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Leanne Palmer
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21st July 2015

Dear Leanne Palmer

Town & Country Planning Act 1990
Appeal by Prowind Hambleton
Site at: Scalm Park, Wistow Common, Selby. YO8 3RD
APP/N2739/A/13/2201308

I refer to your letter of the 3rd July 2015 and the request to comment upon the Written Ministerial Statement of the 18th June 2015 (WMS).

In respect of this appeal, the LPA does not have an adopted Local Plan which identifies areas suitable for wind turbine developments. Therefore the transitional provisions will apply.

The transitional provisions place the responsibility on the decision maker to find whether the proposals address the planning impacts identified by the affected local communities. The LPA considers that the affected local communities are represented as Rule 6 (6) parties in the appeal.

The LPA's decision to refuse the appeal proposal pre-dates the WMS and therefore did not address the question posed for the decision maker in the transitional provisions. However, the LPA's reason for refusal 02 related to the absence of material in the ES. It subsequently flagged up a concern regarding the dated nature of the ES as a whole. The Secretary of State has required the Appellant to provide both the missing material and update the ES where

appropriate. The refusal was issued 2 and ½ years ago and the Secretary of Sates request was made 1 and ½ years ago, but still there has been no substantive response from the Appellant or indication when that might be forthcoming. Should such material be delivered by the Appellant in an adequate form, then the LPA will review its Statement of Case and written evidence. That review would include a consideration of the appeal proposals in light of the WMS.

The LPA requests the Planning Inspectorate to seek clarification from the Appellant as to whether it intends to comply with the requirement to update the ES and within what timescale that will occur.

Yours sincerely

Richard Sunter
Lead Officer-Planning