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Our Ref: 40b – Planning Conformity/Final Responses/East Riding, Erection of 9 Wind Turbines, Roos, Feb 09

18 February 2009

Pete Ashcroft
Head of Planning and Development Management
East Riding of Yorkshire Council
County Hall
Beverley
East Riding of Yorkshire
HU17 9BA

Dear Pete

Planning Application Number: DC/08/05692/STPLFE/STRAT/HCOL

Erection of 9 No. wind turbines, electricity transformers, crane standings, control building, sub-station and met mast, construction of access tracks and temporary construction compound and met mast at Land West Of Ivy House Rectory Road Roos East Riding of Yorkshire.

Thank you for consulting the Assembly on the above application. Due to the fact that the nature of the application has not changed significantly from the original application we commented on the Assembly will not be forwarding any detailed additional comments. Please refer to our original response for the application dated 17 May 2007 (Contained in Annex A).

However since the Assembly provided comments on above application on 3 September 2007 the current RSS - The Yorkshire and Humber Plan has been issued by the Secretary of State in May 2008. Therefore officer comments have been provided below to highlight any changes to the original response in light of the adoption of The Yorkshire and Humber Plan (2008).

Renewable Energy Targets

Policy ENV5 of RSS sets the Humber a target of at least 124MW by 2010 and 350MW for installed grid connected renewable capacity. Table 10.2 recommends a renewable energy target in East Riding of 41MW to 2010 and 148MW to 2021.

Location

RSS (2008) states that local authorities have an important role to promote renewable energy development, ideally with other authorities on a sub regional

basis, and provide supplementary locational and environmental criteria to be used in assessing such development as needed.

If you have any queries on the types of applications the Assembly wishes to comment on, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in blue ink that reads "Andrew L. Hargill". The signature is written in a cursive style with a large initial 'A' and 'H'.

Jenny Poxon
Head of Service
Planning Delivery and Conformity



Contact: Jenny Poxon
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Our ref: JP/PB/40b – Planning Conformity/final responses/Wind Farm Nov 06

November 2006

Philip Parker
Head of Planning and Development Control
County Hall
Beverley
East Riding of Yorkshire
HU17 9EA

Dear Philip

Planning Application number: DC/06/05692/STPLFE/STRAT/DC

Erection of 11 No. wind turbines, electricity transformers, crane hardstandings, control building, sub-station and met mast, construction of access tracks, and temporary construction compound and met mast at Land to the West of Ivy House Rectory Road Roos.

The Assembly is grateful for the opportunity to comment on this proposed development. The Assembly, as the Regional Planning Body, has been asked to comment on this development as its nature and location mean that it could have an effect on the implementation of the Regional Spatial Strategy (RSS). The current RSS for Yorkshire and Humber (based on the Selective Review of RPG12) was issued by the Secretary of State in December 2004. The RSS has the status of a Development Plan Document and forms part of the framework for decisions taken under section 38 of the Planning and Compulsory Purchase Act (2004), which means that decisions on all applications have to be taken in accordance with the Development Plan unless other material considerations indicate otherwise.

The Planning and Compulsory Purchase Act (2004) and Circular 08/2005 make it clear that a draft RSS submitted to the Secretary of State is a relevant regional policy against which strategic applications can be considered. This Assembly response therefore also highlights relevant issues that arise from the Yorkshire and Humber Plan (draft RSS) December 2005 – the RSS submitted to the Secretary of State.

Both the existing and draft regional spatial strategies aim to achieve a more sustainable pattern and form of development, investment and activity across the

region, putting a greater emphasis on matching needs across the region with opportunities and managing the environment as a key resource. Within the detailed policies of current and draft RSS, the value of developing renewable energy resources is recognised in policies S6 and R12 of current RSS and policies YH2A and ENV5 of draft RSS. Policies YH8 and HE1C of draft RSS also provides relevant guidance.

In seeking the implementation of these policies across the region, the Assembly therefore offers the following comments on the proposed wind farm development.

Renewable energy

The Humber Estuary sub-area has been identified in the current and draft RSS as having a major role to play in terms of the Region's renewable energy generation requirement. Current RSS, policy R12 states that development plans should include measures that help secure a target installed renewable energy generation capacity of 674 MW for the Yorkshire and Humber region. It also sets the Humber sub-region a target of 146MW of energy by 2010, equating to 22% of the total regional target and the draft RSS sets the East Riding local authority a target of 40.7MW by 2010.

The proposed application will help meet these challenging targets and therefore supports the implementation of the RSS.

Location

Current RSS (Policy R12c) states that development plans should include locational and environmental criteria to be applied in securing the sub-regional targets, maximising the use of renewable energy resources. The draft RSS builds on this, in particular provides specific criteria for each local authority area by way of the targets provided, and states that it is a local authority's role to identify the preferred type, scale and locations for renewable energy and to also provide supplementary locational and environmental criteria to be used in assessing such development as needed. The Landscape Character Assessment in the East Riding has started this process ahead of the preparation of a Core Strategy and clearly the local authority will take this assessment into account in reaching their decision.

The local authority will have to take this (and the assessment of the applicant) into account in reaching its decision.

Flood risk

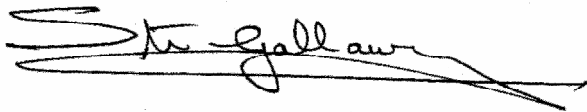
The proposed site lies within Flood Zone 3 (high flood risk area). Current RSS (Policy R2) states that a sequential risk-based approach to planning for flood risk should be taken. Draft RSS policy (Policy ENV1) states that development in high flood risk areas should be avoided where possible but does not specify types of development that would be acceptable. The nature of the development therefore needs to be considered. In this instance, the development proposal concerned would be unlikely to put population at direct risk of flooding and nor will it increase flooding in other areas by adding a considerable area of hard surface. It could therefore be an acceptable form of development to consider in this area.

A Flood Risk Assessment has been undertaken by the applicant and this concludes that the appropriate mitigation measures (as agreed with the Environment Agency)

will limit the related impact to an acceptable level. This, and other local assessments, will need to be taken into account by the local authority in reaching its decision.

If you have any queries about these points, please do not hesitate to contact Jenny Poxon on 01924 331555.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Stephen Galloway', with a long horizontal flourish extending to the right.

Stephen Galloway
Chair, Regional Planning Board
Yorkshire and Humber Assembly