

## PLANNING APPEAL DECISION

Lead Officer: Tony Pomfret Development Control Manager

To inform Members of a recent appeal decision in respect of land at High Thorny, Carleton, Egremont

**Recommendation:** That the decision be noted in the context of the Council's local plan policies and in relation to performance monitoring.

**Resource Implications:** Nil

### 1.0 SUPPORTING INFORMATION

1.1 Planning permission was refused for the erection of an 80m high wind turbine on an elevated site to the south of High Thorny Farm near Carleton on 13 October 2011 following an earlier site visit by Members. The grounds for refusal were as follows:-

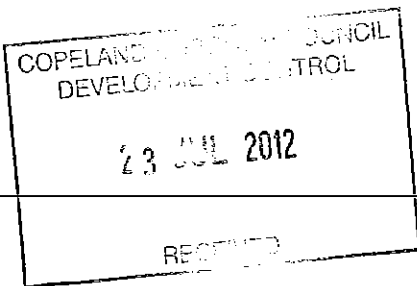
"The proposed siting of one large turbine, some 79.6 metres in overall height, would introduce an isolated, prominent feature, incongruous in its surroundings; which would have a materially harmful effect on the character and appearance of the surrounding landscape. Also, there has been insufficient information provided to demonstrate that it is not likely to be a potential noise nuisance to nearby residential properties contrary to Policies EGY 1 and EGY 2 of the adopted Copeland Local Plan 2001-2016 (Saved Policies June 2009) and the advice contained in Planning Policy Statement 22 "Renewable Energy".

1.2 Under the written representations procedures, an appeal against this decision has been DISMISSED. In reaching his decision the Inspector concluded that the proposed turbine would be an obvious feature on an exposed hillside, its size being more appropriate to the cluster of wind turbines found in other locations. The turbine would represent an unwelcome and harmful intrusion into the wider landscape and would cause significant harm to this landscape at variance with Policy EGY 1 of the Copeland Local Plan.

1.3 A copy of the Inspector's decision letter is appended.

**Contact Officer:** Tony Pomfret, Development Control Manager

**Background Papers:** Planning application file ref. 4/11/2361/0F1



## Appeal Decision

Site visit made on 18 June 2012

by **David Pinner BSc (Hons) DipTP MRTPI**

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

Decision date: 23 July 2012

**Appeal Ref: APP/Z0923/A/12/2168801**

**Land at High Thorny, Carleton, Egremont, CA22 2NU**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Robert Sherwen against the decision of Copeland Borough Council.
- The application Ref:4/11/2361/0F1, dated 25 July 2011, was refused by notice dated 13 October 2011.
- The development proposed is the erection of a wind turbine.

### Decision

1. The appeal is dismissed.

### Reasons

2. The representations include an assessment of various potential environmental effects of the scheme. The Council is not satisfied with the noise assessment but, in my opinion, the proposed turbine would be far enough from any residential property to make it unlikely that any significant noise disturbance would occur to local residents. In all other respects except for landscape impact, the Council is satisfied that the proposed turbine would not have any detrimental effects and I have no reason to disagree with that assessment. The issue is therefore the effect of the proposed turbine on the character and appearance of the landscape.
3. The scheme is for a single wind turbine with an overall height to the tip of the blades of just under 80 metres above ground level. In this respect, the turbine is of similar size to others to be found in small clusters along the Cumbrian coast. In my journey towards the appeal site from the north, I saw no other individual turbines of this size. I did see, however, several much smaller turbines of various designs, some of which were single turbines on prominent sites and others were very small turbines, sometimes in pairs. The visual impact of these smaller turbines was, as would be expected, very much less than the visual impact of the large turbines I saw.
4. The appeal site occupies a prominent hillside overlooking the Cumbrian coast. Expansive views are available in all directions looking north, west and south. The land to the east continues to rise so, if the turbine were to be visible from this direction, its lower part would be likely to be beyond the horizon. The only other turbines I could see from the appeal site were a newly-erected turbine some distance to the north, which I was told was about half the size of the proposed turbine and is one of a pair to be built on that particular site, and a large number of off-shore turbines well to the south and west of the appeal site. The Sellafield nuclear plant is also prominently visible to the south and west of the site.

5. Cumbria County Council has published supplementary planning guidance (SPG) relating to wind energy proposals in Cumbria. Of particular interest is that it identifies the area in which the appeal site is located as having landscape type 5, Lowland, which is assessed as having moderate capacity to accommodate up to small groups of turbines (3 to 5 turbines) and, exceptionally, a large group (6 to 9 turbines).
6. The National Planning Policy Framework (NPPF) acknowledges that the use and supply of low carbon and renewable energy should increase and requires local planning authorities to recognise the responsibility on all communities to contribute to energy generation from renewable and low-carbon sources. In the Copeland Local Plan, the Council recognises the benefits of renewable energy schemes and is committed to supporting schemes that meet the criteria of policy EGY 1. Insofar as it is relevant to this scheme and the issues in contention, this policy requires that renewable energy development should have no significant adverse visual effects; would have no significant adverse effects on landscape character and distinctiveness and that there would be no unacceptable cumulative effects.
7. In assessing the visual impact of the proposed turbine, I have relied on the photomontages provided by the appellant, the views I had from the appeal site and my conducted tour of the area accompanied by representatives of the Council and the appellant.
8. The appellant has provided a number of photomontage representations of how the proposed turbine would appear from various vantage points. The majority are taken from the A595. However, as I have said, there are expansive views from the appeal site, so it must follow that the appeal site would be visible from a wide area within which there is likely to be an extensive range of footpaths and other vantage points from where the turbine would be visible. As there are no other similar large turbines in the locality, the proposed turbine would most likely be regarded as establishing the size of turbine that might be accommodated on sites such as this, notwithstanding that each site would have to be considered on its own merits.
9. In this regard, I am particularly concerned that the proposed turbine would be an obvious feature on an exposed hillside. Its size is more appropriate to the clusters of wind turbines to be found in other locations. I think it would look out of place in this location because of its size and would represent a significant departure from what appears to be the current practice of only permitting relatively small, and therefore less obtrusive, turbines in such exposed locations. If this turbine were to be permitted and similar schemes became difficult to resist as a result, there is a danger that large turbines would be dotted around the landscape rather than limited to small groups of such turbines in appropriate locations. In this respect, I believe that this turbine would represent an unwelcome and harmful intrusion into the wider landscape, notwithstanding that the landscape type has been identified as one that is only moderately sensitive to wind energy development. I conclude that the scheme would cause significant harm to the landscape and would therefore be contrary to policy EGY 1 of the Copeland Local Plan. I do not consider that this harm is outweighed by the general environmental, social and economic benefits of this type of renewable energy development. The scheme is therefore unacceptable.

*David C Pinner*  
Inspector