The Planning Inspectorate

Appeal Decision

Site visit made on 30 March 2011

by Philip Major BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15 April 2011

Appeal Ref: APP/H1033/A/11/2144542
Mosley Hall Farm, Eccles Road, Whaley Bridge, Derbyshire SK23 7EW.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Robert Lomas against the decision of High Peak Borough Council.
- The application Ref: HPK/2010/0575, dated 3 November 2010, was refused by notice dated 21 December 2010.
- The development proposed is the supply and installation of 1No Gaia 11kW wind turbine on an 18m monopole mast.

Decision

1. I allow the appeal, and grant planning permission for the supply and installation of 1No Gaia 11kW wind turbine on an 18m monopole mast at Mosley Hall Farm, Eccles Road, Whaley Bridge, Derbyshire SK23 7EW in accordance with the terms of the application, Ref: HPK/2010/0575, dated 3 November 2010, subject to the following conditions:

    1) The development hereby permitted shall begin not later than three years from the date of this decision.

    2) No development shall take place until details of the external finish of the development hereby permitted have been agreed in writing by the local planning authority. The development shall be carried out in accordance with the approved details and shall be retained thereafter.

    3) The development hereby permitted shall be carried out in accordance with the following approved plan: GAIA-WIND 18-1T.

    4) The development hereby permitted shall be removed from the site and the land shall be restored to its former condition within 3 months of it ceasing to be used for the generation of electricity.

Main Issue

2. The main issue in the appeal is the effect of the proposed development on the character and appearance of the surrounding landscape.

Reasons

3. Mosley Hill Farm is set in attractive countryside which is within an area defined as a Special Landscape Area (SLA) in the High Peak Local Plan. This designation offers no extra protection to the landscape, but recognises its quality and value. The landscape hereabouts is largely made up of undulating grazing land with variable field sizes, intermittent tree cover and sporadic

pockets of development. Settlements tend to be located in the valley bottoms or on the lower slopes of the valley sides. The proposed turbine would be on a relatively level site below a hill which peaks to the east.

4. Planning Policy Statement 22 – *Renewable Energy* (PPS22) encourages the construction of such development where the technology is viable and environmental, economic and social impacts can be addressed satisfactorily. The Peak Sub-Region Climate Change Study of 2009 includes an assessment of the capability of the area to accept wind turbines. This study classifies turbines in 3 bands, the medium band being 15m to 65m to blade tip, and this is explained as being a classification to reflect the landscape sensitivities of the Peak District National Park (though the appeal site is not in the National Park). Apart from the medium classification relating only to National Park sensitivity, it also encompasses a wide height band, and it is notable that the proposal is towards the lower end of that band (being about 25m to blade tip). The location outside the National Park, and the height of the proposal, are both material factors which must be weighed in the balance.

5. Nonetheless I accept that in general the landscape in which the turbine would sit is of moderate to high sensitivity for the proposed scale of development. However, the Study seems to me to reach a rather sweeping conclusion that the High Peak Borough planning area is unsuitable for the development of large or medium scale wind turbines. In land use terms the proposal must be considered on the individual circumstances of the case, which includes the sensitivity of the landscape, here accepted as moderate to high, alongside other factors.

6. Matters which are identified in the Study as being sensitive to medium scale wind turbine development (in this landscape type) include the intimate pattern of small fields, the levels of peace and tranquillity, the presence of ancient semi-natural woodland, and views to and from surrounding hills.

7. At my site visit I noted that the fields in the vicinity do not exhibit small scale traits, or an intimate pattern. Many fields have been amalgamated and the relatively modest height of turbine proposed would not seem out of scale with these fields. Peace and tranquillity is a relative measure, and I agree that in comparison with nearby towns the site exhibits these characteristics. However, I do not accept that the proposed wind turbine would significantly affect the current situation since it would be of modest size and produce little sound. Although there are small pockets of woodland in the general area these are not close to the appeal site and would not be materially affected by the proposal. At the scale of development proposed the views to and from the surrounding uplands would be minimally affected, and I deal with this in more detail below. Suffice to say here that although a broad brush approach indicates a high sensitivity of the High Peak landscape to medium sized turbines, there are clearly identifiable variations within that.

8. Turning to the Local Plan, the Council alleges conflict with Policies OC3, OC4 and CF10. Taken together Policies OC3 and OC4 seek to ensure that development pays special regard to its location in the SLA (as well as being in the countryside) in its siting, design, landscaping, and relationship with the surroundings. Policy CF10, which deals with renewable energy, is supportive of proposals subject to a number of criteria which include that the benefits of renewable energy outweigh any adverse impacts and that any harm is minimised and can be kept to an acceptable level.

9. 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.

10. The effect from the footpaths and public areas closer to the turbine would be different. From the footpaths which surround the site at modest distance, and from Bings Road, it would be possible to see the development quite clearly. From many locations there would be a backdrop of hills or some filtering by foreground trees, but in some locations the turbine blades would be set against the sky, which would increase prominence. That said, the overall impact on either the character or appearance of the landscape would be moderate at worst. The turbine would be set on a relatively slim mast and it would fill a very narrow field of vision. The majority of the sweep of landscape available to view from public areas would remain unaffected.

11. The wider environmental and economic benefits of proposals for renewable energy of whatever scale are material considerations of significant weight as noted in PPS22. In this case the proposal would provide a modest but important contribution to addressing climate change. I note also the uncontested evidence that the proposal would offer economic and social benefits. The overall impact on the character and appearance of the landscape would be modest and in my judgement the benefits of this particular scheme outweigh the limited harm which would ensue.

12. I find that there would be no conflict with the overriding objectives of Local Plan Policy CF10. Furthermore I am satisfied that visual intrusion has been minimised by careful siting such that any conflict with Policies OC3 and OC4 is outweighed by other considerations.

13. Apart from the standard commencement condition the Council has suggested only that a condition be imposed that the development be removed if no longer required. I agree that this is reasonable and necessary. Details sent with the proposal indicate that the tower would require refinishing or repainting on occasion and I consider it necessary to impose a condition to control that the colour of the development. A condition requiring compliance with the numbered submitted drawing is also necessary.

14. For the reasons given above I conclude that the appeal should be allowed.

Philip Major

INSPECTOR