PP 14 09 11
Item 8

PLANNING APPEAL DECISION

Lead Officer: **Tony Pomfret – Development Control Manager**

To inform Members of a recent appeal decision in respect of a site at Fairladies Farm, Egremont, Cumbria, CA22 2TZ

Recommendation: That the decision be noted in the context of the Council's Local Plan Policies and also in relation to performance monitoring.

Resource Implications: Nil

1.0 SUPPORTING INFORMATION

1.1 Planning permission to erect two 11kw wind turbines on agricultural land to the rear of Fairladies Farm, an isolated farmstead off the C4007 road at Outrigg, St Bees was refused on 2 March 2011 for the following reason:-

"The proposed siting of two large, 24.8 metre high lattice style wind turbines in such a visually sensitive setting in open countryside designated `Landscape of County Importance` would introduce isolated, prominent features, incongruous in their surroundings, which would have a materially harmful effect on the character and appearance of the surrounding rural landscape contrary to Policies EGY 1, EGY 2, ENV 6 of the adopted Copeland Local Plan 2001-2016 and the advice contained in PPS22 `Renewable Energy`."

1.2 A subsequent appeal against the decision has been ALLOWED.

1.3 Whilst the Inspector noted that there are no tall features in the immediate area to interrupt the views to the sea, he considered there to be strong vertical elements which influence the perception of the wider landscape including large electricity pylons and an agricultural silo. In conclusion, whilst he agreed that the turbines would be noticeable features in the landscape, given the distance from any public vantage point he does not consider that they would be overly prominent and are therefore unlikely to have a detrimental impact on the character and appearance of the area. A copy of the Inspector's decision letter is appended to this report.

Contact Officer: **Heather Morrison – Senior Planning Officer**

Background Papers: **A copy of the Inspector's decision letter is appended.**

The Planning Inspectorate

Appeal Decision

Site visit made on 16 August 2011

by Mr A Thickett BA(Hons) BTP MRTPI DipRSA

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

Decision date: 25 August 2011

Appeal Ref: APP/Z0923/A/11/2152265
Fairladies Farm, Egremont, Cumbria, CA22 2TZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by John Clark against the decision of Copeland Borough Council.
- The application Ref 4/11/2033/0F1, dated 7 January 2011, was refused by notice dated 2 March 2011.
- The development proposed is the installation of two 11kW Gaia turbines mounted on 18m lattice masts on a 5m² concrete base. Both turbines have a blade diameter of 13m.

Decision

1. The appeal is allowed and planning permission is granted for the installation of two 11kW Gaia turbines mounted on 18m lattice masts on a 5m² concrete base. Both turbines have a blade diameter of 13m at Fairladies Farm, Egremont, Cumbria, CA22 2TZ in accordance with the terms of the application, Ref 4/11/2033/0F1, dated 7 January 2011 and subject to the following conditions:

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

   2) The development hereby permitted shall be carried out in accordance with the following approved plans: GAIA-WIND 18-1L, the location plan titled Fairladies Farm (1:1;10,000), dated 4 May 2011 and the 1:2500 OS Sitemap dated 24.11.2010.

   3) Within 6 months of the wind turbine hereby permitted ceasing to be used for the generation of electricity, the apparatus hereby permitted shall be permanently removed from the land and the site restored to its condition prior to the development taking place.

Main Issue

2. The main issue is the impact of the proposed wind turbines on the character and appearance of the area.

Reasons

3. The electricity generated by the proposed turbines would be used on the farm with any surplus fed into the Grid. Planning Policy Statement 7, Sustainable Development in Rural Areas, supports well conceived farm diversification schemes which, amongst other things, help to sustain the agricultural enterprise.

4. The site lies in a 'Landscape of County Importance' as designated by the Copeland Local Plan 2001-2016, adopted 2006 but Planning Policy Statement 22; Renewable Energy warns that local landscape designations should not be used in themselves to refuse planning permission for renewable energy developments. Whilst the emerging National Planning Policy Framework (NPPF) advocates the protection and enhancement of the character of the undeveloped coast and its distinctive landscapes it does not preclude development in those areas. Further, as it is subject to change, I cannot be certain that the NPPF will be adopted as it stands and I afford it little weight.

5. The proposed turbines would be installed on 18m lattice towers; they would have two blades with a rotor diameter of 13m giving an overall height of about 24.5m. The turbines would be sited in open farmland to the south of Fairladies Farm. Standing in the lane which passes the farm one has long sweeping views down to the sea and to the south west. There are no tall, features in the immediate area to interrupt the views to the sea but there are strong vertical elements which influence the perception of the wider landscape. Large electricity pylons march across the countryside and an agricultural silo is prominent in views to the south west of the farm. Although not visible at the time of my visit, a photograph submitted by the appellant shows that, on a good day, Sellafield power station can been seen from the farm. Leaving St Bees on the B5345 the turbines would be hidden behind the shoulder of a hill and then would only be visible in long distance views.

6. The turbines would be noticeable features in the landscape. However, given the distance from any public vantage point, I do not consider that they would be overly prominent. Further, seen in the context of the farm buildings and the other man made features described above, I do not consider that the proposed turbines would have a detrimental impact on the character and appearance of the area. I conclude that the proposed development accords with the national guidance cited above and Policies ENV 6, EGY 1 and EGY 2 of the Local Plan

Conditions

7. I have considered the Council's suggested conditions in light of the advice in Circular 11/95. Given my conclusions regarding the impact of the proposal on the character and appearance of the area, I see no need to grant a temporary planning permission. However, I consider that it is necessary, in the interests of the visual amenity of the area, to require the removal of the apparatus should it cease to be operational.

Conclusions

8. For the reasons given above and having regard to all matters raised, I conclude that appeal should be allowed.

Anthony Thickett

Inspector