

# WIND GENERATION APPEALS UPDATE

May 2014



Please find below a resume of decisions made between 11 April and 14 May 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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## Laycock

<b>PINs No.</b>	APP/W4705/A/13/2204103
<b>Decision and date</b>	Allowed 11/04/14
<b>Location</b>	Land North of Tarn Lane, Laycock, Keighley, BD20 6QY
<b>Inspector</b>	Philip Major
<b>Appellant</b>	Mr Andrew Walker
<b>Determination process:</b>	Written Representations
<b>Summary of decision</b>	Proposal for a single turbine with a blade tip height of 34.2m. 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 effect on the character and appearance of the area. The Inspector noted that the proposal would be inappropriate development in the Green Belt and that it would result in a moderate loss of openness. The Inspector found that the existing pylons reduced the pastoral ambience of the site by a considerable degree, as well as reducing the sensitivity to change. Overall, the Inspector considered that the proposed development would result in a degree of harm to the landscape character. In carrying out the planning balance, the Inspector held that the benefits of the proposal outweighed the limited harms.

## Warren Farm

<b>PINs No.</b>	APP/F2415/A/13/2198540
<b>Decision and date</b>	Allowed 14/04/14
<b>Location</b>	Warren Farm, Mowsley, Leicestershire, LE17 6NP
<b>Inspector</b>	Alan Boyland
<b>Appellant</b>	Henry Egerton
<b>Determination process:</b>	Written Representations
<b>Summary of decision</b>	Proposal for a single turbine with a blade tip height of 79m. The main issue was the effect on the character and appearance of the area. The appeal site is located within open countryside at a ground elevation of 170m. Although the Inspector noted that the proposed turbine would be visible from many places, the distance involved would be such that it would appear as a small singular feature in a wide field of vision. The Inspector found that significant effects on the character of the landscape would be present up to 1.5km from the proposal. However, the benefits of the proposal were deemed sufficient to outweigh this limited harm.

## Manor Farm

<b>PINs No.</b>	APP/K3415/A/13/2192969
<b>Decision and date</b>	Dismissed 14/04/14
<b>Location</b>	Manor Farm, Wall Lane, Lichfield, WS14 0AH
<b>Inspector</b>	John Braithwaite
<b>Appellant</b>	Mr Stuart Ryman
<b>Determination process:</b>	Written Representations
<b>Summary of decision</b>	<p>Proposal for two turbines with a blade tip height of 46m. The main issues were whether the proposal constituted inappropriate development in the Green Belt, the effect on the openness of the Green Belt, the effect on the character of the landscape, visual amenity of residents and the setting of nearby heritage assets. The Inspector found that the proposal would be inappropriate development in the Green Belt and that it would undermine the openness of the Green Belt. It was considered that the proposal would have a significant adverse effect on the immediate landscape, but would have a less than significant adverse effect on the local character area. Although the closest dwelling to the development was 310m away the Inspector held neither this, nor any other nearby dwelling would become unattractive or unpleasant places to live. Similarly, the Inspector was of the view that the proposal would not cause significant adverse impacts on the setting of heritage assets. However, the Inspector concluded that the benefits of the proposal did not constitute the very special circumstances required to outweigh the harm caused by inappropriate development in the Green Belt.</p>

## Hindles Farm

<b>PINs No.</b>	APP/Y2430/A/13/2191948
<b>Decision and date</b>	Dismissed 14/04/14
<b>Location</b>	Hindles Farm, Melton Spinney Road, Thorpe Arnold, Melton Mowbray, LE14 4SB
<b>Inspector</b>	Zoe Hill
<b>Appellant</b>	Steve Butler
<b>Determination process:</b>	Written Representations
<b>Summary of decision</b>	<p>Proposed single turbine with a blade tip height of 77m. The main issues were the effects on the character and appearance of the surrounding area and the living conditions of neighbouring occupiers. The appeal site is situated in gently rolling countryside and within a large scale landscape. The Inspector noted that the proposal would be highly prominent up to 1km from the site and although this would diminish with distance there would be visual harm over a significant distance. In terms of living conditions, the closest property was 617m from the proposal. Although the Inspector found that the proposal would be a striking feature from the garden and windows facing in the direction of the proposal, it was not deemed to result in the dwelling becoming an unacceptable or unpleasant place to live. The Inspector reviewed the impact from other properties, but none were considered to be as adverse as the closest property. Overall, the Inspector found that the impact to the landscape could not be outweighed by the benefits.</p>

## Damsbrook Farm

<b>PINs No.</b>	APP/R1010/A/13/2198747
<b>Decision and date</b>	Allowed 15/04/14
<b>Location</b>	Land to the North of Damsbrook Farm, Damsbrook Lane, Clowne
<b>Inspector</b>	Alan Novitzky
<b>Appellant</b>	Empirica Investments Ltd
<b>Determination process:</b>	Written Representations
<b>Summary of decision</b>	<p>Proposal for a single turbine with a blade tip height of 60.7m. The main issues were the effects on the character and appearance of the countryside, the settings of heritage assets and the living conditions of local residents. The appeal site is located at a high point on the north-south magnesium limestone ridge above broad wooded farmland valley with the M1 to the west. The Inspector was of the view that the visual impact of the proposal would be reduced by the presence of the dominant electricity pylons. He was also of the opinion that the landscape was capable of absorbing change and found that the proposed turbine would not materially harm the landscape. With regard to heritage assets the Inspector reviewed the effects on a number of assets and found for all but one asset that the significance and setting would be preserved. The Inspector noted that the setting of a Grade II* listed church would not be preserved, but that the harm would be less than substantial. A number of properties are located within 375-450m of the appeal site. The Inspector found that there may be oblique and/or filtered views of the turbine from some of the closest properties, but that overall the properties would not become unattractive places to live. The benefits of the proposal were considered sufficient to outweigh the harm to the Grade II* listed church.</p>

## Meadow Barn Field

<b>PINs No.</b>	APP/N4205/A/13/2209440
<b>Decision and date</b>	Dismissed 15/04/14
<b>Location</b>	Meadow Barn Field, Off Slack Lane, Bradshaw, Bolton, Lancashire
<b>Inspector</b>	Louise Crosby
<b>Appellant</b>	Mr Paul Joule
<b>Determination process:</b>	Written Representations
<b>Summary of decision</b>	<p>Proposal for a single turbine with a blade tip height of 45m. The main issues in this appeal were whether the proposal constituted inappropriate development in the Green Belt, the effect on the openness of the Green Belt, the effect on the character of the landscape and living conditions of local residents. The Inspector found that the proposal would constitute inappropriate development in the Green Belt, but that the effect on the openness of the Green Belt would be limited. The Inspector noted that the appeal site was situated in a landscape which is open and rugged in character, offering excellent views across the valley. It was the Inspector's view that the proposed turbine would be an unacceptable visual intrusion altering the key characteristics of the landscape. The Inspector also found that the proposed turbine would appear as an unduly dominant feature from the settlement of Bradshaw and nearby footpaths. With regards to living conditions, the main concern was in relation to noise impacts. Although the appellant's assessment met ETSU limits, it had not taken into account the cumulative impact of a turbine which had been granted planning permission nearby. The Inspector considered that without the assessment for the cumulative noise impact, she could not determine whether the proposed turbine would have an unacceptable effect on the living conditions of nearby residents. Overall, the benefits of the scheme were not sufficient to outweigh the harms.</p>

## Whitehouse By Tarbet

<b>PINs No.</b>	PPA-130-2036
<b>Decision and date</b>	Allowed 15/04/14
<b>Location</b>	Land east of Loch Freasdail and north of Loch Cruinn, Whitehouse by Tarbet, Argyll and Bute
<b>Inspector</b>	Richard Dent
<b>Appellant</b>	RES UK and Ireland Ltd
<b>Determination process:</b>	Written Representations
<b>Summary of decision</b>	<p>Proposal for 11 turbines with a maximum blade tip height of 100m. The main issues in this appeal were the landscape and visual impacts. The Reporter noted that the landscape around the appeal site had a upper-medium level of sensitivity, but still felt that the impact of the proposed development would not extend significantly and would not detract from the wider landscape. SNH were concerned that the grouping of the turbines would lead to a visually confusing and incoherent appearance. The Reporter disagreed and found that the design layout was acceptable. The Reporter considered that the visual impact in the proximity of the wind farm would be significant, but that all in all, the proposal would not lead to an unacceptable impact in landscape character or visual scenic respects. The properties that would experience the most significant visual impact from the proposal due to the direction of outlook and the elevation would be at a distance of 1.8km and 2.1km. However, the Reporter did not consider the impact would result in the properties becoming intolerable to live in. Despite the harm noted, the Reporter concluded that the proposal should be allowed.</p>

## Fursdon Farm

<b>PINs No.</b>	APP/D0840/A/12/2189476
<b>Decision and date</b>	Allowed 15/04/14
<b>Location</b>	Land at Fursdon Farm, Horningtops, Liskeard, PL14 3PZ
<b>Inspector</b>	Paul Griffiths
<b>Appellant</b>	Murex Energy Ltd
<b>Determination process:</b>	Written Representations
<b>Summary of decision</b>	<p>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 and heritage assets. The appeal site is at 125m AOD near the top of a south-facing plateau. The Inspector noted that the proposed turbine would be a prominent feature in the landscape, but that existing man-made features in terms of settlements and electricity pylons that cross the site would allow the proposed turbine to be accommodated into the landscape without a significant degree of harm. With regard to the effects on heritage assets, the Inspector found that there would be limited inter-visibility between the proposed turbine and the nearby listed buildings, which are situated at a much lower level, within tree cover, than the site of the proposed turbine. The Inspector therefore found that there would be no harmful impact on the setting or significance of the listed buildings. Overall, the benefits of the proposal were deemed to outweigh the limited harms.</p>

## Caduscott Farm

<b>PINs No.</b>	APP/D0840/A/13/2203226
<b>Decision and date</b>	Dismissed 15/04/14
<b>Location</b>	Caduscott Farm, East Taphouse, Liskeard, Cornwall, PL14 4NG
<b>Inspector</b>	Neil Pope
<b>Appellant</b>	Mr Hugh Pendray
<b>Determination process:</b>	Written Representations
<b>Summary of decision</b>	<p>Proposal for a single turbine with a blade tip height of 48.5m. The main issues were the effects on: the character and appearance of the area; the Grade II listed Caduscott Farmhouse; and the health and well-being of residents of Great Twelvewoods Farmhouse. The appeal site falls within a medium to large scale gently rolling plateau, with the AONB being 4.6km from the site and the AGLV being 0.75km from the site. The Inspector noted that the proposed turbine would not diminish the scenic qualities and natural beauty of the AONB, nor would it significantly detract from any important viewpoint in the AGLV. Caduscott Farmhouse is located 250m from the proposed turbine and the Inspector found that when viewed from the public footpath to the north east, the turbine would be a distraction. Although, this harm was considered to be less than substantial. Great Twelvewoods Farm is situated approximately 1.2km from the appeal site and is occupied by a family with three children, of which two of the children suffer from different forms of autism. Both children were noted as being sick when seeing 'windmills'. The proposed turbine would be a constant feature of the views from the upper floor windows and the Inspector was of the view that it would be likely to be a visually dominant addition to the perception of the landscape for both children. This, the Inspector noted may result in a significantly increased risk of anxiety and sickness, which could have an adverse impact on the health and well-being of these children and the family unit as a whole. Overall, the Inspector did not consider that the benefits of the proposal could outweigh the harm.</p>

## Dunwell Farm

<b>PINs No.</b>	APP/K1128/A/13/2199641
<b>Decision and date</b>	Dismissed 16/04/14
<b>Location</b>	Dunwell Farm, Ugborough, Ivybridge, PL21 0HL
<b>Inspector</b>	Graham Dudley
<b>Appellant</b>	Mr C Johns
<b>Determination process:</b>	Written Representations
<b>Summary of decision</b>	<p>Proposal for a single turbine with a blade tip height of 79m. The main issues in this appeal were the effects on the character and appearance of the surrounding area including Dartmoor National Park, the nearby heritage assets and ecology, especially dormice. The Inspector noted that the proposed turbine would be located just below the brow of a hill, so in views, particularly from Dartmoor the proposed turbine would appear as a very prominent structure. Further, the Inspector found that due to the size of the proposed turbine and its proximity, it would cause harm to the outlook to and from Dartmoor National Park. With regard to heritage assets, the Inspector considered that there would be some impact on the setting of both the church of St Peter in Ugborough and Haredon Farmhouse. But in relation to Shilston Barton, which is located 575m from the appeal site, the Inspector found that proposed turbine would have a significant impact on the setting. Part of the proposal was to remove hedges (which was necessary to transport the turbine components). These hedges were considered to have a high potential for dormice, but no survey had been conducted. The Inspector was of the opinion that he could not properly judge the effect of the proposal without such a survey. In conclusion the Inspector held that the benefits of the proposal could not outweigh the harms identified.</p>

## Badham Farms

<b>PINs No.</b>	APP/B3410/A/13/2203622
<b>Decision and date</b>	Dismissed 16/04/14
<b>Location</b>	Badham Farms, Woodland Hall Farm, Wood Lane, Uttoxeter, Staffordshire, ST14 8JS
<b>Inspector</b>	Geoffrey Hill
<b>Appellant</b>	Mr and Mrs Arthur Badham
<b>Determination process:</b>	Written Representations
<b>Summary of decision</b>	<p>Proposal for a single turbine with a blade tip height of 32m. The main issue was the effect on the character and appearance of the countryside. The Inspector noted that the farm already had an existing turbine of 19.5m installed and a planning permission for another turbine at 32m to blade tip. The Inspector found that the turbine would be seen against the skyline and would be highly visible and obtrusive in views along the valley. In terms of the collective three turbines at Badham farms, the Inspector considered that the group would have a high impact on the predominantly rural appearance of the landscape. The benefits of the proposal were not deemed to be sufficient to outweigh the harm to the character and appearance of the landscape.</p>

## West Farm

<b>PINs No.</b>	APP/E2001/A/13/2204061
<b>Decision and date</b>	Allowed 16/04/14
<b>Location</b>	Land to the West of West Farm, Foston Lane, Beeford, East Riding of Yorkshire
<b>Inspector</b>	A R Hammond
<b>Appellant</b>	Phitwherry Limited
<b>Determination process:</b>	Hearing
<b>Summary of decision</b>	<p>Proposal for two turbines with a blade tip height of 34.2m. The main issue was the effect on the Claxby Primary Surveillance Radar. NATS contended that the proposed turbines would add to clutter both increasing the workload of air traffic controllers and potentially masking real aircraft. The appellant submitted that there was no evidence that turbines of the size proposed would be detected by the PSR, and that even if it was, it would be insignificant. The Inspector found that any significant problems would result from the existing group of much larger turbines at nearby Lissett Airfield. As a result the Inspector was of the view that the proposed turbines would not have an unacceptable adverse impact on air traffic safety and the appeal was allowed.</p>

## Tregawn Farm

<b>PINs No.</b>	APP/D0840/A/13/2193035
<b>Decision and date</b>	Dismissed 16/04/14
<b>Location</b>	Land at Tregawn Farm, Michaelstow, Bodmin, Cornwall, PL30 3DU
<b>Inspector</b>	John Woolcock
<b>Appellant</b>	EW Button & Son Ltd
<b>Determination process:</b>	Written Representations
<b>Summary of decision</b>	<p>Proposal for a single turbine with a blade tip height of 77m. The main issues were the effects on the character and appearance of the area and on nearby heritage assets. The appeal site lies within the Bodmin Moor national landscape character area, which is characterised by exposed, windswept, granite uplands, with extensive heathland and wet moorland, along with sheltered wooded valleys. The Inspector was of the view that the proposed turbine would noticeably alter a landscape feature, being a prominent hill and would have an adverse impact on the local landscape. In visual terms, the Inspector considered that the proposed turbine would be prominent in views and would be difficult not to notice. The Helsbury Castle Scheduled Ancient Monument lies about 100m to the north-west of the appeal site and the Inspector felt that the proposed turbine would have a negative/substantial impact on the SAM. Within the SAM is the remains of the listed St Syths Chapel. Again, the Inspector found that the proposed turbine would have an adverse impact on this listed building. Overall, the benefits of the proposal were not considered sufficient to outweigh the harms.</p>

## Sheddon's Hill

<b>PINs No.</b>	APP/H4505/A/13/2194844
<b>Decision and date</b>	Dismissed 16/04/14
<b>Location</b>	Sheddon's Hill, Birtley, Chester-le-Street, Durham, DH3 1RF
<b>Inspector</b>	A R Hammond
<b>Appellant</b>	Mr Bob Auld
<b>Determination process:</b>	Written Representations
<b>Summary of decision</b>	<p>Proposal for a single turbine with a blade tip height of 79m. The main issue was whether the proposed development constituted inappropriate development in the Green Belt and the effect on the openness of the Green Belt. It was common ground between the parties that the proposed turbine would constitute inappropriate development in the Green Belt. The Inspector also found that the proposal would reduce the openness of the Green Belt by introducing development where none presently exists. Overall, the Inspector concluded that the benefits of the proposal did not amount to the very special circumstances required to outweigh the harm to the Green Belt.</p>



## Bonny Farm

<b>PINs No.</b>	APP/Z0923/A/13/2205146
<b>Decision and date</b>	Dismissed 16/04/14
<b>Location</b>	Bonny Farm, Moresby Parks, Whitehaven CA28 8UT
<b>Inspector</b>	Richard McCoy
<b>Appellant</b>	Mr C Stamer
<b>Determination process:</b>	Written Representations
<b>Summary of decision</b>	<p>A proposal for a single turbine with a blade tip height of 66m. The main issues in this appeal were the effects on the landscape character of the surrounding area and visual impacts. The appeal site lies within an open agricultural field which enjoys extensive views across moorland, with the Lake District National Park boundary within 5.9km. The Inspector was of the view that the proposed turbine would be sufficiently remote from a nearby operational and an approved turbine development so that it would not be visually integrated. The result being that it would appear as a stark, stand-alone vertical feature in the landscape. The Inspector also felt that the proposed turbine would feature prominently in views from the nearby settlements. The Inspector concluded that the benefits of the proposal would not outweigh the harms.</p>

## Castlerigg Farm

<b>PINs No.</b>	APP/Z0923/A/13/2199076
<b>Decision and date</b>	Allowed 16/04/14
<b>Location</b>	Castlerigg Farm, Moresby Parks, Whitehaven, CA28 8UT
<b>Inspector</b>	Richard McCoy
<b>Appellant</b>	Mr Daniel Harper
<b>Determination process:</b>	Written Representations
<b>Summary of decision</b>	<p>Proposal for a single turbine with a blade tip height of 77m. The main issues were the effects on the landscape character of the surrounding area, visual impact and the effect on the setting of heritage assets. The appeal site lies within an agricultural field that occupies an elevated position and enjoys extensive views. It is also 8km from the boundary of the Lake District National Park. The Inspector was of the opinion that within 2km of the proposed turbine, it would appear as an intrusive feature in the landscape. However, the Inspector found that the expansive undulating nature of the landscape would ensure that the proposal would have a limited effect on the landscape. In cumulative terms, there is a 5 turbine wind farm (with turbines of a similar height to the proposal) 700m from the appeal site and a single turbine has been approved 350m from the site. The Inspector considered that each scheme would remain distinct and would not reach the level whereby the turbines would become a significant or defining characteristic of the landscape. The Inspector found that the proposal would adversely affect the setting of nearby heritage assets, but that the setting contributed very little to the significance of the assets. The Inspector therefore found that there would be less than substantial harm to the assets. Overall, the benefits of the proposal were found to outweigh the limited harms.</p>

## Lane Head Farm

<b>PINs No.</b>	APP/G0908/A/13/2191503
<b>Decision and date</b>	Dismissed 16/04/14
<b>Location</b>	Lane Head Farm, Boltongate, Wigton, CA7 1DH
<b>Inspector</b>	J P Ellis
<b>Appellant</b>	Ms Mary Ruth
<b>Determination process:</b>	(Recovered by Secretary of State)
<b>Summary of decision</b>	<p>Proposal for a single turbine with a blade tip height of 61m. The main issues were the effects on the setting of the Church of All Saints, the character and appearance of the area and the visual amenity at residential properties. The Church is a Grade I listed building. The Inspector found that the proposal would have a modest adverse impact on the setting of the Church. However, the harm to the significance of the Church would be less than substantial. With regard to the effect on the character and appearance of the area, the Inspector noted that potential significant effects would occur within 2km of the proposal. At distances beyond 2km the harm was not considered by the Inspector to be significant. The Inspector also noted that locally listed parkland at Quarry Hill would be harmed. However, limited weight was given to this because the park is not on the National Register. In terms of the visual amenity of residential properties, the Inspector found that although there would be a change in the outlook from a number of properties, the proposal would not result in any of the properties becoming unattractive places to live. The Inspector recommended that the appeal be allowed. However, the Secretary of State held that the harm to the setting of the Church and the landscape effects within 2km of the proposal could not be outweighed by the benefits.</p>

## Mull Hill

<b>PINs No.</b>	PPA-340-2078
<b>Decision and date</b>	Dismissed 23/04/14
<b>Location</b>	Mull Hill, to the north-east of Crieff, Perthshire
<b>Inspector</b>	Trevor A Croft
<b>Appellant</b>	Force 9 Energy Partners LLP
<b>Determination process:</b>	Hearing
<b>Summary of decision</b>	<p>Proposal for 9 turbines with a blade tip height of 104m. The main issue was the landscape and visual impacts of the proposal. The Reporter noted that the appeal site does not have any distinguishing features that make it stand out in the landscape, although it was found to be important that it forms part of the hills which form the southern edge of the highland summits. The Reporter also noted that the landscape was largely unspoilt, with the main visual intrusion being an overhead transmission line 3km east of the site. The Reporter considered that the landscape was an important transitional landscape and that its character would be adversely affected by the proposal. Due to the prominence of the site, the Reporter was of the view that the turbines would be dominant within the landscape. Therefore, the Reporter considered that the proposal would be significantly detrimental, both locally and in relation to distant views. Overall, the benefits of the proposal were not considered sufficient to outweigh the harms identified.</p>

## Rosehill

<b>PINs No.</b>	PPA-390-2034
<b>Decision and date</b>	Allowed 24/04/14
<b>Location</b>	Land east of Rosehill, Rosehill Road Tower, Plean
<b>Inspector</b>	Lance R Guilford
<b>Appellant</b>	Mr Robert Johnson
<b>Determination process:</b>	Written Representations
<b>Summary of decision</b>	<p>Proposal for a single turbine with a blade tip height of up to 100m. The main issues were the landscape and visual effects, effects on sensitive tourist destinations and effects on residential amenity. The appeal site lies within a flat, expansive, horizontal landscape. The Reporter noted that there is a significant urban dimension from the M9 and settlements in the area, as well as a new high voltage overhead transmission line. The Reporter considered that although the proposed turbine would result in a significant visual effect, the open nature of the landscape would not in general terms be adversely affected to a significant degree. The Reporter reviewed the impact on both Sterling Castle and Falkirk Wheel and concluded that there would not be a significant adverse impact on either. The nearest residential property to the appeal site lies 540m away. The Reporter found that there would be a significant adverse visual impact on the closest properties to the proposal, but that the effects would not be overbearing. The benefits of the proposal were found to outweigh the harms noted above.</p>

## Velansaga Barton Farm

<b>PINs No.</b>	APP/D0840/A/12/2189550
<b>Decision and date</b>	Dismissed 25/04/14
<b>Location</b>	Velansaga Barton Farm, Tregadgwith, St Buryan, Penzance, Cornwall, TR19 6BS
<b>Inspector</b>	Neil Pope
<b>Appellant</b>	EcoChilla
<b>Determination process:</b>	Hearing
<b>Summary of decision</b>	<p>Proposal for a single turbine with a blade tip height of 34.6m. The main issues were the effects upon the character and appearance of the area and the setting of heritage assets. The appeal site lies within the Penwith Moors and Coast AGHV and Area of Great Landscape Value, in an area of attractive open countryside on the upper slope of a south east facing ridge. The Inspector noted that the proposed turbine would be a conspicuous addition to such a rural area and would significantly detract from the appearance of the countryside. The Merry Maidens stone circle Scheduled Monument was described by English Heritage as an iconic site. The Inspector noted that the proposed turbine would be apparent from a key view from the stone circle to Chapel Carn Brae, introducing a visually distracting element into this view. The Inspector was of the opinion that the adverse impact comprised substantial harm to the setting of the asset. In conclusion, it was deemed that the benefits of the proposal were not sufficient to outweigh the harms.</p>

## Wheal Jane

<b>PINs No.</b>	APP/D0840/A/13/2196280
<b>Decision and date</b>	Dismissed 25/04/14
<b>Location</b>	Wheal Jane Mine, Baldhu, Truro, Cornwall, TR3 6ED
<b>Inspector</b>	R P E Mellor
<b>Appellant</b>	Partnership for Renewables
<b>Determination process:</b>	Hearing
<b>Summary of decision</b>	<p>A proposal for a single turbine with a blade tip height of 105m. The main issues were the effects on: the landscape character; residential amenity; and heritage assets. The appeal site is a post mining landscape, large scale and of a relatively modern character. The Inspector found that the proposed turbine would remain prominent up to about 2km in locations from where it could be seen. It was also noted that the proposed turbine would be visible from a number of footpaths and cycle routes. The Inspector found that the proposal would have an unacceptably overbearing and unavoidable presence on the closest dwelling, being 375m away. The Inspector highlighted a number of flaws with the appellant's noise assessment and concluded that it was not possible to confirm that noise could be controlled to an acceptable level by condition. With regard to heritage assets, the Inspector held that there would be less than substantial harm to the setting and significance of Baldhu Methodist Chapel and lesser effects on other listed buildings. Overall, the benefits of the scheme were not found to be sufficient to outweigh the harms identified.</p>

## Herdacott Farm

<b>PINs No.</b>	APP/D0840/A/13/2210756
<b>Decision and date</b>	Dismissed 25/04/14
<b>Location</b>	Herdacott Farm, Kilkhampton, Bude, Cornwall, EX23 9RH
<b>Inspector</b>	Neil Pope
<b>Appellant</b>	Mr Keian Harvey
<b>Determination process:</b>	Written Representations
<b>Summary of decision</b>	<p>Proposal for a single turbine with blade tip height of approx. 45m. The main issues were the effects on the character and appearance of the area and the setting of the Grade I listed Church. The Inspector noted that the site fell within an attractive area of open countryside and occupied an elevated position within the landscape. It was also noted that within 2.5km of the site there were a number of existing and consented single turbines and clusters. The Inspector considered that the proposed turbine would be a conspicuous feature in the landscape. He also found that users of a nearby public footpath, may at some sections feel surrounded by turbines. Conveying the impression of a wind farm landscape. With regard to the Church, the Inspector found that the proposed turbine would be a prominent and eye-catching feature that would interrupt some views of the Church tower and diminish the presence and perception of it. The Inspector deemed that this would constitute substantial harm. In conclusion, the Inspector found that the benefits were not capable of outweighing the harms of the proposal.</p>

## Penrhiwfer Farm

<b>PINs No.</b>	APP/L6940/A/13/2206850
<b>Decision and date</b>	Dismissed 29/04/13
<b>Location</b>	Land at Penrhiwfer Farm, Penrhiwfer, Tonypandy, CF40 1SE
<b>Inspector</b>	Ian Osbourne
<b>Appellant</b>	Distributed Generation Ltd
<b>Determination process:</b>	Written Representations
<b>Summary of decision</b>	<p>A proposal for a single turbine with a blade tip height of 69.5m. The main issue was the effect on the character and appearance of the landscape. The proposed turbine would be sited in open countryside near the apex of a steep-sided spur of land. The Inspector noted that the skyline was an important view for settlements within the valley. The appeal site formed part of this view, making it a distinct feature on the skyline. This resulted in the Inspector considering that the proposed turbine would be a prominent and incongruous feature seen from a substantial amount of housing. Creating a seriously harmful effect on the appearance of the urban fringe location. The benefits of the proposal were not considered sufficient to outweigh the harm to the landscape.</p>

## Bryn Llywelyn

<b>PINs No.</b>	APP/M6825/A/12/2189697, APP/M6825/X/13/515736 AND APP/M6825/X/13/515764
<b>Decision and date</b>	Dismissed 6/05/14
<b>Location</b>	Land surrounding Bryn Llywelyn, LLanllwni, Carthenshire, SA39 9ED
<b>Inspector</b>	Emyr Jones
<b>Appellant</b>	RES UK & Ireland Ltd
<b>Determination process:</b>	(Call in by Welsh Ministers)
<b>Summary of decision</b>	<p>A proposal for 21 turbines with a maximum blade tip height of 127m. The main issues were the effects on: the character of the site and surrounding area; living conditions; the setting of SAM's; and ecology. The Inspector considered that the proposal would result in a high magnitude of change, altering Mynydd Llanllwni's perception as a wild, empty and quiet landscape to an upland wind farm landscape. The Inspector considered that this would have a significant adverse impact on the quality of the local environment. In terms of the visual impact on residential amenity, the Inspector found that although there would be a major adverse impact on residential living conditions, they would not be so severe as to be overwhelming. Four Bronze Age SAM's are located within the appeal site. The Inspector found that there would be a substantial adverse effect on the setting of three of the four SAM's. The Inspector considered that there would be an unacceptable adverse impact on heath land on the site. It was found that there would not be an unacceptable effect on ornithology. Overall the Inspector concluded that the appeal should be dismissed. The Welsh Ministers agreed with this conclusion.</p>

## Dunsfield Farm

<b>PINs No.</b>	APP/B3410/A/13/2194499
<b>Decision and date</b>	Allowed 8/05/14
<b>Location</b>	Dunsfield Farm, Thorney Lane, Newborough, Burton-on-Trent, DE13 8RY
<b>Inspector</b>	P J Asquith
<b>Appellant</b>	R J Litchfield & Son
<b>Determination process:</b>	Written Representations
<b>Summary of decision</b>	<p>A proposal for a single turbine with a blade tip height of 46m. The main issues were the effects on: character and appearance of the local landscape; the setting of Grade II listed buildings at Park Lodge; and the living conditions of nearby residential occupiers. The appeal site lies within an attractive, undulating countryside characterised by farmland. The Inspector noted that the proposal would result in an element of change, introducing a modern component into the landscape. However, due to the location and relationship with the surroundings, the Inspector found that the proposed turbine would not result in an unacceptable change to the character and appearance of the local landscape. The listed buildings at Park Lodge are located 360m from the appeal site and the Inspector noted there were intervening modern farm buildings in between the two, as well as nearby high voltage overhead lines. The Inspector therefore found that there would only be minimal impact on the setting of the listed buildings. With regard to the living conditions of nearby residential occupiers, the main concern was the noise impact. It was noted that ETSU would be complied with and therefore the Inspector concluded that no unacceptable effects would be likely to arise. Overall, the benefits of the proposal were deemed capable of outweighing the limited harm.</p>

## Hart's Farm

<b>PINs No.</b>	APP/B3410/A/13/2196564
<b>Decision and date</b>	Allowed 08/05/14
<b>Location</b>	Hart's Farm, Abbots Bromley, WS15 3AP
<b>Inspector</b>	P J Asquith
<b>Appellant</b>	Piran Renewable Investments
<b>Determination process:</b>	Written Representations
<b>Summary of decision</b>	<p>A proposal for a single turbine with a blade tip height of 48.5m. The main issue was the effect on the character and appearance of the landscape. The appeal site occupies an elevated upland plateau area characterised by hedged fields, with the wider landscape being gently undulating and expansive. The Inspector found that although the proposed turbine would introduce a modern vertical component and effect some scenic change, its impact would not be such as to significantly detract from the landscape's overall character and appearance. The benefits of the scheme were found to outweigh the very limited harm.</p>

## Former Maesbury Quarry

<b>PINs No.</b>	APP/Q3305/A/13/2201954
<b>Decision and date</b>	Dismissed 13/05/14
<b>Location</b>	Former Maesbury Quarry, Old Frome Road, Maesbury, Wells, BA5 3HA
<b>Inspector</b>	Paul Griffiths
<b>Appellant</b>	Quarsol Ltd
<b>Determination process:</b>	Written Representations
<b>Summary of decision</b>	<p>A proposal for a single turbine with a blade tip height of 103m. The main issue was the effect on the setting and thereby the significance of Maesbury Castle (SAM). The Inspector noted that the proposed turbine would, at 1.2km away, be clearly visible from the hill fort and as such it would obviously have an impact on the setting of the SAM. Although existing and consented turbine can (and will) be seen from the SAM, they are further away than the proposed turbine would be. The Inspector concluded that the harm caused to the setting and thereby significance of the SAM would be less than substantial harm. However, the benefits of the proposal were not deemed sufficient to outweigh this harm.</p>

## Apex Motorcross

<b>PINs No.</b>	APP/H1840/A/13/2205343
<b>Decision and date</b>	Dismissed 14/05/14
<b>Location</b>	Apex Motorcross, Pershore Lane, Tibberton, WR4 0AA
<b>Inspector</b>	K Nield
<b>Appellant</b>	Distributed Generation Ltd
<b>Determination process:</b>	Written Representations
<b>Summary of decision</b>	<p>A proposal for a single turbine with a blade tip height of 76m. The main issue was the visual effect of the landscape. The proposed turbine would be sited in an elevated position at the north-eastern edge of the motorcross circuit near to junction 6 of the M5. The Inspector noted that the proposed turbine would be a prominent and dominant feature which would appear out of context with the surrounding landscape when viewed from parts of Tibberton and footpaths in close proximity to the site. The Inspector also considered the effects on the Grade I Church approx. 1km from the appeal site and concluded that given the existing development around the motorway junction, there would be limited harm on the setting of the Church. In conclusion, the Inspector found that the benefits of the proposal were not sufficient to outweigh the harms.</p>

## Bank End Farm

<b>PINs No.</b>	APP/W4705/A/13/2202659
<b>Decision and date</b>	Dismissed 14/05/14
<b>Location</b>	Bank End Farm, Bank Lane, Silsden, Keighley, BD20 9JB
<b>Inspector</b>	Louise Crosby
<b>Appellant</b>	Mr Simon Spence
<b>Determination process:</b>	Written Representations
<b>Summary of decision</b>	<p>A proposal for two turbines with a blade tip height of 27m. 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 effect on the character and appearance of the area. The Inspector confirmed that the proposal would constitute inappropriate development in the Green Belt and that while the proposal would reduce the openness of the Green Belt, the reduction would be limited. The appeal site sits within a low point in the undulating landform. It was noted that there was a network of footpaths in this area which offer good views of the appeal site. The Inspector found that the proposed turbines would appear as dominant and strident features in the landscape. It was also noted that 4 turbines to the west of the appeal site had not been considered in the appellants supporting information. Cumulatively, the Inspector considered the proposed turbines, together with the 4 turbines that had not been considered would result in an unacceptable visual intrusion on the landscape. Overall, it was found that the benefits of the proposal would not constitute the very special circumstances required to outweigh inappropriate development in the Green Belt.</p>