides further details of technical aspects of renewable energy technologies. In terms of noise from wind turbines, it describes its character and sources, and restates that The Working Group for Noise report The Assessment and Rating of Noise from Windfarms ETSU-R-97 (ETSU –R-(&)) should be used in the assessment process. It also states that there is no evidence that ground transmitted low frequency noise from wind turbines is at a sufficient level to be harmful to human health.

ETSU-R-97 provides a framework for the assessment and rating of noise from wind turbine installations. It has become the accepted standard for wind farm developments in the UK, and the methodology has therefore been adopted for the present assessment.

ETSU-R-97 recommends the application of noise limits at the nearest noise-sensitive properties, to protect outside amenity and prevent sleep disturbance inside dwellings. It proposes that site-specific noise criteria are adopted based on the background noise. Noise from wind turbines and background noise both typically vary with wind speed. According to ETSU-R-97, wind farm noise assessments should therefore consider the site-specific

relationship between wind speed and background noise, along with the particular noise emission characteristics of the proposed wind turbines.

As the minimum noise limit applicable under ETSU-R-97 is 35 dB(A), only properties which the noise contour plot indicated may potentially receive noise in excess of this level were considered for inclusion in the baseline noise survey. Properties were identified from Ordnance Survey 1:10,000 Scale digital mapping and through site visits.

The noise assessment considered the impact of operational noise from the proposed Seamer Wind Farm on the residents of nearby dwellings. The guidance contained within ETSU-R-97 has been used to assess the potential noise impact of the proposed development.

Six properties neighbouring the wind farm were selected as being representative of the closest located properties to the wind farm. The minimum separation distance between the nearest turbine and the closest located residential property is approximately 630m. Background noise monitoring was undertaken at five locations.

Analysis of the measured data has been performed in accordance with ETSU-R-97 to determine the pre-existing background noise environment at these locations.

Quiet daytime and Night-time criterion were established in accordance with ETSU-R-97.

Predictions of wind turbine noise have been made, based upon the sound power level data for a REpower MM92 2.0 MW wind turbine and a noise prediction model procedure that can be considered to include worst-case condition.

Predicted levels and measured background noise levels indicate that for dwellings neighbouring the proposed site, wind turbine noise will meet the quiet daytime and night-time Noise Criteria proposed within ETSU-R-97 for both dwellings associated and not associated with the proposed development.

On this basis it is not considered that the proposed wind farm would adversely impact upon the residential amenity of surrounding properties through the generation of excessive noise levels. Accordingly the proposal is considered to comply with **Policy EN3** of the Regional Spatial Strategy for the North East, **Policy EN42** of the Stockton-on-Tees Local Plan and **Policy DP44** of the Hambleton Local Development Framework, Development Policies.

7.1.3 Shadow Flicker

Chapter 14 of the ES discusses the potential for shadow flicker from the wind turbines.

A shadow flicker assessment has been undertaken for seven buildings within 920m of the proposed turbine locations. It has been shown that under worst case conditions, the maximum occurrence of shadow flicker amounts to 51.2 hours per year (experienced at Seamer Grange Farm). It is important however to note that these are the theoretical maximum number of shadow hours figures per year. They do not take into account weather conditions (i.e. no sun or partially cloudy), local visual obstructions (such as trees, hedges, curtains, blinds or other structures), turbine orientation and turbine operation. In reality, the amount of time when shadow flicker occurs will be less than what has been predicted. It is also important to note that affected windows may well be in rooms that are not generally in use at the times when the effect may occur. Where shadow flicker is found to cause a nuisance, mitigation measures can be implemented in order to reduce the occurrence of shadow flicker.

Full details of the assessment, including mitigation measures are contained within Chapter 14 of the ES.

On the basis that suitable mitigation measures may be put in place should problems of shadow flicker occur when the wind farm is operational, it is not considered that the proposal would result in any unreasonable impact in this regard. Accordingly it is considered that the proposal would comply with the provisions of **Policy EN3** of the Regional Spatial Strategy for the North East, **Policy EN42** of the Stockton-on-Tees Local Plan and **Policy DP1** of the Hambleton Local Development Framework, Development Policies.

7.1.4 Ecology

Chapter 11 addresses the effects of the Seamer Wind Farm proposal on terrestrial ecology whilst Chapter 10 considers the likely impacts of the proposal upon ornithology interests.

The development area does not include any or any part of an internationally designated site i.e. Special Area of Conservation (SAC) or Special Protection Area (SPA), nationally designated site e.g. SSSI or local designations.

In terms of other designations in the locality, Brewsdale Nature Reserve lies to the south west of the site at approximately 800m from the nearest wind turbine. Flats Lane Woodland Country Park and Bassleton Wood and the Holmes Local Nature Reserve lie approximately 6km to the Northeast and Northwest respectively.

The development site is dominated by intensively managed arable farmland with a small stream, pond and two areas of plantation woodland as well as an area of marshy grassland. There are several hedges. The county/district boundary hedge running both north and south of the Hilton/Seamer road is a particularly high quality feature. The surrounding area is largely arable farmland and rural villages with several water courses and associated woodlands. A pond is located in the south west of High Plantation, which is in the North West corner of the survey site.

An Extended Phase 1 habitat survey was conducted on 19th April 2007. The survey was extended to assess the site for the likelihood of the presence of the following protected species: breeding birds, badger, red squirrel, bats, great crested newt, white-clawed crayfish, water vole and otter.

The Extended Phase 1 Habitat survey found no evidence of badgers, water vole, otters, crayfish or red squirrels and accordingly no further survey work has been undertaken with regards to these species.

In terms of additional survey work, following the Extended Phase I findings, a Bat Survey and Great Crested Newt Survey have been undertaken. The findings of these surveys are detailed in full within Chapter 11 of the ES. The surveys have highlighted that the proposal would have a **not significant effect** on these species.

The most effective way of mitigating ecological impacts is avoidance by careful siting to avoid areas of ecological importance. This has been carried out as far as possible. Ecological constraints were used in the design of the proposal layout. Key constraints identified for this site were in relation to habitat, Great Crested Newts and Bats.

To mitigate effects the wind turbines and associated site infrastructure a number of mitigation measures were imposed on the site design. These are detailed within Chapter 11 of the ES.

Chapter 10 of the ES considers the likely effects of the proposed development on ornithological features within the site.

Vantage point surveys were undertaken in order to obtain information regarding the species and numbers of birds present within the area, their flight patterns (including flight heights) and frequency of presence. This data was also used to assess whether there is a significant risk of collision for particular birds with the proposed wind farm.

The findings of the ornithological survey are fully detailed within the ES. In summary, the proposed wind farm site is considered to be of Parish ornithological value for breeding birds, supporting breeding populations of seven species of conservation concern.

With regards to wintering birds, the proposed wind farm site is considered to be of Parish ornithological value, supporting populations of fourteen species of conservation concern.

The proposed wind farm development will cause the permanent loss of approximately 2.7 hectares of habitat, consisting primarily of arable land. Such habitat is very common within the surrounding landscape. Proposals will not impact on any areas of protected habitat. The proposals will not cause the loss of aquatic habitats or any mature broadleaved trees.

Given the small area of ornithological habitat to be lost to the proposed development, it is assessed that habitat loss to the proposed development will have a **negligible effect** on the local breeding and wintering bird population.

The proposed development will not impact on any international or national sites designated for their ornithological value, specifically Natura 2000 sites, Sites of Special Scientific Interest, National Nature Reserves or RSPB Reserves. Surveys did not identify any significant use of the site by species potentially associated with either the North Yorks Moors SPA or the Teesside and Cleveland Coast SPA and it is concluded that the proposed development will not significantly impact on the cited interests of these two sites and will have no effect on the integrity of these protected areas.

The disturbance effect of the construction phase on breeding and wintering bird populations has been assessed as **moderate/minor significance**. A small number of species will be displaced, through disturbance, from the development site during construction.

The potential effect of collision mortality from the proposed wind farm on bird populations, both within the site and the wider area is considered to be of **negligible significance**.

Overall, it is concluded that the proposed development will not have a significant effect on the ornithological value of the site and its setting and that through proposed habitat enhancement works, detailed within Chapters 10 and 11 of the ES, there will be a net benefit to the ecology of the area.

The ecological and ornithological assessments have considered the potential effect of the proposed development upon habitats and species and has identified that there would be **no significant effects**.

Having regard to the assessment findings, the Applicant considers that there would be minimal impact on ecological receptors and that the proposed development would comply with **Policy EN30** of the Regional Spatial Strategy for the North East, **Policies EN1(a), EN2** and **EN4** of Stockton-

on-Tees Local Plan and **Policy DP31** of the Hambleton Local Development Framework, Development Policies Document.

7.1.5 Archaeology and Cultural Heritage

Chapter 13 of the ES contains a comprehensive evaluation of the effects of the proposed development on cultural heritage and archaeology.

No Scheduled Ancient Monument lies within the site boundary, although there are two sites within a 5km radius, namely SK8 Castle Hill, Iron Age Hill fort and 31350 Tunstall Medieval Settlement.

With regards to Castle Hill, Iron Age Hill fort, a high voltage power line supported by pylons runs to the immediate south of the monument, and forms part of the immediate settings of the monument. The nearest pylon lies within approximately 150m of the centre of the scheduled area. It is therefore considered that the monument will receive an impact of only **"minor significance"** upon its setting. With regards to Tunstall Medieval Settlement, the impact upon the setting of the scheduled area is considered to be **"not significant"**, given the distance from the wind farm, and the limited presence of the monument, and its setting around the farm with its large modern outbuildings, which are considered to define its setting.

There are no Listed Buildings within the site boundary. However, there are 12 Listed Buildings within 2km of the proposed wind farm, all of which are predicted to have some intervisibility with the proposed wind farm. All are listed at Grade II, except for the Church of St. Peter in Hilton, listed at Grade I.

The setting of St Peter's is determined primarily by its location south of the road in the centre of Hilton (approximately 1.2km west of the proposed development). The Church does not have a Spire or Tower, and is a single story small structure with a small raised gable holding bells at its western end. The main door is at the western end of the north side. There are mature trees to its north and north-west. Where visible, the turbines would be present in views to the east from the churchyard, but would not be visible in views towards the church from the north-west (towards its entrance). The turbines would not interfere in any long views towards the church (particularly given the Church has no elevated presence, such as a tower designed to be seen at distance), nor affect the Church's setting within the village. The Church is considered of "high" sensitivity by virtue of its designation, but the magnitude of the impact upon its setting is considered to be **"low"**, and the significance of that impact is therefore assessed as **"minor"**.

The remaining buildings within 2km of the site are all listed at Grade II. These would receive an effect of **"minor"** sensitivity on their settings.

No part of the site lies within a Registered Historic Park or Garden. However, there are three Registered Historic Parks and Gardens within 15km of the site, none of which is considered to receive any significant effect.

No part of the site lies within a Conservation Area. However, the Conservation Areas of Stokesley and Hutton Rudby both lie within 5km of the site centre.

Stokesley lies approximately 4.5km to the south-east of the site centre. Whilst the turbines are predicted to be intervisible in part from the conservation area (which occupies the central part of the town), it is likely that views from the core of the Area to the turbines will be limited due to its "urban" setting, and it is considered that the impact will be of "**minor**" significance.

The Hutton Rudby conservation area lies just within 5km to the south of the site centre. Part of the area lies on the slopes of the river valley and is thus not within the Zone of Theoretical Visibility. Views towards the turbines are likely to be limited due to the "urban" nature of the Area. The wind farm is not considered to affect the setting of the Area as a whole, which is closely related to its location on the banks of the River Leven and its historic focus on bridge across it. Any impact is considered to be of "**minor**" significance.

With regards to Registered Battlefield, there are none within the application site and the nearest Battlefield is that of Northallerton (1138), but this lies approximately 17km to the south-west of the proposed site. This feature is assessed as receiving no impact upon its setting.

In terms of the impact upon archaeological features, the desk-based assessment has shown that there is archaeological evidence for human activity in the locality from at least the Mesolithic period onwards, although there is no evidence for significant archaeological remains within the site. The presence of a cropmark of possible Iron Age date to the south-west of the site (SMR record 2884), as well as the proximity of the Iron Age fort on Castle Hill suggests that late prehistoric settlement may have been more widespread in the area, and that discovery of Roman pottery (SMR Record 455) suggests that the area continued to be occupied and exploited during that period. It is possible that evidence for activity dating to these periods may still exist within the site boundary. If so, such evidence is likely to relate to settlement and farming activity, and consist of ditches and other features. Depending on the state of preservation and complexity of such remains (should they exist), they are likely to be of local or regional importance. There is some potential for evidence from alter periods to exist, and this is likely to consist of evidence for former farming practice of medieval and post-medieval date. Such remain would likely be of only local importance. The potential for undiscovered remains of national importance (that is, those that would otherwise be Scheduled) to remain within the site is considered to be

low, and this can be mitigated by survey and investigation prior to and during construction.

No known features will be directly affected by the development. There is (low) potential for unknown buried archaeological remains to be directly impacted by construction activities, such as the provision of access roads and turbine foundations. All activities where topsoil is to be removed or where excavation is to be carried out are considered likely to damage or destroy underlying features and will require mitigation.

Mitigation for potential direct impacts upon currently unknown buried archaeological remains may be required and is detailed within Chapter 13 of the ES.

In summary, no significant direct effects upon any cultural heritage features within the site boundary are expected, once an agreed programme of archaeological work in mitigation has been implemented (preservation by record, where preservation in situ cannot be achieved).

Although some cultural heritage features beyond the site boundary will receive visual effects upon their settings, they are considered to be of “**minor**” significance only and therefore considered “**not significant**” in terms of the EIA regulations. Any effects are temporary and reversible on decommissioning.

Having regard to the conclusions of the Cultural Heritage Assessment, it is not considered that the proposed development would result in any adverse impact upon cultural heritage features. Accordingly the proposal is considered to comply with **Policies EN28, EN29 and EN30** of the Stockton-on-Tees Local Plan and **Policies DP29 and DP29** of the Hambleton Local Development Framework, Development Plan Document.

7.1.6 Transport and Access

Whilst none of the policies outlined in the preceding section make reference to transport/access issues, it is considered that this is a key issue when considering the acceptability of the proposed wind farm.

Once operational the wind farm would generate very little in the way of additional traffic over and above the existing levels. The traffic impacts of the proposal area largely restricted to the construction period and accordingly of a temporary nature. It is anticipated that the construction phase of the development will last ten months.

In order to minimise the impact of construction traffic on the surrounding areas, all heavy vehicles will be required to access and egress the site on the north side of Seamer Road.

Chapter 7 of the ES provides full details of the proposed routes for HGV's and Abnormal Loads. Chapter 7 also provides details of the anticipated traffic flows over the 10 month construction period.

The overall traffic flows, detailed in Chapter 7, show that within the construction stage there will be a maximum hourly increase on the Seamer Hilton road of up to 14% in the construction period. However, with the existing low hourly figures on the road this is not perceived as a significant increase.

The key to the construction related impacts is their temporary nature. In relative terms, the anticipated 10 month construction period over the 25 year operational life of the development is a minimal proportion. Use of the abnormal loads route would only be required within a 4 month period over construction. This would require a maximum of 15 movements within any particular month, thereby minimizing effects to the community of Hilton.

Although some minor negative effects may be noticeable during the construction phase, these effects will not continue during the operational phase of the development.

On this basis it is not considered that the proposed development would result in any unreasonable impact with regards to highway safety and pedestrian safety.

7.1.7 Other Issues

The above assessment represents a comprehensive discussion of the key planning policy issues to be considered when determining the Seamer Wind Farm application. However there are a number of other more peripheral policy issues considered below.

Stockton-on-Tees Local Plan **Policy EN13** relates to development outside of development limits. Similarly, **Policy L1** of the Hambleton District Wide Local Plan and Local Development Framework Core Strategy **Policy CP4** seek to restrict development inside existing development limits. Hambleton Local Development Framework DPD policies **DP8** and **DP9** also relate to the development within and outwith settlement boundaries respectively. Clearly, the proposed Seamer Wind Farm would be outside of any defined settlement and within the open countryside.

Whilst acknowledging these policies, it is not considered that the purposes of these policies is of particular relevance to wind energy developments, with the exception of **Policy CP4** which specifically recognises that the development of renewable energy schemes of an appropriate scale and design would constitute one of the exceptional types of development suitable outside of settlements and within the open countryside.

It is important to note that the purpose of development limits is principally to concentrate development such as housing, employment and industry within existing settlements and to protect the countryside from urban sprawl.

Wind farms, by their very nature, are not suitable within settlements and, in the main, need to be situated within the countryside. On this basis it is not considered that the proposal conflicts with the aims of the above policies.

As detailed within Chapter 3 of the ES, a grid connection assessment undertaken for this site has identified that a suitable connection is available for the proposed site. The exact route of this connection would be subject to a separate application under Section 37 of the Electricity Act 1989, as amended by the Utilities Act 2000 by NEDL. On this basis it is considered that the proposal complies with the provisions of **Policy EN3** of the Regional Spatial Strategy for the North East.

With regards to aeronautical issues, all relevant stakeholders have been consulted with regards to the proposed wind turbines at Seamer. The Ministry of Defence, Durham Tees Valley Airport and Civil Aviation Authority have not raised objections to the current proposal. National Air Traffic Services (NATS) have raised two issues, namely, the potential generation of false primary plots and the potential reduction of the primary radar's ability to detect small aircraft at low altitude in the airspace directly above the wind farm.

It is considered that a NATS objection is unlikely to be sustained following further consultation and review by their operational team (NATS En-route Ltd). On this basis it is considered that the proposal complies with the provisions of **Policy DP34** of the Hambleton Local Development Framework, DPD.

In summary, the wind farm proposal is complimentary to the objectives of energy conservation as it would produce a substantial amount of electricity from wind, a renewable source of energy.

The Applicant considers that the Seamer Wind Farm proposal is the result of a process which has sought to resolve detailed planning considerations and avoid problems of environmental intrusion, loss of amenity and other stated factors. Whilst acknowledging there will be a small number of individual significant effects occurring in the immediate locality of the site, this is not unacceptable when considered in light of the impact of the proposal as a whole, the benefits accrued from increased renewable energy production and the nature of wind energy development which by its inherent nature cannot be developed without some significant effects, particularly on landscape and visual amenity. When drawing a balance between these factors the proposal is in accordance with relevant national, regional and local planning policy.

8 Summary of Policy Analysis

8.1 Energy Policy

The application site has been identified after a comprehensive site selection exercise which took account of the main technical and environmental constraints.

When commissioned, the Seamer Wind Farm would contribute up to 15MW to the regional energy mix. This will on average provide enough electricity to meet the domestic needs of between 5,890 and 8,840 households.

In doing so, the proposed development will effectively reduce the production of greenhouse gases required in the generation of equivalent amount of electricity from fossil fuels. The environmental benefits of this contribution include the Carbon Dioxide emissions savings of between 22,600 and 33,901 tonnes annually, assuming an average fossil fuel mix.

8.2 National Planning Policy

Key Principle (iv) of PPS22 requires that, when considering renewable energy proposals, significant weight should be given to the wider benefits of such proposals. The wider benefits of the Seamer Wind Farm are fully described in the ES that accompanies the application and can be summarised as follows:

- Contribution to meeting, national, regional and particularly sub-regional and local renewable energy targets;
- Reduction in Carbon Dioxide emissions equating up to 24,874 tonnes per annum, assuming an average fossil fuel mix and other greenhouse gases by displacing fossil fuel electricity generation; and
- Employment opportunities during construction and associated investment in the local economy and a community fund for local community projects.

As required by PPS22, the ES has fully considered the needs for the proposal and balanced the potential identifiable impacts of the proposal against quantifiable benefits, therefore assisting with its assessment under key principle (iv) of PPS22.

The site of the wind farm lies outside of any international or national designations. The scheme does not lie within any area designated as a nationally significant landscape, either as an Area of Outstanding Natural Beauty or as a National Park. Furthermore, the proposal would not have any significant effect on any such designations outside of the application site.

The development area does not include any or any part of an internationally designated site i.e. Special Area of Conservation (SAC) or Special Protection Area (SPA).

Furthermore, there are no SSSIs within the application site. The proposal would not have any significant impact upon any ecological concerns.

Cultural Heritage and archaeological sites would not be directly affected by the proposal. Any indirect impact has been assessed as not significant within Chapter 13 of the ES. Furthermore, these non significant effects are of a temporary and reversible nature.

8.3 Compliance with Development Plans

The Seamer Wind Farm proposal is considered to be compatible with the aims of the relevant development plans, as outlined in Section 6 of this Planning Statement. Taking account of the findings outlined in the ES, it is considered that the proposal would not conflict with the relevant policies.

The proposal also complies with the requirements in both the adopted Regional Spatial Strategy for Yorkshire and Humber and the adopted Regional Spatial Strategy for the North East.

Furthermore, it is considered that the proposals are consistent with national guidance in the form of PPS22.

9 Conclusion

PPS22 Key Principle (iv) requires that planning authorities consider and give significant weight to the wider benefits of renewable energy proposals. The benefits of the Seamer Wind Farm have been fully described in this Planning Statement and carry significant weight in the decision making process.

The site has been carefully selected and would contribute towards the regional and sub regional targets as detailed within the relevant RSS's.

It is the view of the Applicant that the development of the wind farm would not result in an unacceptable impact on the local environment.

This Planning Statement concludes that the proposals are in accordance with all relevant national, regional, and local planning policies.

It is the opinion of the Applicant that the proposed Seamer Wind Farm complies with national planning policy for renewable energy, as set out in PPS22, and with the provisions of the adopted Development Plans.