



## Good planning practice case study no 1: Hyndburn wind farm: a proactive approach to development management

### Introduction

A recent report<sup>1</sup> found that on average it takes 42 months to get planning permission for a wind farm in the European Union. Whilst this makes the average time of 26 months in the United Kingdom seem respectable it makes the determination of a major wind farm proposal within 13 weeks quite exceptional.

However Hyndburn Borough Council did just that: a planning application for a 30MW wind farm development on Oswaldtwistle Moor near Accrington comprising twelve turbines was determined within 13 weeks, and planning permission was granted in March 2010.

### About Hyndburn Borough Council

Hyndburn is a small Borough Council that lies within Pennine Lancashire between Blackburn and Burnley. Accrington is the main town and the West Pennine Moors lie immediately to the south of the town, separating Lancashire from Greater Manchester.

The Council had recently adopted a new approach to its management of planning applications; under the “*Every Application Matters*” slogan the Council sought to ensure that every planning application was determined within the relevant guidelines, not only to improve performance, but also to improve the culture of the service and the relationship between officers and elected members.

The Council also have an adopted “Major Application Protocol” that requires developers of major schemes to engage with the Council prior to submission of their planning application. In accordance with the Council’s adopted pre-application advice protocol, planning applications for major development will only be validated in the event that applicants have entered into pre-application discussions with the planning department.



Photomontage of Hyndburn windfarm (courtesy of Energy Kontour UK Ltd)

<sup>1</sup> Undertaken by the European Wind Energy Association, 2010.

## The planning application process

Despite the wind farm planning application being one of the largest, and most high profile planning applications submitted in recent years, the Council was committed to treating the application as they would any other major development proposal and determined it within 13 weeks.

The developers behind the scheme, Energiekontor UK Ltd, were fully committed to working with the Council and took a proactive approach from the project inception and worked extensively with the planning department, key stakeholders and the local community throughout the project development. The community engagement activities included establishing a dedicated Hyndburn wind farm website, public exhibitions and developing and maintaining good relationships with the local community. Hyndburn Borough Council were highly commended for their major application protocol which provided the applicants with an extensive pre-application service, including regular meetings, updates and opportunities to brief all elected members throughout the project's development.

Peter Harrison, UK General Manager at Energiekontor UK Ltd said:

*“We were pleased that officers were already knowledgeable of the key considerations of wind farm applications and had obviously taken time to read relevant appeal decisions to improve their knowledge. We were also delighted with the way officers ensured that the elected members were adequately briefed about the proposal and Hyndburn's major application protocol proved effective.”*

Natural England, Lancashire County Council and the RSPB were also commended for their willingness to review, provide comments and discuss the proposals both pre and post application.

## The determination

Due to the scale and prominence of the development, the Council decided the planning application should be determined by the meeting of Full Council, not the Planning Committee. This required all elected members to be trained on the Planning Code of Conduct as well as the planning policy surrounding renewable energy in advance of the committee meeting. It was also necessary to change the constitution of the Council to ensure members of the public and officers could address the meeting.

The scheme had provoked a strong interest from the local community with differing points of view being expressed; Hyndburn Council received 397 letters of support and 136 letters of objection.

During the committee meeting there was a well balanced debate with contributions from those against as well as those in favour. After careful consideration, the committee voted to approve the scheme by 13 to 8.

## Conclusion

The pro-active management of the planning application process ensured the application was determined within the 13 week deadline, including signing off the Section 106 Agreement.

Whilst there was a small minority of objectors from the neighbouring village, it was evident from the wider engagement in the Accrington area that there was support and a genuine interest in the issues surrounding renewable energy which was reflected in the number of letters of support the scheme received.

The issues raised at the committee meeting highlighted the difficulties elected members have in reconciling the concerns of local residents with the priorities established by national

policy. Nonetheless, it also demonstrates that locally elected members are capable of taking difficult decisions on controversial schemes.

Hyndburn Borough Council will continue to develop and improve their approach to development management and Simon Prideaux, Hyndburn's Chief Planning and Transportation Officer stated:

*"In the current economic climate there is an increased need for local authority officers and members to work with developers on proposals to help improve confidence in the sector. It is important to stress that this approach does not guarantee that planning permission will be granted, however, it does seek to provide a means of identifying issues at an early stage so that they can be addressed by the applicant or developer. The way in which the Council works with developers will continue to evolve with experience, however, there is no doubt that the Council must play a vital role in shaping and facilitating positive development."*

It is estimated that the 12 turbine Hyndburn wind farm would generate up to 72.2 million kWh of electricity per year which is the equivalent to the estimated electricity requirements of 52% of the households within Hyndburn.

Energiekontor UK Ltd will donate £3,500 per installed megawatt into a Community Fund, which is estimated to exceed £100,000 per year for the life of the development (up to 25 years). The PROSPECTS Foundation, a local environmental charity, will administer and manage the Community Fund.

## Further information

Hyndburn pre-planning application advice on householder, minor and major development schemes guidance:

[http://www.hyndburnbc.gov.uk/downloads/Pre\\_app\\_charging\\_Sept\\_2010\\_Rev.12.10.10a\\_3.pdf](http://www.hyndburnbc.gov.uk/downloads/Pre_app_charging_Sept_2010_Rev.12.10.10a_3.pdf)

Hyndburn validation checklists for planning and other applications:

[http://www.hyndburnbc.gov.uk/downloads/Validation\\_checklist\\_22\\_09\\_10.pdf](http://www.hyndburnbc.gov.uk/downloads/Validation_checklist_22_09_10.pdf)

Hyndburn wind farm website: <http://www.hyndburnwindfarm.co.uk/>

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