

September 2025

Statement of Case

Appeal against the refusal of
full planning application
HPK/2024/0100

Erection of a wind turbine
(retrospective)

Cote Bank Farm,
Chinley,
High Peak,
SK23 7NP

Produced By:

Planning & Design Practice Ltd
3 Woburn House, Vernon Gate, Derby, DE1 1UL

www.planningdesign.co.uk

RIBA 
Chartered Practice

 Architects
Registration
Board

 RTPI
Chartered Town Planner

Derby Head Office

Second Floor, Suite 3 Woburn House
Vernon Gate, Derby, DE1 1UL
01332 347371

Matlock Office

Cromford Creative, Cromford Mills
Mill Lane, Cromford, Matlock,
Derbyshire, DE4 3RQ

Macclesfield Office

Waters Green House, Walters Green,
Macclesfield, SK11 6LF
07969 871264

Sheffield Office

First Floor, Unit 4,
Westbrook Court,
Sharrowvale Road, Sheffield,
S11 8YZ

Document Control Sheet

Project Name	Wind Turbine at Cote Bank Farm
Client	Broadhurst
Project Reference	3907
Team Members	Shaun Hyde MPlan MRTPI
Project Manager	Michael Bamford BA (Hons) MPlan, MRTPI

Version	File Name	Description	Prepared	Checked	Date
01	3907_01_SoC	Statement of Case	SH	MB	1.9.25
02	3907_02_SoC	Statement of Case	SH	Client	1.9.25

Table of Contents

1	Introduction	3
2	The Local Authority's decision	4
3	Site Location and Context.....	5
	Planning history	5
4	Proposed Development	6
5	Planning Policy Context	8
	High Peak Borough Council Local Plan (2016)	8
	Peak Sub-Region Climate Change Study	8
	National Planning Policy Framework.....	8
	Summary of Policy Position	9
6	The Appellants Case	10
	Impact on the Green Belt.....	10
	Impact on the Landscape Character	11
	Impact on Amenity.....	13
	Impact on the Public Right of Way and Public Highway	15
	Very Special Circumstances	16
7	Conclusion	19
8	Suggested Conditions	20

1 *Introduction*

- 1.1 Planning & Design Practice is a multidisciplinary practice consisting of chartered town planners, architects and heritage specialists. The practice operates across England and Wales and has an exemplary track record of submitting successful planning applications and helping to facilitate sustainable development.
- 1.2 This Statement of Case has been prepared on behalf of Will Broadhurst (“the Appellant”) in support of an appeal against the refusal of full planning application HPK/2024/0100 relating to ‘*Erection of a wind turbine*’ at Cote Bank Farm, Chinley, High Peak, SK23 7NP.
- 1.3 The original description of development did not refer to the development as being retrospective. However, it has been included as part of this appeal as it’s omission previously is a mistake. The development has already been completed in full and can be seen on both satellite imagery and the originally submitted Landscape and Visual Assessment, prepared by Planning Design Practice. The appeal should therefore be determined on this basis.

2 *The Local Authority's decision*

2.1 The planning application referenced above was validated by the Local Planning Authority on the 29th May 2024. The Local Authority refused planning permission for the proposed development under delegated powers, in line with the recommendation set out in the Planning Officers delegated report. The Decision Notice, dated 3rd March 2025 cited the following reasons for refused:

1. *The proposed development does not meet any of the exceptions set out under Paragraph 154 of the Framework and thus comprises 'inappropriate development' in the Green Belt. In the view of the Local Planning Authority, the very special circumstances presented by the applicant only attract moderate weight, and are not found to outweigh the harm to the Green Belt by reason of inappropriateness, and the additional harm to the openness of the Green Belt, which attracts substantial weight. As such the application is contrary to Local Plan Policy EQ4 and relevant restrictive paragraphs contained under Chapter 13 of the Framework.*
2. *Whilst the introduction of the proposed wind turbine is not considered to be harmful to the immediate rural landscape character of the High Peak, it is the case that owing to its prominence and sensitive location, the proposed turbine would result in significant harm to the setting of the Peak District National Park, thereby resulting in conflict with Local Plan Policies EQ2 and EQ3 and relevant paragraphs under Chapter 15 of the NPPF.*
3. *In the absence of technical information and/or a detailed assessment carried out by a suitably qualified professional as appropriate, it is not possible for the Local Planning Authority to positively conclude that the proposed wind turbine would not adversely impact upon the amenity of nearby residential properties having regard to noise impacts. As such, the application in its current form is contrary to Local Plan Policy EQ10 and relevant paragraphs under Chapter 15 of the NPPF.*
4. *In the absence of sufficient information, it is not possible at the time of determining this application for the Local Planning Authority to positively conclude that the proposed wind turbine would not adversely impact upon the use of any Public Right of Way and/or the public highway. As such, the application in its current form is contrary to Local Plan Policy CF6 and relevant paragraphs under Chapter 9 of the NPPF.*

3 *Site Location and Context*

- 3.1 Cote Bank Farm is situated to the west of Chinley and north east of Buxworth in High Peak. Access to the farm is via an unnamed road off Stubbins Lane.
- 3.2 The site is located within an agricultural field approximately 250 metres north of the main farm complex. The site is surrounded by agricultural land in all directions. The nearest neighbours to the site are Chinley House Farm, approximately 300 metres south west of the site.
- 3.3 The site is located within the Green Belt and approximately 400 metres from the Peak District National Park at it's nearest point to the north east. It is also situated within flood zone 1, so is not considered to be at risk of flooding. The nearest public right of way is HP8/15/1, located 70m west of the site.
- 3.4 The turbine has already been installed at the site and currently lies flat down in the field. It can be erected and lowered as and when required. The turbine is visible on satellite imagery, as shown in Figure 1.

Planning history

- *HPK/2024/0100 - Erection of wind turbine – Refused 3rd March 2025.*



Figure 1 – Location of wind turbine. The turbine can be seen on satellite imagery

4 *Proposed Development*

- 4.1 The proposed development is for a 14.5-metre-high Wind Turbine on land north of Cote Bank Farm. The applicant purchased the turbine second hand and therefore currently has it laid down in the field at the site. The turbine was temporarily erected to document the turbine's impact within the landscape prior to the initial submission. It is the same size and design as the turbine located over the valley at Mosley Hall Farm, Eccles Road, Whaley Bridge, Derbyshire SK23 7EW (Appeal Ref. 2144542). Like Mosley Hall Farm the applicant wishes to erect the turbine to generate clean, renewable electricity for Cote Bank Farm. This will ensure energy sustainability for the farm and the wider High Peak Borough Council area, by harnessing the wind power in this area.
- 4.2 The height of the Wind Turbine exceeds 11.5m which means that it does not fall under permitted development, therefore full planning permission is required.
- 4.3 The wind turbine is a 3-bladed horizontal axis design with a maximum height to blade tip of 14.5m. The hardstanding base and foundations will consist of 3mx3mx1m reinforced concrete as shown below in Figure 2. As stated previously, the turbine designs means that it can be lowered and erected as and when required, meaning that it does not have to remain erected permanently. It can be lowered during stormy weather, for example. However, it is the intention to leave the turbine up for its lifespan.
- 4.4 Following the determination of the application, and given the questions raised about the evidence to establish the extent of landscape impact, a LVIA has been carried out by Weddles which is discussed later in this statement of case but can be summarised as saying;

"The predicted long-term impact on high value views to and from the Peak District will be negligible, with sloping topography and proposed boundary planting filtering direct views of the proposed turbine. The retention of field pattern and walling, and the siting of the turbine away from ancient woodland and heritage features will help to preserve the landscape character of the National Park and its wider setting."

- 4.5 In response to the Landscape and Visual Appraisal, the turbine will be painted a dark green colour. The other recommendations included as part of the report will be implemented in full. It is considered to be acceptable for these measured to be conditioned.

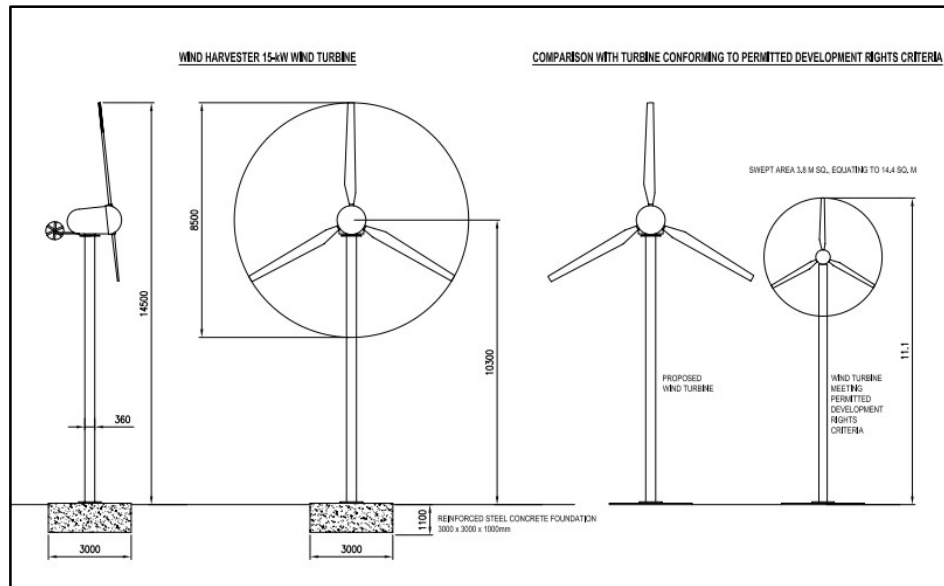


Figure 2 - Depicting the design and measurements of the proposed Turbine

5 Planning Policy Context

- 5.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.2 The development plan consists of the High Peak Borough Council Local Plan (2016). Other material considerations include the Peaks Sub-Region Climate Change Study, Design SPD (2008), the National Planning Policy Framework (2024), and the associated Planning Practice Guidance ('the Guidance').
- 5.3 Those policies referenced in the Local Authority's reason for refusal, as well as other relevant policies, are listed below and will be discussed further where necessary.

High Peak Borough Council Local Plan (2016)

- *Policy S1 Sustainable Development Principles*
- *Policy S1a Presumption in Favour of Sustainable Development*
- *Policy S6 Central Sub-area Strategy*
- *Policy EQ 1 Climate Change*
- *Policy EQ2 Landscape Character*
- *Policy EQ 3 Rural Development*
- *Policy EQ 4 Green Belt Development*
- *Policy EQ 6 Design and Place Making*
- *Policy EQ10 Pollution and Unstable Land*
- *Policy CF6 Accessibility and Transport*

Peak Sub-Region Climate Change Study

- *Policy CS6 - Wind Turbine Generator Development*

National Planning Policy Framework

- *Paragraph 8*
- *Paragraph 11*
- *Paragraph 39*
- *Paragraph 88*
- *Paragraph 89*
- *Paragraph 153*
- *Paragraph 160*
- *Paragraph 161*
- *Paragraph 168*
- *Paragraph 169*
- *Paragraph 198*

Summary of Policy Position

- 5.4 In relation to paragraph 169 of the Framework, the Council have not identified or allocated any suitable sites for wind energy development and the High Peak Local Plan is now 9 years old, Paragraph 11d of the Framework is therefore applicable.
- 5.5 Paragraph 11 states that the ‘tilted balance’ is engaged where there are no relevant policies, or if the most relevant Local Plan policies for determining a planning application are ‘out of date’, planning permission should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. This judgement is supported by Paragraph 8 of the attached Appeal Decision (ref. 3249183) which does a good job of articulating how to approach turbine development in a policy vacuum (or a “lacuna” as the Inspector describes it).
- 5.6 Part 11d)i states that policies relating to protecting areas of particular importance must provide a strong reason for refusing. In this case the Green Belt is applicable and this will be discussed in greater detail in Section 6.
- 5.7 As such, the application should be broadened out to balance compliance with local and national planning policies as a whole. The development should therefore be considered alongside social, environmental and economic factors, which will be discussed at greater length in Section 6 of this Statement of Case. This was raised with the Local Planning Authority in a letter dated 18th June 2024.
- 5.8 On Monday 8th July the Department for Levelling Up, Housing & Communities published a policy statement on onshore wind. This statement had been issued with the new Labour government’s pledge to remove the ‘de facto ban’ on onshore wind in an attempt to deliver clean energy generation. This was also discussed in a letter dated 10th July 2024.

6 *The Appellants Case*

6.1 The application was refused on 3rd March 2025. The reasons for refusal can be summarised as:

- Impact on the Green Belt (Reason 1)
- Impact on the Character of the Landscape (Reason 2)
- Impact on Amenity (Reason 3)
- Impact on the Public Right of Way and Public Highway (Reason 4)

Impact on the Green Belt

6.2 Paragraph 142 of the NPPF highlights that the Government attaches great importance to the Green Belt. It states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

6.3 Paragraph 153 of the Framework outlines how “*substantial weight*” should be afforded to protecting the Green Belt from harm, including its openness. Case law explains that this harm is two-fold; spatial and visual.

6.4 The erection of a wind turbine does not meet any of the exceptions listed in Paragraph 154 or 155 of the Framework. As such, it is considered to be inappropriate development, as discussed in Paragraph 153. Very Special Circumstances must therefore be demonstrated, where the potential harm resulting from the development is outweighed by other considerations.

6.5 With regard to the spatial element of the proposal, the Officer states that the spatial harm to the openness of the Green Belt would be “*negligible*”. This has been determined based on the relatively small footprint, approximately 9m², and the minimal massing of the wind turbine itself. Given the nature of the wind turbine, the overall built form is minimal and as such the spatial harm of the development is negligible.

6.6 The Officer has determined that “*there would be a degree of harm to the visual harm of openness*”. The turbine is located in the open countryside, where there had previously been no development. There is therefore some degree of visual harm when comparing the site to before it’s erection.

6.7 The Appellant would like to draw the Inspector’s attention to a particular paragraph from the Officer’s report:

“Wind turbines are now a common and widely accepted feature of the rural landscape and therefore given the modest scale of this turbine comparable to others in the market, it is not considered that the presence of the wind turbine in the open countryside in its own right gives rise to any harm to the immediate rural landscape character. There is not considered to be any conflict with regards to the design and appearance of the structure itself and its relationship with its rural context, having regard to LP Policy EQ6.”

- 6.8 Within this paragraph, the Officer accepts that wind turbines are common features within rural areas and, due to the modest scale of the proposed turbine, the presence of the turbine does not give rise to any harm to the immediate rural landscape character. No concerns were raised with regard to the design and appearance of the turbine. This judgement is echoed in the Decision Notice, included as part of the second reason for refusal, before discussing the potential impact on the National Park:

2. *“Whilst the introduction of the proposed wind turbine is not considered to be harmful to the immediate rural landscape character of the High Peak...”*

- 6.9 This position, and the “negligible” spatial impact, the Appellant considers there to be limited harm to the Green Belt, with regard to Paragraph 153. The Officer states that the minimal massing of the turbine, and the presence of the turbine itself, do not give rise to any harm in their own rights. As such, this is considered to amount to very limited harm, a position that is shared by the Officer in their report. With regard to Paragraph 153 of the Framework, this limited harm is still attributed “substantial” weight when considering Very Special Circumstances. This Very Special Circumstances position, as well as the overall planning balance, will be discussed further in this Statement of Case.

Impact on the Landscape Character

- 6.10 The Officer raises concerns over the potential impact the wind turbine may have on the setting of the Peak District National Park. In light of this, a Landscape and Visual Appraisal (LVA) has been completed by Weddles.
- 6.11 The Officer’s report relies heavily on the technical expertise of the Peak District Authority’s consultation response. This is despite the consultation response being very clear in saying that they themselves have not visited the site and their response is solely based on a desk-based exercise. The Appellant believes that the judgements and conclusions raised by the Peak District Authority are therefore unsubstantiated and limited in relevance. There is also no reference to the fact that the turbine has already been in-situ and therefore an accurate judgement on the landscape impact can be made.

- 6.12 Notwithstanding this, the LVA has evaluated the proposal and the potential impacts thoroughly. The provided Visual Appraisal Plan and Site Context Photos demonstrate that due to the topography, as well as intervening vegetation and built form, the site is most visible at middle to long distance views from the south.
- 6.13 Near-distance views are restricted to Footpath HP8/15/1, where the turbine is mostly obscured by the slope of the hill. It should be noted that a comment of support was received from the Northern Footpath Society. At middle distances the site is visible from two further footpaths, but again views are restricted by the slope of the topography. The entire site is visible at long distances, but at these longer distances individual features of the site become less discernible.
- 6.14 The completed Zone of Theoretical Visibility (ZTV) indicates a potential view from Cote Bank Farmhouse, although this is limited to the upper storey and will be filtered by the intervening tree block. The report also states that views from the Peak District, including the walking route of Cracken Edge, are either restricted or obscured by the topography and vegetation.
- 6.15 The LVA also discusses how the Landscape and Visual effects can be mitigated with boundary planting measures to soften views of the turbine. Notably, with regard to views from the Peak District, the report states:
- “The views of the proposed turbine from the Peak District will be heavily restricted, and at worst will bring about a negligible adverse impact in the long term.”*
- 6.16 As part of the ‘Overall Summary’, the report concludes:
- “The predicted long-term impact on high value views to and from the Peak District will be negligible, with sloping topography and proposed boundary planting filtering direct views of the proposed turbine. The retention of field pattern and walling, and the siting of the turbine away from ancient woodland and heritage features will help to preserve the landscape character of the National Park and its wider setting.”*
- 6.17 The Appellant is agreeable to a condition requiring the recommendations from the LVA to be implemented.

- 6.18 In the letter submitted 18th June 2024, an appeal decision (ref. 2144542) was submitted to the Local Authority. This relates to another wind turbine located a short distance away from the application site. The Inspector found that due to the small scale nature of the development, a single turbine of moderate size (although larger than what we are proposing as part of this application) would have a minimal impact on views to and from the site's surroundings. This is discussed in more detail in paragraph 9 of the decision:

"The site would be seen from a number of viewpoints. But the long distance views from surrounding hills would not be materially altered by the proposal. The height of the development would not be such that any significant prominence in views would result. The movement of the blades would be likely to draw the eye at times, but in my judgement this would be a minor effect from distance, such as when seen from across the valley. Hence I do not consider that views from the surrounding uplands would be significantly altered."

- 6.19 The findings of the LVA prepared by Weddles support the Inspector's conclusion. The impact is considered minor as the turbine will primarily be viewed against the back drop of hills rather than against sky (which has a greater impact).
- 6.20 This LVA addresses the concerns raised by both the Peak District Authority and the Officer. The report provides details of the actual proposed impact of the turbine within the landscape, with site context photographs also included to support this assessment. The report concludes that the long-term impact on views to and from the Peak District will be negligible. This is therefore considered to address the concerns raised by Peak District Authority and those referred to as part of the 2nd reason for refusal.

Impact on Amenity

- 6.21 The Officer has raised concerns relating to the noise impact of the turbine. As stated in the Officer's report, the nearest residential property is approximately 250 metres from the location of the turbine. The nearest public right of way is also approximately 150 metres from the site.
- 6.22 The Officer has referred to the Paragraph 198 of the Framework, which states that decisions should consider the likely effects of development on living conditions and pollution. Part a) states that new development should avoid noise giving rise to significant adverse impacts. Part b) protects tranquil areas that have "*remained relatively undisturbed*" by noise and are prized for their recreational and amenity value for this reason.

- 6.23 Environmental Health did not object to the proposal. Details of the turbine were submitted to allow the Local Authority to validate the application. At this point it was made clear that the turbine was of an age where it was difficult to source predicted sound power output, as it was built in 1994 and associated documents are scarce.
- 6.24 Notwithstanding this, the Officer concludes that without this information it would be difficult to determine that the turbine would not result in any harm to neighbouring properties. However, as stated previously, there is only a single neighbouring property located 250 metres away from the turbine. No public objection comments were submitted, the Parish Council did not object, and two comments of support were submitted. This is despite the fact that 17 local residents were invited to comment on the proposed development during the consultation period. One of these support comments being from the Northern Footpath Society. The Appellant did consult the few properties near the site, with no objections being received.
- 6.25 Paragraph 198b refers to “*relatively undisturbed*” tranquil areas that are “*prized for their recreational and amenity value*”. As the site forms part of Cote Bank Farm, a working agricultural enterprise, noise is naturally going to be generated at the site. In line with the Framework, any noise generated from the turbine will not detract from the desirability of this rural area and will likely be associated with the ongoing farming practices at the site. Users utilising the nearby footpath will be at least 150 metres away from the wind turbine and will only be near it for a very short period of time. As the turbine is already located at the site, there has been sufficient time for neighbours, walkers and other users to object to the proposal. The comment of support from the Northern Footpath Society suggests that there is no risk of this local tranquillity being jeopardised by the development.
- 6.26 The Officer had ample opportunity to visit the site and determine whether the noise from the turbine could be deemed unacceptable in person.
- 6.27 The Appellant is agreeable to a condition stipulating that a noise assessment must be completed and its findings adhered to.
- 6.28 Due to the lack of objection raised by the public and Environmental Health, and the fact that there is already a noise producing source at the site as part of the ongoing agricultural enterprise, the wind turbine

will not result in an unacceptable noise impact. The recreational and amenity value of this rural area will be maintained and there will be minimal impact on the amenity of local people.

Impact on the Public Right of Way and Public Highway

6.29 Paragraph 116 of the Framework states that development should only be refused on highways grounds where there would be an unacceptable impact on highway impact.

6.30 The Highways Authority did comment on the application. Of particular note is the following statement:

“When constructed, it is accepted that there would be no, or very little, maintenance required which would attract vehicular traffic; however, considering the size of the turbine and other ancillary equipment, delivery of the turbine would be expected to be on large vehicles capable of transporting such loads. It does not seem that the applicant has considered this element or the potential impact on users of the footpaths or the public highway.”

6.31 The Highways Authority failed to acknowledge that the turbine is already located at the site and, therefore, no further vehicle movements are required. As stated previously the Appellant has owned the wind turbine for many years, therefore no such vehicle movements were necessary in the first place. As the Highways Authority have already stated, very little vehicle movements are anticipated now that the turbine is erected.

6.32 Due to the wind turbine already being situated at the site, concerns relating to vehicular movements are considered to be immaterial.

6.33 Concerns relating to the impact on the public right of way are not substantiated in the Officer report, but rather passingly stated in the decision notice. Similar to the highway concerns, the turbine already being in-situ means that there is no risk to their accessibility. A comment of support was submitted by the Northern Footpath Society as part of the consultation period.

6.34 The concerns relating to the proposal's impact on highways is based on the transportation of the turbine to the site. However, due to the turbine already being situated on site, these concerns are considered to be inconsequential. The Highways Authority agree that very limited movements are expected once the turbine is erected at the site. As this is the case, no highways concerns are considered to arise from the development.

Very Special Circumstances

- 6.35 The Local Planning Authority have not identified or allocated any suitable sites for wind energy development and the High Peak Local Plan is now 9 years old. As such, the Local Plan is considered to be out-of-date and the presumption in sustainable development is triggered. This means that where there are no relevant development plan policies, the Framework indicates that the presumption in favour of sustainable development should be exercised unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. This is previously discussed in a letter submitted to the Council dated 18th June 2024. Within this letter, an Appeal Decision was submitted (ref. 3249183). This articulates how this policy vacuum (or “*lacuna*”) means that the tilted balance is triggered and applicable. The tilted balance being applicable is considered to warrant Very Special Circumstances.
- 6.36 Paragraph 11 d) of the Framework states that in such circumstances permission should be granted unless the application of policies in the Framework that protect assets or areas of particular importance provide a clear reason for refusing the development. The Green Belt is listed in Footnote 7. As such, in accordance with 11d), there must be a strong reason for refusal for refusing the proposed development.
- 6.37 As discussed previously, case law dictates that harm to the Green Belt is categorised as having both spatial and visual elements. It can therefore be concluded that the purpose of Footnote 7, in this instance, is to ensure that only developments that do not provide a strong reason for refusal are approved.
- 6.38 On this basis, the harm that these policies seek to protect relate to the visual and spatial elements of the Green Belt. The Officer has previously stated that, due to the small footprint and minimal massing of the wind turbine, the spatial impact of the development is “*negligible*”. Such a conclusion suggests that there is not a strong reason for refusal based on spatial harm caused to the Green Belt. Similarly, the Officer also acknowledges that wind turbines are common and widely accepted within rural landscapes. They conclude that the wind turbine is not considered to give rise to any harm to the rural landscape character. It was also determined that the design and appearance of the structure, within its rural context, did not conflict with local policy EQ6. As such, the proposed development will result in negligible harm to the Green Belt, both in terms of spatial and visual dimensions. Therefore, no strong reason for refusing the development exists, with regard to Paragraph 11d i) of the Framework.

- 6.39 The presumption for sustainable development affords weight to the delivery of development where policies are considered to be “*out-of-date*”. This seeks to balance the benefits that a proposal will bring against any potential impacts, as referred to in Paragraph 11d ii) of the Framework. This balance between delivering sustainable development, unless adverse impacts outweigh the benefits, is a similar consideration to the need to demonstrate Very Special Circumstances. The potential harm to the Green Belt must be outweighed by other considerations.
- 6.40 It has already been determined that the harm to the Green Belt is negligible. In accordance with Paragraph 153, any other harm resulting from the development must also be considered.
- 6.41 The completed LVA has dismissed the perceived harm to the Peak District National Park, with the report concluding that the long-term impact on views to and from the Peak District will be negligible. A negligible impact on the amenity of nearby residential properties has also been discussed. The highway impacts, devised predominantly from machinery movements associated with erecting the turbine, have also been determined as immaterial. The harm perceived by the Local Authority, as stated on the decision notice, are considered to have been addressed in this Statement of Case.
- 6.42 As to be expected, the main benefit of the proposal is the generation of clean, renewable energy.
- 6.43 Whilst the application was being determined, the Framework was updated in December 2024. Paragraph 168 of the Framework was amended to include the following statement:
- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and **give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future;***
- 6.44 The UK Government has declared a climate emergency and set a statutory target of achieving net zero emissions by 2050. High Peak has also formally joined the ‘Race to Zero’, which seeks to achieve net zero carbon emissions by 2050. These emissions targets are also a material consideration. The Officer states that the public benefits are limited, due to the small scale nature of the proposal. Dismissing the importance of small-scale energy generation simply undermines the process of trying to reduce global carbon emissions. If this mindset was shared across the board, the rate of change would be minimal and the effects of climate change would continue to be exacerbated. This position is supported by the submitted appeal decision (ref. 2144542), which highlights the wider environmental and economic

benefits of proposals for renewable energy, stating that “*proposals for renewable energy of whatever scale are material considerations*”.

6.45 Planning Practice Guidance (PPG), on renewable and low carbon energy, states that:

“There are no hard and fast rules about how suitable areas for renewable energy should be identified, but in considering locations, local planning authorities will need to ensure they take into account the requirements of the technology and critically, the potential impacts on the local environment, including from cumulative impacts”
(PPG, Paragraph: 005 Reference ID: 5-005-20150618)

- 6.46 The ability to generate clean, renewable energy brings with it clear environmental benefits. The latest update to the Framework (2024) places significant weight to the benefits of renewable energy. The overall need for renewable energy developments does not need to be demonstrated, and it recognises that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. These in turn contribute to societal benefits, as future generations will be able to appreciate cleaner air and less pollution, as stated in Paragraph 198 of the Framework.
- 6.47 There are also economic benefits to associated with the erection of the turbine. As the Applicant already owns (and uses) the wind turbine, no further outlay is necessary to generate this clean, renewable energy. The Appellant will continue to benefit from reduced energy bills, at a time where energy bills are at an all time high and farmers are working to meet tight profit margins. Supporting the rural economy and farm diversification is supported by policy EQ3 and Chapter 6 of the Framework. Due to the economic pressures experienced by farmers, these economic benefits cannot be understated.
- 6.48 Another key benefit of the proposed development is the ability to lower the turbine where necessary. It does not need to stand erect permanently and can be lowered in high winds or stormy weather. It’s small footprint also means that only a small area of agricultural land is lost to accommodate it.
- 6.49 The proposed development is a clear form of sustainable development. The perceived impacts of which do not **significantly** outweigh the benefits of delivering a clean, renewable energy.

7 *Conclusion*

- 7.1** This Statement of Case has been prepared to support an appeal against the Local Planning Authority's decision to refuse application HPK/2024/0100. Full planning permission is sought for the erection of a wind turbine at Cote Bank Farm, Chinley.
- 7.2** This statement has reviewed the reasons for refusal and explains why the proposed development was wrongly refused.
- 7.3** The Officer themselves acknowledged the negligible spatial harm that the turbine would bring to the Green Belt. With regard to the visual harm, this was also considered to be limited due to the small-scale of the turbine and how commonplace they are in rural landscapes. On this basis, the harm to the Green Belt is considered to be minimal.
- 7.4** The Peak District Authority objected to the proposal, due to the perceived impact on the character of the National Park. This position was derived from a desk-based exercise, which is considered to bring with it limited relevance. Notwithstanding this, a Landscape and Visual Appraisal has been completed as part of this appeal submission. This found that the long-term impact on views to and from the Peak District will be negligible and provided recommendations to ensure this was the case. The Appellant will implement these in full.
- 7.5** The Officer also determined that, due to insufficient information, there was an impact on the amenity of local residents. No objection comments were received as part of the application, with a public comment of support being submitted. The agricultural enterprise at the site will bring with it's own noise generating sources, as well as the fact that the nearest residential building is over 250 metres away. The noise generated from the turbine is therefore considered to have a limited impact on the area and the neighbouring properties.
- 7.6** The highways concerns relate to the transportation of the turbine to the site. As the turbine is already situated at the site, these concerns are considered to be immaterial as no further movements are anticipated as part of the development. Similarly, the perceived impacts to the public right of way network are also considered to be limited.

- 7.7 The benefits associated with generating clean, renewable energy cannot be understated. This turbine will make a small contribution to ensuring that net zero emission targets are met, ensuring that cleaner air can be assured for future generations. There are also benefits associated with farm diversification and supporting the rural economy, especially at a time of record high energy bills.
- 7.8 For the reasons set out above it is considered that the appeal should therefore be allowed subject to appropriate conditions, as listed below.

8 *Suggested Conditions*

- 8.1 Should the Inspector be minded to allow the appeal, it is considered that the following planning conditions would be appropriate:
1. Recommendations included within the Landscape Visual Appraisal be implemented in full.
 2. Once the use of the wind turbine ceases, the site shall be returned to its previous condition prior to the erection of the turbine.



Planning & Design Practice Ltd

www.planningdesign.co.uk

info@planningdesign.co.uk

Tel: 01332 347371

Derby

3 Woburn House
Vernon Gate
Derby
Derbyshire
DE1 1UL

Matlock

Cromford Creative
Cromford Mills
Mill Lane, Cromford
Matlock
DE4 3RQ

Macclesfield

Waters Green House
Waters Green
Macclesfield
Cheshire
SK11 6LF

Sheffield

First floor, Unit 4
Westbrook Court,
Sharrow Vale Road,
Sheffield,
S11 8YZ