

# WIND GENERATION APPEALS UPDATE

July 2015



Please find below a resume of decisions made between 15 June 2015 and 6 July 2015.

If you have any queries in relation to any of the decisions listed below, or other renewable schemes please contact Richard Glover. Email [richard.glover@sqwirepb.com](mailto:richard.glover@sqwirepb.com) or direct dial 0113 284 7023.

#### Penoros

<b>PINs No.</b>	APP/T6905/A/14/2229613
<b>Decision and date</b>	Dismissed 15/06/15
<b>Location</b>	Penoros, Trofarth, Abergele, Conwy, LL22 8BT
<b>Inspector</b>	Declan Beggan
<b>Appellant</b>	Cirrus Energy
<b>LPA</b>	Conwy Country Borough Council
<b>Summary of decision</b>	Proposal for a single turbine with a blade tip height of 80m. The main issues were landscape and visual impacts and residential amenity impacts. The Inspector noted the turbine would have a significant adverse effect on the character of the landscape because of its proximity to the Dulas Valley landscape which is evaluated as having high sensitivity. It was found that the proximity of the turbine to moderately sensitive areas Moelfre Uchaf, Dulas Lowlands and Cefn Du to Mwdwl Eithin would also have adverse effects on the landscape. The turbine was also found to have significant adverse visual impact. Overall, the Inspector held that due to the adverse impact on landscape and visual, the benefits could not outweigh the harms.

#### Parc Llanfair

<b>PINs No.</b>	APP/Q6810/A/14/2229782
<b>Decision and date</b>	Allowed 15/06/15
<b>Location</b>	Parc Llanfair, Dinas Dinlle, Caernarfon, LL54 5TW
<b>Inspector</b>	Declan Beggan
<b>Appellant</b>	Ms J Phelan
<b>LPA</b>	Gwynedd Council
<b>Summary of decision</b>	Proposal for a single turbine with a blade tip height of 27.1m. The main issues were aviation safety and the effects on the character and appearance of the area. The Inspector noted that the Aviation Assessment in accordance with Civil Aviation Authority guidelines proved that the turbine posed no safety issues to the neighbouring Caernarfon airport. The Inspector considered that there would not be an adverse effect on landscape character, or visual amenity in accordance with policy C26 of adopted UDP. Overall, the Inspector found there were no material considerations which would justify refusing planning permission.

#### Cairnhill Farm

<b>PINs No.</b>	PPA-110-2264
<b>Decision and date</b>	Allowed 22/06/15
<b>Location</b>	Cairnhill Farm, Turriff, Aberdeenshire, AB53 5TN
<b>Inspector</b>	Richard Dent
<b>Appellant</b>	Mr James Norrie
<b>LPA</b>	Aberdeenshire Council
<b>Summary of decision</b>	Proposal for a single wind turbine extension to a completed development of three turbines. The main concerns were the effects on the character and appearance of the area and the setting of heritage assets. Scottish Natural Heritage raised concerns on the cumulative effect of the extension. However, the Reporter found the change to be insignificant, with existing turbines already having a visual impact on the landscape. Overall, the Reporter found that no material considerations existed to justify refusing planning permission.

## Land North of Hareshawhead Farm

<b>PINs No.</b>	PPA-380-2053
<b>Decision and date</b>	Allowed 22/06/15
<b>Location</b>	Land north of Hareshawhead Farm, Strathaven, ML10 6PP
<b>Inspector</b>	Jill Moody
<b>Appellant</b>	Ecocel Renewables
<b>LPA</b>	South Lanarkshire Council
<b>Summary of decision</b>	Proposal for a single turbine with a maximum blade tip height of 63.5 metres. The main issue was the effect upon landscape character and appearance. The rolling landform and tree screens, coupled with a landscape already heavily influenced by turbines, pylons and masts satisfied the Reporter that a single turbine would not add great detriment. The Council argued that the area had reached saturation point. However, the Reporter found a single turbine within this wider context would have nominal effect. To conclude, the Reporter found no material considerations to alter her conclusion to grant planning permission.

## Land at Wadnal Lane

<b>PINs No.</b>	APP/B3030/A/14/2223456
<b>Decision and date</b>	Dismissed 29/06/15
<b>Location</b>	Land to the South East of Wadnal Lane, Weston, Newark, NG23 6TB
<b>Inspector</b>	Louise Crosby
<b>Appellant</b>	Mr Myles Hartley
<b>LPA</b>	Newark & Sherwood District Council
<b>Summary of decision</b>	Proposal for a single turbine with a maximum blade tip height of 74m. The Inspector identified the main issues as the effects of the proposal on the character and appearance of the landscape, the setting of historic buildings. The location of the appeal site was identified as having moderate capacity for the development of turbines. The Inspector was satisfied that the landscape could absorb a single turbine without harming its key characteristics. The appeal site is situated close to two listed buildings and the Hall Yard SAM, which the Inspector found would be adversely affected by the turbine. Overall, the Inspector found the benefits of the proposal would not outweigh the harm caused to these local heritage assets.

## Boringdon Golf Club

<b>PINs No.</b>	APP/K1128/A/14/2229204
<b>Decision and date</b>	Dismissed 29/06/15
<b>Location</b>	Boringdon Golf Club, Plympton, Plymouth, Devon, PL7 4QG
<b>Inspector</b>	Neil Pope
<b>Appellant</b>	Boringdon Golf Club
<b>LPA</b>	South Hams District Council
<b>Summary of decision</b>	Proposal for a single wind turbine with a blade tip height of 77m. The main issues were the adverse landscape impact, particularly with regard to the settings of heritage assets. The appeal site is in an area of high scenic quality, which the existence of a turbine would erode. The appeal site's proximity to Dartmoor National Park and the South Devon Area of Outstanding Natural Beauty was found to not be an issue, as no important views from these sites were disrupted. However, the Inspector held that the proposed turbine would supplant Boringdon Arch (Heritage asset) and other listed buildings as the focal point and thus erode the landscape setting of the Arch and surrounding heritage sites. The proposed turbine was also found to cause adverse impact upon the amenity of neighbouring properties. Overall, the Inspector found that the damage caused to listed buildings and the amenity of neighbouring properties held more weight than the benefits of the turbine.

Land at Crick Road

PINs No.	APP/Y2810/W/14/3001863
Decision and date	Dismissed 29/06/15
Location	Crick Road, Yelvertoft, Northamptonshire
Inspector	Phillip J G Ware
Appellant	Mr Stephen Morris
LPA	Daventry District Council
Summary of decision	Proposal for a single turbine with a blade tip height of 77m. The main issue was the effect on the character and appearance of the surrounding landscape. The appeal site is identified as having medium sensitivity to the proposed development. The Inspector found that the rural landscape which formed the gap between two villages (Yelvertoft and Crick) would be adversely affected by the turbine. The Reporter was also concerned about the cumulative effect of the proposal, with turbines potentially becoming a significant feature of the wider landscape. Although the Inspector acknowledged that the visual impact of the turbine was negligible from properties in Crick and Yelvertoft, the visual impact upon nearby footpaths and bridleways was found to be harmful. Overall, the Inspector found that the benefits of renewable energy did not outweigh the harm set out above.

Little Raith Farm

PINs No.	PPA-250-2212
Decision and date	Dismissed 01/07/15
Location	Little Raith Farm, Gleniston, Auchtertool, Fife KA5 0AX
Inspector	Sinead Lynch
Appellant	WK Extension Project Ltd
LPA	Fife Council
Summary of decision	Proposal for six wind turbines with a maximum blade tip height of 126.5m, and associated infrastructure. The main issues were the impact of the site upon the landscape and visual impact upon local residents. The LVIA concluded that there would be significant effects on the landscape, and the Reporter found that the cumulative effect of an additional six turbines to the existing wind farm at Little Raith would cause the turbines to be the prevailing landscape feature. The Reporter also found that the views of properties in nearby settlements would be dominated by the proposed turbines to an unacceptable degree. Additionally, aviation mitigation suggested was believed to not be available for three years. Therefore the Reporter found the proposal could pose a risk to aviation safety. Overall, the Reporter found that given the concerns set out above, there were no material considerations which would justify granting planning permission.

**Beechbarrow Farm**

<b>PINs No.</b>	APP/Q3305/A/14/2221160
<b>Decision and date</b>	Dismissed 03/07/15
<b>Location</b>	Land adjacent to Beechbarrow Farm, Hillgrove, Wells, Somerset BA5 3EL
<b>Inspector</b>	Mike Robins
<b>Appellant</b>	Mr P McCann
<b>LPA</b>	Mendip District Council
<b>Summary of decision</b>	Proposal for a turbine with a blade tip height of 34.5m. The main issues were the effects on the character and appearance of the surrounding area and on the setting of heritage assets. The Reporter found that, in addition to the existing turbine, the proposed turbine would cause a significant change to the area, which is of rural and tranquil character. Cumulatively with the existing turbine, the proposed development would dominate the landscape as viewed from the neighbouring AONB. The increased visibility of the proposed pair of turbines would also erode the settings of local heritage assets Maesbury Castle, the Romulus and Remus statue, and the bowl barrows, which would conflict with Local Plan Policy DP3. Issues were also raised over the effects of noise on local residents' amenity. Lack of clarity over whether reports took into account the noise already generated by the existing turbine lead the Inspector to be dissatisfied with the assessment over noise. Overall, the Inspector found that, given the considerable weight that must be given to preserving a heritage asset's setting and significance, the adverse effects of granting permission would significantly outweigh the benefits.

**Higher Torr Farm**

<b>PINs No.</b>	APP/K1128/A/14/2218916
<b>Decision and date</b>	Dismissed 06/07/15
<b>Location</b>	Higher Torr Farm, East Allington, Totnes, Devon, TQ9 7QN
<b>Inspector</b>	K D Bartman
<b>Appellant</b>	Clearwinds
<b>LPA</b>	South Hams District Council
<b>Summary of decision</b>	Proposal for a single turbine with a maximum blade tip height of 78m. The main issue was the visual impact of the turbine. The Inspector found that despite the influence of infrastructure on the landscape, the proposed site of the turbine upon a ridgeline meant the turbine would rise up and dominate the skyline. This would obstruct views from within and near Woodleigh and from the surrounding roads. The Inspector also found, that the turbine would, by its nature, would cause some harm to the character and appearance of the landscape. In conclusion, the Inspector found that the benefits were outweighed by the detrimental visual impact of the proposal on the surrounding area.

## Bryony Hill Farm

<b>PINs No.</b>	APP/W1145/A/14/2214873
<b>Decision and date</b>	Dismissed 06/07/15
<b>Location</b>	Bryony Hill Farm, Iddesleigh, Winkleigh, Devon, EX19 8SW
<b>Inspector</b>	Sukie Tamplin
<b>Appellant</b>	Mr Martin Goddard
<b>LPA</b>	Torridge District Council
<b>Summary of decision</b>	Proposal for a single turbine with a maximum blade tip height of 77m. The main issues were the impacts upon the character and appearance of the landscape, the setting of heritage assets, and the effect on the living conditions of neighbouring residents. The Inspector found that the proposed site on an exposed hillside meant the full height of the turbine would be both visible and dominant from the valley to the south and would dominate the skyline, attracting the eye from surrounding areas. It was further found that the disproportionate scale and movement of the turbine would undermine the primacy of the heritage assets in the area. Furthermore the turbine would be within view of several properties, some of which would be affected by shadow flicker and would consequently be harmful to the living conditions of residents in the surrounding area. In conclusion, the issues above and issues raised by interested parties and the local MP (noise, loss of tourism income and effect on wildlife), outweigh the benefits of the renewable energy produced.

## Land to the East of Sheephouse Farm

<b>PINs No.</b>	App/R4408/A/14/2222447
<b>Decision and date</b>	Dismissed 06/07/15
<b>Location</b>	Land to the east of Sheephouse Farm, Mortimer Road, Cubley, Penistone, Sheffield, S36 9FJ
<b>Inspector</b>	Elizabeth C Ord
<b>Appellant</b>	Mr John Darwin and Family
<b>LPA</b>	Barnsley Metropolitan Borough Council
<b>Summary of decision</b>	Proposal for a single turbine with a maximum blade tip height of 79m. The main issues included: harm to the Green Belt; impact upon character and visual amenity of the landscape; and impact upon heritage assets in the area. The inspector found that the proposed turbine would be harmful to the Green Belt due to impact on openness. It was further found that, a turbine on the proposed prominent location would dominate the landscape with a significant presence and would sit in contrast to its unspoilt surroundings. Furthermore the proposed turbine would have a significant impact upon the heritage assets of the surrounding area. In conclusion the benefits of the turbine are insufficient to outweigh the issues listed above.

## 75 Back Heights Road

<b>PINs No.</b>	App/W4705/A/14/2221133
<b>Decision and date</b>	Dismissed 06/07/15
<b>Location</b>	75 Back Heights Road, Thornton, Bradford, BD13 3SQ
<b>Inspector</b>	Michael Moffoot
<b>Appellant</b>	Mr Andrew Illingworth
<b>LPA</b>	City of Bradford Metropolitan District Council
<b>Summary of decision</b>	Proposal for a single turbine with a maximum blade tip height of 34.2m. The main issues included: effect on the development of the openness of the Green Belt; effect on character and visual quality of the area; effect on heritage assets; and effect upon living conditions of nearby residents. The Inspector found that, the erection of the turbine would be at odds with Green Belt policy. Furthermore despite varying impact upon visual quality in the surrounding area, due to the exposed and elevated position of the proposed site, local impact would be significant. Equally, it was found that the turbine would detract from the setting of the heritage assets in the area. In conclusion, the Inspector considered that the benefits were not capable of outweighing the harms.

## Land South of Far Coley Farm

<b>PINs No.</b>	APP/Y3425/A/14/2215948
<b>Decision and date</b>	Dismissed 06/07/15
<b>Location</b>	Land south of Far Coley Farm, Little Haywood, Staffordshire
<b>Inspector</b>	Philip Major
<b>Appellant</b>	Caddick Renewables Ltd
<b>LPA</b>	Stafford Borough Council
<b>Summary of decision</b>	Proposal for a single turbine with a maximum blade tip height of 74m. The main issues included: the impact upon the character and visual quality of the landscape; impact upon heritage assets in the surrounding area; and whether satisfactory access was possible. The Inspector found that the adverse effect upon the character and visual quality of the landscape would be moderate however the views from Cannock chase were determined to be particularly obstructive. The Inspector did find that in line with policy it was necessary to avoid unnecessary impact on significance of heritage assets. It was found by the Inspector that more information would be required regarding the width of roads required to access the site. Despite considering the little impact caused to residents in the area, it was concluded that matters against the proposal outweighed those in favour.

## Land Off Wallsclough

<b>PINs No.</b>	APP/B2355/A/14/2217724
<b>Decision and date</b>	Dismissed 06/07/15
<b>Location</b>	Land off Wallsclough, Whitewell Bottom, Rossendale, Lancs, BB4 9NE
<b>Inspector</b>	Richard McCoy
<b>Appellant</b>	Mr P Holt
<b>LPA</b>	Rossendale Borough Council
<b>Summary of decision</b>	Proposal for a single turbine with a maximum blade tip height of 35m. The main issues included the effect upon the landscape and visual impact and effect on ecology and archaeology. The Inspector found that the turbine would have a significant impact upon the character of the landscape due to views from nearby footpaths and roads such as the Pennine Way but minor harm in terms of visual impact. The Inspector did indicate some concern with wildlife impact. Despite this and little impact upon residents however, the Inspector concluded that the appeal should be dismissed.