



WIND GENERATION APPEALS UPDATE

February 2014



Please find below a resume of decisions made between 9 January 2014 and 30 January 2014

If you have any queries in relation to any of the decisions listed below, or other renewable schemes please contact Richard Glover.
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Kidburngill Farm

PINs No.	APP/Z0923/A/13/2192444
Decision and date	Dismissed 09/01/14
Location	Land to the north west of Kidburngill Farm, Lamplugh, Workington, CA14 4RL
Inspector	R J Yuille
Appellant	Empirica Investments Limited
Determination process:	Written Representations
Summary of decision	Proposal for three turbines with a blade tip height of 67m. The main issues were the effects on the appearance of the landscape and on the hen harrier population in the vicinity. The Inspector noted that the turbine would be a dominant feature in views along the valley causing significant harm to the appearance of the landscape. Survey results in relation to hen harriers indicated that there was no significant risk of them colliding with the turbine. The Inspector concluded that the significant harm to the local landscape identified above could not be outweighed by the benefits of the scheme.

Heald Top Farm

PINs No.	APP/B2355/A/13/2202838
Decision and date	Dismissed 09/01/14
Location	Heald Top Farm, Todmorden Old Road, Bacup, Lancashire
Inspector	A R Hammond
Appellant	Mr Matthew Tidmarsh
Determination process:	Hearing
Summary of decision	Proposal for a single turbine with a hub height of 25m. The main issues were the effects on the character of the landscape, visual amenity and the operation of radar. NATS objected due to the potential impact on the Manchester Approach Control Radar. However, they did not produce any evidence that a relatively small turbine would have a detrimental effect. It was noted that a commercial wind farm had received consent nearby and that it was more likely that any significant problems would result from that consented wind farm albeit that the proposed turbine might possibly add slightly to any detrimental effect. In terms of landscape and visual effects, the Inspector found that the different scale of turbines in the vicinity (ie: the commercial turbines being built and 125m and the proposal with a hub height of 25m) could result in a confusing and disorientating arrangement of rotating turbines. This, the Inspector felt, would be detrimental to the character and appearance of the landscape and would also cause significant harm. The Inspector concluded that the benefits of the scheme did not outweigh the harms.

Wiggonby

PINs No.	APP/G0908/A/13/2192507
Decision and date	Dismissed 09/01/14
Location	Land adjoining airfield, Wiggonby, Wigton, Cumbria, CA7 0JR
Inspector	John Braithwaite
Appellant	Windberry Energy Operations Ltd
Determination process:	Written Representations
Summary of decision	<p>Proposal for a single turbine with a blade tip height of 62m. The main issue was the effect both individually and cumulatively on the character and quality of the landscape. The site is near to the former Orton Airfield and the villages of Willonby and Great Orton. The Inspector considered that the area had a tranquil character and was attractive. The Inspector noted that the nearby Great Orton wind farm dominated the countryside and that those 6 turbines had created a wind farm landscape. The Inspector also felt that the proposed turbine would be awkwardly juxtaposed to the existing wind farm. There are other smaller turbines in the area. The Inspector found that the turbine, individually and cumulatively would have a significant effect on the character and quality of the landscape. The benefits of renewable energy were not deemed to be sufficient to outweigh the harm.</p>

Flatt Farm

PINs No.	APP/E0915/A/13/2190325
Decision and date	Dismissed 09/01/14
Location	Flatt Farm, Kirkbampton, Carlisle, Cumbria, CA5 6NG
Inspector	Zoe Hill
Appellant	Mr George Edgar
Determination process:	Written Representations
Summary of decision	<p>Proposed turbine with a blade tip height of 79.6m. The main issues in the appeal were the effects on the character and appearance of the area and the living conditions of local residents. The Inspector noted that the most significant potential visual effects would be within 2km of the proposal. The Inspector also noted that the turbine would be sited away from any buildings associated with the farm and would therefore appear largely isolated. The Inspector considered that there would be an adverse impact on the rural scene, to which local people would be particularly aware. The harm was also considered to be combined with the local harm to footpath users. The Inspector found that the turbine would have at least a moderate effect on the wider landscape, and more significantly, together with a nearby 6 turbine wind farm, the cumulative impact would be harmful. In terms of living conditions, the Inspector was satisfied that the distance and intervening vegetation between the proposed turbine and the nearest properties would result in the properties not being unacceptable places to live. The benefits of the scheme were not considered sufficient to outweigh the harms identified.</p>

Douglas Valley Golf Course

PINs No.	APP/N4205/A/13/2199108
Decision and date	Dismissed 10/01/14
Location	Douglas Valley Golf Course, A6 Blackrod by-pass, Bolton, BL6 5HX
Inspector	R J Yullie
Appellant	Mr Paul Downes
Determination process:	Hearing
Summary of decision	<p>Proposal for a single turbine with a blade tip height of approx. 45m. The main issues were the effects on the openness of the Green Belt, the living conditions of neighbouring residents and the landscape character and appearance of the area. The Inspector noted that the proposed turbine would diminish the sense of openness of the Green Belt, although this effect on the openness would only be slight due to the slim nature of the proposed tower. The Inspector considered that the turbine would be the tallest structure in the vicinity and would be widely seen in views along and across the valley. Although it would not be the only prominent structure in the valley (there are tall masts on the brow of the Pennines, other turbines, the Reebok Stadium, a railway, the M61 and A6). Taking all matters into the balance, the Inspector noted that the Ministerial Statement of 2013 made the point that the need for renewable energy did not automatically override environmental protection. Overall, the Inspector concluded that the very special circumstances required to outweigh the harm of inappropriate development in the Green Belt did not exist.</p>

Wormslade Farm

PINs No.	APP/Y2810/A/13/2200118
Decision and date	Dismissed 10/01/14
Location	Wormslade Farm, Kelmarsh, Northamptonshire, LE16 9RP
Inspector	Elizabeth C Ord
Appellant	Mr Mark Newton
Determination process:	Hearing
Summary of decision	<p>Proposal for a single turbine with a blade tip height of 78m. The main issues in this appeal were the effect on the surrounding area in terms of landscape character and visual amenity, the impact on heritage assets and the effects on the living conditions, in terms of visual impacts, on residents of Kelmarsh Field Farm. The Inspector considered that the area had a largely unspoilt, open character and a sense of remoteness and tranquillity, making it reasonably sensitive to turbine development. The Inspector also noted that the proposed turbine would be the most visually dominating element within about 500m of the site and given its large scale and height, it would have a dominating presence further afield. With regards to the group of heritage assets in the Kelmarsh estate, the Inspector found that there would be a significantly adverse impact on the registered park and gardens. This was also considered cumulatively in light of the consented Kelmarsh wind farm development. Kelmarsh Field Farm would be approx. 740m from the proposed turbine and the Inspector noted that despite the trees and vegetation, the turbine would be clearly visible between the large gaps in vegetation. The view of the turbine was described by the Inspector as being a '<i>constant, unavoidable feature in their outlook from habitable room windows, the patio, and the garden area</i>'. The Inspector found that this would be visually detrimental and would significantly reduce the attractiveness of Kelmarsh Field Farm as a place to live. Overall, the Inspector found that the benefits of the scheme were not sufficient to outweigh the harms identified.</p>

Field to the South of Charity Lane

PINs No.	APP/G0908/A/13/2190693
Decision and date	Dismissed 10/01/14
Location	Field to the south of Charity Lane, High Harrington, Cumbria
Inspector	J P Watson
Appellant	Mr David Reed
Determination process:	Written Representations
Summary of decision	Proposal for a single turbine with a blade tip height of 79.6m. The main issue was the effect on the visual amenity of the occupiers of Whinmill Farm. The proposed turbine would be approx. 380m from the forward-facing elevation of Whinmill Farm. The Inspector noted that the turbine would be slightly obscured by intervening topography and vegetation. However, the turbine would feature in the view from windows in the sun room, bedrooms, kitchen and office. The Inspector found that the scale and position of the proposed turbine would have a dominating and oppressive visual effect on residents at Whinmill Farm. Overall, the Inspector did not consider that the benefits of the scheme outweighed the harm.

Bogfern Farm

PINs No.	PPA-110-2187
Decision and date	Dismissed 10/01/14
Location	Land north-west of Bogfern Farm, Cushnie, Alford, AB33 8LP
Inspector	Michael J P Cunliffe
Appellant	Intelligent Land Investments
Determination process:	Written Representations
Summary of decision	Proposal for a single turbine with a blade tip height of 45.9m. The main issues were the landscape and visual impacts of the scheme. The Reporter noted that the proposed turbine would be of medium scale, but that the scale needed to be considered in relation to that of the surrounding landscape. The Reporter therefore found that as the turbine would be substantially higher than nearby trees and taller than the electricity pylons it would be out of scale with the surroundings and would adversely affect the landscape character. The Reporter noted that the turbine would also be within 1km of 12 houses and would remain a feature in the main views of a majority of these. Although the Reporter considered that the turbine would not have a dominating effect, it would still have a medium adverse effect. The Reporter concluded that the benefits of the scheme did not outweigh the harms identified.

Land north of Wypemere Farm

PINs No.	APP/D0515/A/13/2196193
Decision and date	Allowed 10/01/14
Location	Land north of Wypemere Farm, 257 Benwick Road, Whittlesey, PE7 2HG
Inspector	Paul Griffiths
Appellant	E C Brown & Son
Determination process:	Written Representations
Summary of decision	Proposal for a single turbine with a hub height of 36.4m. The main issues were the effects on the landscape and character of the area and the living conditions of local residents. The Inspector noted that the turbine would be situated in a landscape that is open and flat and referred to the PPG for Renewable and Low Carbon Energy. He also noted that the turbine would be in the proximity of the railway line, electricity pylons and telegraph poles, with other wind turbines in the middle distance. The turbine would therefore not appear incongruous. The Inspector considered the impact on the living conditions of the closest properties, being 400m away, with nearby villages at approx. 1km from the proposed turbine. He concluded that the separation distances involved would mean that there would be no dominant or oppressive visual impact. Overall, the Inspector deemed that the benefits of renewable energy were sufficient to outweigh the limited harm.

Wortham Farm

PINs No.	APP/Q1153/A/13/2199327
Decision and date	Allowed 10/01/14
Location	Wortham Farm, Lifton, Devon, PL16 0ED
Inspector	R W N Grantham
Appellant	Otter Power Ltd
Determination process:	Written Representations
Summary of decision	Proposal for a single turbine with a blade tip height of 77m. The main issues in this appeal were the effects on the character and appearance of the landscape; and on heritage assets. The site for the proposed turbine is near to the A30, in a field in which a telecoms mast already exists. The Inspector noted that the area of countryside surrounding the site is mostly undeveloped, however given the proximity to the A30, the turbine would not substantially alter the balance of manmade and natural influences. The Inspector found that there would be a substantial effect within 500m of the turbine. English Heritage objected to the scheme due to impacts on Wortham Manor (at a distance of 625m) and the setting of Launceston Castle. The Inspector found that the turbine would cause little (and considerably less than substantial harm) to the significance of the heritage assets. In conclusion, the Inspector found that the benefits of the scheme were capable of outweighing the harm.

Over Finlarg Farm

PINs No.	PPA-120-2032
Decision and date	Allowed 13/01/14
Location	Land north of Over Finlarg Farm, Over Finlarg, Lumley Den, Angus
Inspector	Richard Dent
Appellant	Polar Energy (Finlarg) Ltd
Determination process:	Written Representations
Summary of decision	Proposal for 5 turbines with a maximum blade tip height of 80m. The main issue was the landscape and visual impacts. An earlier proposal was for 100m high turbines and a reduction in height was recommended by SNH. This was taken on board, however SNH had not made a definitive comment on the smaller turbines. The Reporter noted that the turbines would have a locally significant adverse impact, however, he considered that the turbines would not be of the size and scale that the development would threaten the wider landscape. The Reporter also noted that a nearby development for 6 turbines had recently been approved. In terms of cumulative impacts, the Reporter considered that both developments could be accommodated within the landscape. With regards to the visual impacts on nearby properties, the Reporter found that although there would be significant impact, it would not be overwhelming or dominant to the extent that it would become unacceptable. Overall, the Reporter noted that development would not result in any unacceptable impacts.

Prospect House

PINs No.	APP/G0908/A/13/2189826
Decision and date	Allowed 15/01/14
Location	Land to the east of Prospect House, High Scales, Aspatria, Wigton, CA7 3NG
Inspector	Richard McCoy
Appellant	Empirica Investments Ltd
Determination process:	Written Representations
Summary of decision	Proposal for a single turbine with a blade tip height of 67m. The main issues were the effects on the character and appearance of the landscape, the living conditions of occupiers of nearby dwellings and the setting and significance of heritage assets. The Inspector noted that although the turbine was of modest height, it would still be a noticeable feature in the wider landscape. The Inspector found that public views of the proposal would be possible from sections of the A596, nearby roads and a footpath 600m away. However, the impact in these views would be moderated by the turbines modest scale, separation distances and undulating landform. With regard to the outlook for a number of residential dwellings, the Inspector considered that the separation distances, topography and intervening vegetation would mean that the proposal would not be an overbearing feature in the views from the dwellings. Prospect House is a grade II listed building approx. 470m from the proposed turbine. The Inspector considered Prospect House in the context of its surroundings, being the agricultural buildings, road, pylons and the telecoms masts and found that the proposed turbine would only have a minor impact on the setting of the asset. Overall, the Inspector found that the benefits of the scheme would outweigh the limited harms.

Great Park Estate

PINs No.	APP/P2114/A/13/2200398
Decision and date	Dismissed 15/01/14
Location	Land at Great Park Estate, off Betty Haunt Lane, Newport PO30 4HR
Inspector	Zoe Hill
Appellant	Mrs Moon
Determination process:	Hearing
Summary of decision	Proposal for a single turbine with a blade tip height of 74m. The main issues were the effects on the character and appearance of the landscape, the living conditions of occupiers of nearby dwellings and the setting and significance of heritage assets. The Inspector found that the appellant had not paid strict adherence to ETSU and that although the scheme would be near the ETSU 35dB threshold, was a factor to be weighed against the development in the planning balance. The Inspector also found that in one of the nearby residential properties, the proposed turbine would have an overwhelming and harmful impact on the living conditions of the occupiers as the orientation of the house faced towards the appeal site. In terms of heritage assets, although the Inspector found that there would not be substantial harm caused by the proposal, there would be some harm and that would be added against the proposal in the planning balance. The Inspector considered that the proposal would cause harm to the immediate landscape area. The benefits of the scheme were not deemed to outweigh the harms identified.

Model Farm

PINs No.	APP/D0515/A/13/2197903
Decision and date	Allowed 15/01/14
Location	Land South-West of Model Farm, 144 Cock Bank, Turves, PE7 2HN
Inspector	Paul Griffiths
Appellant	E C Brown & Son
Determination process:	Written Representations
Summary of decision	Proposal for a single turbine with a hub height of 36.4m. The main issues were the effects on the character and appearance of the surrounding landscape and the living conditions of Birch Tree Farm. The Inspector noted that the turbine would be situated in a landscape that is open and flat and referred to the PPG for Renewable and Low Carbon Energy. The Inspector considered that the turbine would appear as an isolated man made feature in the landscape. However, it was found that the large landscape could accommodate the proposal. The Inspector considered the impact on the living conditions at Birch Tree Farm, being 440m away from the proposed turbine. He concluded that given the separation distances involved, the turbine would not appear dominant or overbearing in views from the property. Overall, the Inspector deemed that the benefits of renewable energy were sufficient to outweigh the limited harm.

Lletty Farm

PINs No.	APP/R6830/A/13/2202906
Decision and date	Dismissed 15/01/14
Location	Lletty Farm, Gwyddelwern, Corwen, LL21 9EE
Inspector	Clive Nield
Appellant	Ms M Jones
Determination process:	Written Representations
Summary of decision	A proposal for a single turbine with a blade tip height of 77m. The main issue in this appeal was the effect on the character and appearance of the local area and the setting of the nearby AONB. The Inspector considered that the turbine would stand out prominently in local views of the village and its immediate surrounding area, resulting in it being a discordant feature in the local landscape. The Inspector also found that the turbine would affect the setting of the AONB, in terms of views towards it and views from it. In conclusion the Inspector noted that the need for renewable energy does not automatically override environmental protection and that in this case, the benefits of the scheme were not capable of outweighing the harm.

Lower Town Farm

PINs No.	APP/D0840/A/13/2194510
Decision and date	Allowed 15/01/14
Location	Lower Town Farm, Trewidland, Liskeard, Cornwall, PL14 4ST
Inspector	Alan Novitzky
Appellant	Jeremy Richards
Determination process:	Written Representations
Summary of decision	A proposal for a single turbine with a blade tip height of 35m. The main issue was the effect on the character and appearance of the landscape. The site falls within a landscape deemed of moderate sensitivity capable of taking in small to medium clusters and single turbines up to the lower end of the large scale. The Inspector noted that the effect on the character and appearance of the landscape would be limited to a relatively small number of public views in the vicinity of the site. The Inspector also considered noise issues at a wind speed of 10m/s, the nearest properties to the proposed turbine would narrowly fail to meet the 35dB day time limit. However, at all other wind speeds it would comfortably meet the limit. The Inspector therefore accepted a limit of 36dB. The Inspector considered that the benefits of the scheme outweighed the very limited harm.

Goose Green Farm

PINs No.	APP/G0908/A/13/2189946
Decision and date	Allowed 15/01/14
Location	Land to the west of Goose Green Farm, Crookdake, Aspatria, Wigton, CS7 3SH
Inspector	Richard McCoy
Appellant	Empirica Investments Ltd
Determination process:	Written Representations
Summary of decision	Proposal for a single turbine with a blade tip height of 67m. The main issue was the effect on the character and appearance of the landscape. The Inspector noted that although the turbine was of modest height, it would still be a noticeable feature in the wider landscape. The Inspector found that public views of the proposal would be possible from sections of the nearby roads and footpaths. However, the impact in these views would be moderated by the turbine's modest scale, separation distances and undulating landform. In considering the cumulative impacts, the Inspector found that the moderate scale of the existing turbines, together with the separation distances involved would not result in a significant or defining characteristic of the local area. The benefits of the scheme were considered to outweigh the limited harm.

Graincliffe Reservoir

PINs No.	APP/W4705/A/13/2193159
Decision and date	Dismissed 16/01/14
Location	Land adjacent to Graincliffe Reservoir, Otley Road, High Eldwick, Bingley
Inspector	A D Robinson
Appellant	Kelda Water Services
Determination process:	Written Representations
Summary of decision	Proposal for a single turbine with a blade tip height of 84m. The main issues were whether the proposal constituted inappropriate development in the Green Belt, the effect on the openness of the Green Belt and the rural landscape. The Inspector considered that the proposal would constitute inappropriate development in the Green Belt. Although in terms of the effect on the openness of the Green Belt, he considered that to be no more than modest. The Inspector found that the turbine would represent a visually intrusive and unduly conspicuous element within the landscape and would dominate much of the lower ground of the Aire Valley. The Inspector also found that the turbine would diminish the enjoyment of those visiting the landscape and using local footpaths. In conclusion, it was noted that the benefits of the scheme were not sufficient to amount to the very special circumstances required to overcome inappropriate development in the Green Belt or outweigh the harms identified to the rural landscape.

Firs Farm

PINs No.	APP/G0908/A/13/2190813
Decision and date	Allowed 17/01/14
Location	Firs Farm, Crookdake, Wigton CA7 0BP
Inspector	Richard McCoy
Appellant	Mr Ray Fawkes
Determination process:	Written Representations
Summary of decision	Proposal for a single turbine with a blade tip height of 47m. The main issue was the effect on the character and appearance of the landscape. The Inspector noted that although the turbine was of modest height, it would nevertheless result in the turbine being a noticeable feature in the wider landscape. However, it was considered that the proposal would not be prominently sited given the enclosed nature of the appeal site resulting from the undulating topography of the area. The Inspector found that public views of the proposal would be possible from sections of the nearby roads and footpaths. However, the impact in these views would be moderated by the turbine's modest scale, separation distances and undulating landform. In considering the cumulative impacts, the Inspector found that the moderate scale of the existing turbines, together with the separation distances involved would not result in a significant or defining characteristic of the local area. The benefits of the scheme were considered to outweigh the limited harm.

Bhlaraidh Wind Farm

PINs No.	Bhlaraidh Wind Farm
Decision and date	Allowed 17/01/14
Location	Bhlaraid Wind Farm, nr Invermoriston, Highlands
Inspector	Scottish Ministers
Appellant	SSE Generation Limited
Determination process:	Call In
Summary of decision	Proposal under S.36 of the Electricity Act 1989 for a wind farm electricity generating station with a generation capacity of up to 108MW. Scottish Ministers noted that although significant landscape and visual impacts would be caused, they would not be of a significant that would warrant refusal. The Appropriate Assessment undertaken concluded that impacts on the integrity of the River Moriston SAC could be avoided if the proposed development was undertaken in accordance with SNH's suggested condition. Overall, Scottish Ministers found that the benefits of the proposal outweighed the harms.

Jerusalem Farm

PINs No.	APP/E2340/A/13/2193938
Decision and date	Dismissed 20/01/14
Location	Jerusalem Farm, Skipton Old Road, Colne, Lancashire, BB8 7EW
Inspector	Alison Partington
Appellant	Mr Matthew Tidmarsh
Determination process:	Written Representations
Summary of decision	Proposal for three turbines with a blade tip height of 34.2m. The main issue was the effect on the character of the landscape. The Inspector noted that the landscape was undulating in form and contained extensive panoramic views in parts, but elsewhere was more intimate. The Inspector found that the proposed turbines would be a prominent and striking addition to the landscape that would be at odds with the inherent characteristics of the landscape. The Inspector also noted that the proposal would represent a harmful addition to this remote and tranquil rural landscape. The benefits of the scheme were not considered to outweigh the harm to the landscape that the Inspector had identified.

Shoreswood Farm

PINs No.	APP/P2935/A/13/2195630
Decision and date	Allowed 20/01/14
Location	Shoreswood Farm, Ancroft, Berwick-upon-tweed, Northumberland TD15 2NQ
Inspector	Philip Major
Appellant	Mr W Jackson
Determination process:	Written Representations
Summary of decision	Proposal for a single turbine with blade tip height of 74m. The main issues were the effects on the character and appearance of the landscape and on the Duddo Stone Circle SAM. The Inspector found that the proposed turbine would stand out prominently in the landscape, but that the existing key characteristics of the landscape would generally remain. The Inspector did find that there would be significant localised harm to the visual amenity of the landscape. The Inspector noted that the parties had agreed that the proposed turbine would be within the setting of the SAM, which was located 2.4km to the south of the turbine. The dispute between the parties was the level of the harm. The Inspector considered that the setting of the SAM would be altered to some degree by the presence of the turbine, and the impacts would be harmful. However, the Inspector did not find that there would be substantial harm to the setting of the SAM. The benefits of the proposal were not deemed sufficient to outweigh the harms.

Burnfoot Hill

PINs No.	PPA-150-2002
Decision and date	Allowed 21/01/14
Location	Land west of Burnfoot Hill, north of Tillocoultry, known as Rhodders Wind Farm
Inspector	Michael J P Cunliffe
Appellant	Wind Prospect Developments Ltd
Determination process:	Written Representations
Summary of decision	Proposal for 6 turbines with a blade tip height of 102m. The main issue was the landscape and visual impacts. The Reporter noted that the proposed turbines would be largely contained within the landform of the area and would be appropriate in scale. He was also of the view that the landscape had the capacity to absorb the turbines without any significant effect on landscape character. In terms of cumulative impacts, the Reporter only found that there would be significant impacts to recreational users of paths within the Ochil Hills. Overall, the benefits of the proposal were considered sufficient to outweigh the harms.

Halves Farm

PINs No.	APP/D0515/A/13/2193154
Decision and date	Allowed 21/01/14
Location	Halves Farm, Chatteris Road, Somersham, Huntingdon, PE28 3DR
Inspector	John Braithwaite
Appellant	Messrs C S and A R Allen
Determination process:	Written Representations
Summary of decision	Proposal for two single turbines with a hub height of 50m. The main issue was the effect on the character of the landscape. The Council did not suggest that the proposal would individually cause harm to the character of the landscape. The main concern was the relationship with a 12 turbine scheme 4km away. The Inspector found that the proposed turbines would be unlikely to cause any cumulative effect on the character of the landscape. The effect of the proposed turbines on the landscape individually was also deemed by the Inspector to be less than significant. The benefits of the scheme were considered sufficient to outweigh the limited harm.

Addington Lodge

PINs No.	APP/A2335/A/13/2193866 & APP/A2335/A/13/2195548
Decision and date	Allowed 21/01/14
Location	Land south-east of Addington Lodge, Addington Road, Nether Kellet, Carnforth, Lancs, LA6 1DZ
Inspector	S R G Baird
Appellant	W A Agriculture Limited
Determination process:	Written Representations
Summary of decision	Both appeals dealt with a proposal for a single turbine with a blade tip height of 34.4m. The main issues were the effects on the character and appearance of the landscape and equine activity. The Inspector noted that the landscape and visual impact would be localised and limited in extent and as a result the underlying local landscape would not change significantly. The Inspector also found that the development would have no impact on the landscape qualities of the Forest of Bowland AONB 1.5km away. In regard to the effect on equine activity the Inspector noted that the boundary to the nearby stables would be 140m and 230m to the stables themselves, with the nearest public roads used by horses being 220m away. The Inspector considered that the presence of the proposed turbines would not amount to an unacceptable hazard to horses, riders or result in an unacceptable harm to the viability of equine related businesses. The benefits of the schemes were found to outweigh the limited harms identified.

Moy Wind Farm

PINs No.	Moy Wind Farm
Decision and date	Allowed 24/01/14
Location	Moy Wind Farm, near Inverness
Inspector	Scottish Ministers
Appellant	Carbon Free Moy Ltd
Determination process:	Call In
Summary of decision	Proposal for a wind powered generating station with a generating capacity of up to 66MW. The main issue being the landscape and visual impacts. Ministers noted that the wind farm would dominate landscape character, however they concluded that in the context of the wider area of rolling and open uplands the development would not have an unacceptable adverse impact. Ministers also noted there would be several dwellings affected by visual impacts, but that the significant adverse impacts on these properties would be reduced by distance and topography. Ministers concluded that the benefits of the scheme outweighed the harms identified.

White House Farm

PINs No.	APP/U2370/A/13/2192126
Decision and date	Dismissed 27/01/14
Location	White House Farm, White House Lane, Great Eccleston, Preston, PR3 0XB
Inspector	R P E Mellor
Appellant	Noel Rowe
Determination process:	Written Representations
Summary of decision	Proposal for two turbines with a blade tip height of 24.9m. The main issues were the effects on aviation safety, the amenity of nearby residents in relation to shadow flicker and the character and appearance of the area. The appeal site is 12.5km from BAE Warton Aerodrome and an initial report submitted by the appellant stated the turbines would be in line of sight of the radar. The appellant then submitted a second report stating that the turbines would be shielded by buildings. This was not accepted by the MOD. The Inspector considered that the evidence was unclear and that the appellant had not adequately substantiated the claim that the harmful impact on the radar could be mitigated. The Inspector noted that in terms of shadow flicker, the Council had not identified the properties they had concerns about. The Inspector considered that the nearest property would be over the 10 rotor diameter distance away. He was therefore of the view that the risk of shadow flicker was very small. With regard to the landscape and visual harm, the Inspector concluded that the harm would be slight and only experienced over a small area. However, in the balance, the benefits of the scheme could not outweigh the unacceptable risk to aviation safety.

Foulds House

PINs No.	APP/Z2315/A/13/2200559
Decision and date	Allowed 27/01/14
Location	Land adjacent to Foulds House, Briercliffe, Nelson, Lancashire, BB10 3QY
Inspector	Richard McCoy
Appellant	Catja Schmitgen
Determination process:	Written Representations
Summary of decision	Proposal for a single turbine with a blade tip height of approx. 20m. The main issues were the effects of the proposal on the living conditions of nearby residents and the setting of listed buildings. The Inspector noted that the closest property was 160m from the proposal. The Council were concerned with the impact the proposal would have on the residential amenity of this property. However, the Inspector found that the top of the turbine would appear within a narrow part of the field of vision from the property. It was therefore considered that the proposal would not be a dominant feature in the outlook from the front of the dwelling. In terms of heritage assets, the Inspector noted that the proposal would be in the setting of a grade II listed building and a grade II* listed building. However, he found that the topography and intervening distance between the proposal and the heritage assets would result in the effect on the significance of the assets being minor. In conclusion, the Inspector found that the benefits of the scheme would outweigh the limited harms.

Flint Hill

PINs No.	APP/Y2810/A/13/2200086
Decision and date	Allowed 27/01/14
Location	Land at Flint Hill Farm, High Street, Yelvertoft, NN6 6LA
Inspector	A R Hammond
Appellant	J C Jackson and Sons
Determination process:	Written Representations
Summary of decision	Proposal for a single turbine with a blade tip height of 102m. The main issue was the cumulative effect on the character and appearance of the area. The Inspector noted that there were wind farms built or consented in all directions, the closest being at Yelvertoft (2.5km). The presence of turbines was therefore found to be a characteristic of the area, although the undulating topography and vegetation was identified as limiting the viewpoints of many of the existing turbines. The Inspector concluded that there would be some cumulative visual and landscape effects, although any such effect would be limited by the nature of the landscape. The limited nature of the harm was deemed to be outweighed by the benefits of the scheme.

Willow Farm

PINs No.	APP/d0515/A/13/2197996
Decision and date	Dismissed 27/01/14
Location	Willow Farm, Whittlesey Road, March PE15 0AP
Inspector	Paul Griffiths
Appellant	Mr M Mottram
Determination process:	Written Representations
Summary of decision	Proposal for a single turbine. The main issues were the effects on the character and appearance of the area and biodiversity. The Inspector noted that the proposal would be set within a landscape that is open and flat, with the proposed turbine introducing a relatively tall man-made structure into the landscape. However, the Inspector noted that there was an existing presence of man-made structures (electricity pylons and telegraph poles) therefore the proposed turbine would not appear altogether incongruous. This would result in the degree of harm being limited. The Council and RSPB had raised concerns regarding bewick's and whooper swans, lapwing, golden plover and raptors, all which have been recorded as using the area in the vicinity of the appeal site. The Inspector noted that no appropriate survey or proper assessment had been carried out to identify the level of the risk to such species. Overall, the Inspector concluded that it had not been demonstrated that the impacts of the proposal were acceptable.

Aspenfield Farm

PINs No.	APP/L2820/A/13/2193086
Decision and date	Allowed 28/01/14
Location	Land at Aspenfield Farm, Orton, Kettering NN14 1LJ
Inspector	J P Watson
Appellant	Ecotricity (Next Generation) Limited
Determination process:	Written Representations
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 area. The Inspector was of the view that the proposed turbine could be accommodated in the large scale landscape, with the presence of nearby electricity pylons providing some context for the appeal turbine. The most significant impact on the character and appearance of the landscape was considered by the Inspector to be within 2 km of the proposal. The Inspector concluded that the benefits of the scheme would outweigh the limited harm identified.

Lifton Farm Shop

PINs No.	APP/Q1153/A/13/2199259
Decision and date	Allowed 28/01/14
Location	Lifton Farm Shop, Lifton, Devon, PL16 0DE
Inspector	R W N Grantham
Appellant	Mr A Mounce
Determination process:	Written Representations
Summary of decision	Proposal for a single turbine with a hub height of 77m. The main issues were the effects on the character and appearance of the surrounding landscape, the living conditions of local residents and heritage assets. The landscape surrounding the appeal site was described as undulating and sparsely populated. The site was noted as being influenced by the A30 and large buildings and infrastructure in nearby Lifton village. The Inspector noted that the drivers on the A30 would pass nearby to tall turbines at a number of sites in short succession. However, he considered that this would not substantially alter the balance of manmade and natural influences in the landscape. The impact of the proposal on a number of heritage assets was reviewed by the Inspector. However, he found that the separation distances and screening involved would result in less than substantial harm to all the assets. With regards to living conditions, properties, including a touring caravan business, were located 380m - 500m from the proposed turbine. The Inspector found that none of the dwellings would suffer from unduly overbearing visual impacts. The benefits of the scheme were deemed by the Inspector to outweigh the identified harms.

Tyn-Y-Bryn

PINs No.	APP/T6905/A/13/2203586
Decision and date	Dismissed 28/01/14
Location	Land near Tyn-Y-Bryn Farm, Petrefoelas, Betws-Y-Coed
Inspector	Sian Worden
Appellant	Mr David Wynne-Finch
Determination process:	Written Representations
Summary of decision	Proposal for a single turbine with a blade tip height of 67m. The main issues were the effects on the character and appearance of the area and highway safety arising from construction traffic. The Inspector highlighted that the proposed turbine would not be within Snowdonia National Park, but would be within 1km of it and visible from a significant part of it. The Inspector considered that in views from the National Park, the proposed turbine would be immediately noticeable and harmfully prominent in the landscape. The Inspector found that this would result in the proposed turbine having an over-dominant and damaging effect on the views to and from the National Park. It was also found that the proposed turbine would appear obtrusive and out of scale with the features in the local landscape. The Inspector was of the view that the issue of highway safety could adequately be dealt with by way of condition. The benefits of the scheme were not considered sufficient to outweigh the significant harm to the landscape, including the National Park.

Pentre Tump

PINs No.	APP/T6850/A/13/2198831
Decision and date	Dismissed 28/01/14
Location	Land at Pentre Tump, South-East of Llanfihangel-Nant-Melan, New Radnor, Powys
Inspector	Alwyn B Nixon
Appellant	REG Windpower Limited
Determination process:	Hearing
Summary of decision	Proposal for three turbines with a blade tip height of 103.5m. The main issue was the effect on the character and appearance of the landscape. The Inspector found that the proposed turbines would constitute a highly prominent, unduly dominant and distracting addition to the landscape setting of the Summergil Brook valley due to the scale, skyline position and moving blades. The Inspector also noted that there would be a significant adverse effect on the upland recreational routes, particularly the network of bridleways used by horse riders. The Inspector concluded that the benefits of the scheme did not outweigh the significant harm to the landscape.

Burwains Farm

PINs No.	APP/Z2315/A/13/2197704
Decision and date	Dismissed 28/01/14
Location	Burwains Farm, Halifax Road, Briercliffe, Burnley, BB10 3QY
Inspector	Richard McCoy
Appellant	Mr Keith Walton
Determination process:	Written Representations
Summary of decision	Proposal for a single turbine with a blade tip height of 34.6m. The main issues were the effects on the character and appearance of the area and the setting of listed buildings. The Inspector noted that the proposed turbine would be located in an open field, close to existing electricity pylons, in an exposed and prominent position. As a result of its scale and siting, the Inspector considered that the proposed turbine would be visible over a wide area. The Inspector judged that the landscape around the proposal had a small scale character which would be significantly harmed by the proposal. In terms of heritage assets, the Inspector noted that the proposal would be in the setting of a grade II and a grade II* listed building. However, he found that the topography and intervening distance between the proposal and the heritage assets would result in the effect on the significance of the assets would be minor. In conclusion, the Inspector found that the benefits of the scheme were not sufficient to outweigh the harms.

Harbarrow Farm

PINs No.	APP/M0993/A/12/2185234
Decision and date	Dismissed 28/01/14
Location	Field adjacent to Harbarrow Farm, Stainton with Adgarley, Barrow-in-Furness
Inspector	Richard McCoy (Decision recovered by Secretary of State)
Appellant	Windberry Energy Ltd
Determination process:	Call In
Summary of decision	Proposal for a single turbine with a blade tip height of 62m. The main issues were the effects on the character and appearance of the area and the effect on Gleaston Castle. The Inspector observed that the area around the appeal site was characterised by undulating fields, separated by hedgerows and that the immediate area was for the most part clutter free and unspoilt. It was also noted that the proposed turbine would occupy a prominent, elevated position, which together with the movement of the blades, would make it a dominant feature in the landscape. The Inspector found that in terms of the grade I Gleaston Castle, the intervening distance and topography would be such that there would be very limited inter-visibility between the proposal and heritage asset. Overall, the Inspector found that the benefits of the scheme did not outweigh the harms. The Secretary of State agreed with the Inspectors recommendation.

Carlton-On- Trent

PINs No.	APP/B3030/A/13/2192255
Decision and date	Allowed 30/01/14
Location	Field reference 0778, off Ossington Road, Carlton-on-Trent, Notts
Inspector	A D Robinson
Appellant	Carlton Wood Renewables Ltd
Determination process:	Written Representations
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 rural landscape. The appeal site lies in a wide expanse of open countryside. The Inspector noted that Ossington was almost surrounded by woodland, this would result in only intermittent visibility of the proposed turbine in longer views. Although the Inspector accepted that in the viewpoints closer to the proposal the turbine would be more visible. An existing single turbine of the same height can be found 340m from the proposed turbine. Due to the closeness, the Inspector found that there would be little difference in the zones of theoretical visibility between the existing position and a position of 2 turbines. In conclusion the Inspector was of the view that the proposal would not result in significant visual impact. Therefore, the benefits of the scheme were capable of outweighing the limited harm.

Dunsland Cross

PINs No.	APP/W1145/A/13/2194484
Decision and date	Allowed 30/01/14
Location	Land at Dunsland Cross, Brandis Corner, Devon, EX22
Inspector	Neil Pope
Appellant	Bolstertone Innovative Energy (Holsworthy) Ltd
Determination process:	Inquiry
Summary of decision	Proposal for three turbines with blade tip heights between 95m and 100m. The main issues were the effects on the character and appearance of the area and the living conditions of local residents. The proposed development would be sited below the top of a ridge. The Inspector found that at a distance of up to 1.5km the scale of the turbines would contrast sharply with the form and scale of the existing elements of the largely unspoilt qualities of the surrounding landscape. However, this impact would reduce with increasing distance from the site. The Inspector also considered that there would be visual harm from some public rights of way. The proposed turbines would be visible from numerous residential properties, however, the Inspector was of the opinion that the changes in outlook from these properties would not be overwhelming or oppressive and therefore did not warrant refusal of the appeal. In carrying out the balance, the Inspector deemed that the benefits of the proposal were sufficient to outweigh the harms.

Wilton Farm

PINs No.	APP/D0840/A/13/2190702
Decision and date	Allowed 30/01/14
Location	Land at Wilton Farm, Trerulefoot, Saltash, PL12 5BX
Inspector	Paul Griffiths
Appellant	Murex Energy Ltd
Determination process:	Written Representations
Summary of decision	Proposal for a single turbine with a blade tip height of 67m. The main issues were the effects on the character and appearance of the area and the setting of listed buildings. The Inspector considered that whilst the proposed turbine would be prominent, it would not appear out of scale or dominate the form of the surrounding landscape. The Inspector also noted that there were a number of other manmade features in the landscape and that the proposed turbine would therefore not appear altogether incongruous. In terms of the impact on heritage assets, although the Inspector noted there would be an impact on the setting, he found that given the separation distances involved, the proposed turbine would have no material impact on the significance of the heritage assets. Overall, the benefits of the scheme were sufficient to outweigh the limited harm.