



PLANNING APPEAL FORM

If you need this document in large print, in audio format or in Braille, please contact our helpline on 0117 372 6372. To help you fill in this form correctly please refer to the enclosed guidance leaflet "How to complete your planning appeal form".

WARNING: The appeal and essential supporting documents must reach the Inspectorate within the appeal period. If your appeal and essential supporting documents are not received in time we will not accept the appeal.

PLEASE PRINT CLEARLY IN CAPITALS USING **BLACK** INK

A. APPELLANT DETAILS

See section A of the guidance leaflet. The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name **B HARTLEY & SONS.**

Organisation name (if applicable)

Address **MASON HOUSE FARM.**

CLITHEROE ROAD, BASNALL EYES Postcode **B87 3DD.**

Daytime phone

Fax

I prefer to be contacted by Post Email *

* Email address

B. AGENT DETAILS (IF ANY) FOR THE APPEAL

See section B of the guidance leaflet.

Name **ROBERT SCHILLER.**

Organisation name (if applicable) **PASSIM DEVELOPMENTS LTD.**

Address **COLOSIDE, BAILEY, NEWCASTLE**

ROXBURGHSHIRE.

Postcode **TD9 6TR**

Your reference

Daytime phone **07966 236332** Fax

I prefer to be contacted by Post Email ☒

* Email address **r.schiller@passimdevelopments.co.uk.**



C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

See section C of the guidance leaflet.

Name of the LPA **RIBBLE VALLEY BOROUGH COUNCIL**

LPA's application reference number **3/2012/0402**

Date of the application **27/08/12**

Did the LPA validate and register your application?

Yes ☒ No

Date of the LPA's decision notice (if issued) **19/10/12**

D. APPEAL SITE ADDRESS

See section D of the guidance leaflet.

Address **MASON HOUSE FARM.**

**CLITHROG ROAD, BASHALL EYES,
LANCASHIRE.**

Postcode **BB7 3DD.**

Note: Failure to provide the full postcode may delay the processing of your appeal.

Please answer the questions below:

1 Is the appeal site within a Green Belt?

Yes ☒ No

2 Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site? If yes, please describe them on a separate sheet.

Yes No ☒

E. DESCRIPTION OF THE DEVELOPMENT

See section E of the guidance leaflet.

Has the description of the development changed from that on the application form? Yes No ☒

ERECT ION OF A 50KW WIND TURBINE (34.2m to tip height) to supply electricity to the Farming operation.

Area of the whole appeal site (i.e. the boundary) in hectares

.36

Area of floor space of proposed development in square metres

36sqm

F. REASON FOR THE APPEAL

See section F of the guidance leaflet.

The reason for this appeal is that the LPA has (please tick which applies):

1 Refused planning permission for the development described in Section E.

1 ☒

2 Granted planning permission for the development subject to conditions to which you object.

2

3 Refused approval of the matters reserved under an outline planning permission.

3

4 Granted approval of the matters reserved under an outline planning permission subject to conditions to which you object.

4

5 Refused to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above).

5

Or

6 Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval.

6

G. CHOICE OF PROCEDURE

It is important that you read carefully section G of the guidance leaflet before you complete this section.

There are 3 possible procedures:- written representations, hearings and inquiries. You should consider carefully which method suits your circumstances before selecting your preferred option by ticking the box.

1 THE WRITTEN REPRESENTATIONS PROCEDURE

W ✓ *

This is normally the simplest, quickest and most straightforward way of making an appeal. The written procedure is particularly suited to small-scale developments (e.g. individual houses or small groups of houses; appeals against conditions and changes of use).

*

- | | | |
|---|-------|------|
| a) Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land? | Yes ✓ | No |
| b) Is it essential for the Inspector to enter the site to check measurements or other relevant facts? If so, please explain below or on a separate sheet. | Yes | No ✓ |

2 THE HEARING PROCEDURE

H ◆

This procedure is likely to be suited to more complicated cases which require detailed discussion about the merits of a proposal. Although you may indicate a preference for a hearing, the Inspectorate must also consider that your appeal is suitable for this procedure. You must give detailed reasons below or on a separate sheet why you think a hearing is necessary.

◆

- | | | |
|---|-----|----|
| a) Is there any further information relevant to the hearing which you need to tell us about? If yes please explain below. | Yes | No |
|---|-----|----|

3 THE INQUIRY PROCEDURE

I ▲

This is the most formal of the procedures. Although you may indicate a preference for an inquiry the Inspectorate must also consider that your appeal is suitable for this procedure. You must give detailed reasons below or on a separate sheet why you think an inquiry is necessary.

▲

- | | |
|---|------------------|
| a) How long do you estimate the inquiry will last?
(Note: We will take this into consideration, but please bear in mind that our estimate will also be informed by others' advice and our own assessment.) | No. of days |
| b) How many witnesses do you intend to call? | No. of witnesses |
| c) Is there any further information relevant to the inquiry which you need to tell us about? If so, please explain below. | Yes No |

H. GROUNDS OF APPEAL

See section H of the guidance leaflet to help you decide what to include in your grounds of appeal.

Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal?

Yes

No

PLEASE SEE ATTACHED.

I. (part one) APPEAL SITE OWNERSHIP DETAILS

This must be completed for all appeals.
See section I of the guidance leaflet.

We need to know who owns the appeal site. If you do not own the appeal site or if you own only a part of it, we need to know the name(s) of the owner(s) or part owner(s) and be sure that you have told them that you have made an appeal.

You must tick below which of the "certificates" applies.

Please tick **ONE** box only ✓

If you are the **sole** owner of the **whole** appeal site, certificate A will apply:

CERTIFICATE A

A ✓

I certify that, on the day 21 days before the date of this appeal, nobody except the appellant, was the owner of any part of the land to which the appeal relates:

OR

CERTIFICATE B

B

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner of any part of the land to which the appeal relates, as listed below:

Owner's name

Address at which the notice was served

Date the notice was served (this must be within the last 21 days)

OR

CERTIFICATES C & D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D in the guidance leaflet and attach it to the appeal form.

C/D

I. (part two) AGRICULTURAL HOLDINGS CERTIFICATE

This must be completed for all appeals.
See section I of the guidance leaflet.

We need to know whether the appeal site forms part of an agricultural holding.

Please tick either (a) or (b).

Please tick **ONE** box only ✓

a) None of the land to which the appeal relates is, or is part of, an agricultural holding:

A

OR

b) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates as listed below:

B ✓

Please note: If the appellant is the sole agricultural tenant, (b) should be ticked and 'not applicable' should be written under "Tenant's name".

Tenant's name

Address at which the notice was served

Date the notice was served (this must be within the last 21 days)

NOT APPLICABLE

J. ESSENTIAL SUPPORTING DOCUMENTS

See section J of the guidance leaflet.

If we do not receive ALL your appeal documents by the end of the appeal period we will not accept your appeal.

You **must** send the documents listed 1-7 below with your appeal form. Please tick the boxes to show which documents you are enclosing.

- 1 A copy of the original **planning application** sent to the LPA. 1 ✓
- 2 A copy of the **site ownership certificate** and **agricultural holdings certificate** submitted to the LPA at application stage (these are usually part of the LPA's planning application form). 2 ✓
- 3 A copy of the **LPA's decision notice** (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application. 3 ✓
- 4 A **site plan** (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue. 4 ✓
- 5 Copies of all **plans, drawings and documents** sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA. 5 ✓
Please number them clearly and list the numbers here or on a separate sheet:
- 6 Copies of any **additional** plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes). Please number them clearly and list the numbers here or on a separate sheet: 6 ✓
- 7 A copy of the **design and access statement** sent to the LPA (if required). 7 ✓

You **must** send copies of the following, if appropriate:

- 8 Additional plans, drawings or documents relating to the application but **not previously seen by the LPA**. Acceptance of these will be at the Inspector's discretion. Please number them clearly and list the numbers here or on a separate sheet: 8
- 9 Any relevant **correspondence** with the LPA. Including any supporting information submitted with your application in accordance with the list of local requirements. 9
- 10 If the appeal is against the LPA's refusal or failure to approve the **matters reserved under an outline permission**, please enclose:
 - a) the relevant outline application; 10a
 - b) all plans sent at outline application stage; 10b
 - c) the original outline planning permission. 10c
- 11 If the appeal is against the LPA's refusal or failure to decide an application which relates to a **condition**, we must have a copy of the original permission with the condition attached. 11
- 12 A copy of any **Environmental Statement** plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA). 12

K. OTHER APPEALS

See section K of the guidance leaflet.

If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers.

L. CHECK SIGN AND DATE

See section L of the guidance leaflet.

Please tick the boxes to confirm that the following actions have been carried out.

- 1 I have completed all sections of the form and the details of the ownership (sections I one and two) are correct to the best of my knowledge.
- 2 I have enclosed **all** the essential supporting documents listed in section J.
- 3 I have sent a copy of this appeal form and relevant documents to the LPA (if you do not we will not normally accept your appeal).
- 4 I have signed and dated the form (unsigned forms will be returned to you).

Signature



Date 10/01/2013.

Name
(In capitals)

ROBERT SUMNER

On behalf of
(if applicable)



The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 1998. Further information about our Data Protection policy can be found in the guidance leaflet.

M. NOW SEND

Remember, it is your responsibility to make sure that we **RECEIVE** your appeal form and **ALL** supporting documents within the time limit. See section M of the guidance leaflet

Send **THIS** form (not a photocopy of it) to us at:

Initial Appeals
PO Box 3035
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 9FG

Helpline: 0117 372 6372

Send a copy to the LPA

Send a copy of the appeal form to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA). There is no need to send them all the documents again; send them any supporting documents not previously sent as part of the application. If you do not send them a copy of this form and documents, we may not accept your appeal.

You may wish to keep a copy of the completed appeal form for your records

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

Mason House Farm

Grounds for Appeal

The applicant does not believe the AONB will be affected by the proposed turbine development. The turbine is one that is used by many farmers. The turbine is on a 24 meter tower and to the tip the height is about 34.2 meters. The development of a 50kw turbine is considered a small renewable energy project. The farm currently has planning permission for one smaller 20kw turbine on an eighteen meter tower with 10.4 meter rotor diameter, tip height approximately 25 meters.

It is important to note in the consultees responses Natural England have no concern with the proposal being located within the AONB.

Mason House is a tenant dairy farm and the current milk prices directly affect the viability of these farms. The opportunity to secure future electrical prices directly contributes to the business. Mr Hartley and his son both operate the farm and it's by allowing planning for this type of diversification that smaller Tenant farmers can continue to operate.

The planning application was accompanied by letters of support from the surrounding houses and farms however were not included on the planning website. In addition ecological information and the maps for the farms stewardship scheme demonstrate that the location of the proposed turbine would cause the minimum of damage to the wildlife.

The main reasons for the application is to reduce dependence on the national grid, secure energy prices for the future, reduce the farms carbon footprint and provide an additional income stream to the farm.

National Planning Policy framework

The project meets several of the criteria set out in the framework document:

Core planning Principles 17.

Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);

Delivering sustainable development – Building a strong, competitive economy

18, the government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future

21, set out a clear economic vision and strategy for their area which positively and proactively encourages sustainable economic growth;

Support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances.

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

93 Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.

97, to help increase the supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. They should:

Have a positive strategy to promote energy from renewable and low carbon sources;

Design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts;

Consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources.

The proposal at Mason House Farm is also supported by Planning Policy 22 Renewable Energy (10 August 2004)

The proposal at Mason House farm will not solve the energy problems of the country however with National planning Policy supporting small scale renewable energy projects the collective can start to contribute to local requirements.