
Appeal Decision

Site visit made on 27 May 2014

by Michael R Moffoot DipTP MRTPI DipMgt MCMI

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

Decision date: 21 July 2014

Appeal Ref: APP/R4408/A/14/2212199

Westfield Farm, Royd Moor Road, Thurlstone, Sheffield S36 7RD

- 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 Barraclough against the decision of Barnsley Metropolitan Borough Council.
 - The application Ref: 2012/1380, dated 21 December 2012, was refused by notice dated 24 July 2013.
 - The development proposed is installation of 1 no. medium scale 50kw Endurance wind turbine on a 24m monopole mast.
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Decision

1. The appeal is dismissed.

Procedural Matter and Main Issues

2. The Council advises that following the determination of the planning application, the National Air Traffic Services confirmed that it will make provisions to operationally manage the proposed development in relation to the Claxby radar installation. As a consequence, the issue of air safety is not to be pursued. I shall therefore confine my considerations to the first reason for refusal.
3. Accordingly, the main issues in this case are:
 - (i) whether the proposal would be inappropriate development in the Green Belt;
 - (ii) the effect of the development on the openness of the Green Belt and the purposes of including land in it;
 - (iii) the effect on the character and appearance of the area; and
 - (iv) if it is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, including the provision of renewable energy, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether inappropriate development

4. Paragraph 89 of the *National Planning Policy Framework* ('the Framework') sets out the types of new buildings that are not considered inappropriate in the Green Belt. It does not include wind turbines; indeed, paragraph 91 states that elements of many renewable energy projects in the Green Belt will comprise inappropriate development.
5. The appeal proposal would therefore be inappropriate development which the Framework advises is, by definition, harmful to the Green Belt and as such that harm should be accorded substantial weight.

Effect on openness and purposes

6. As a man-made feature in the Green Belt the proposed wind turbine would result in some loss of openness. The effect of the loss of openness would be most apparent from numerous viewpoints on Royd Moor Road and from the bridleway that extends south-westwards from the village, although it would be modest. The proposal would also result in encroachment into the countryside in conflict with one of the five purposes of the Green Belt as described in paragraph 80 of the Framework. In conjunction with the moderate loss of openness, this militates against the proposed development.

Effect on character and appearance

7. The appeal site occupies agricultural land in open countryside beyond the built-up limits of Thurlstone and within the 'Ingbirchworth Upland Farmland Landscape Character Area' (LCA) as designated in the *Barnsley Borough Landscape Character Assessment*, where policy CSP 37 of the Core Strategy¹ expects development to retain and enhance the character and distinctiveness of the LCA in which it is located. In a similar vein, policy CSP 29 expects high quality development that respects, takes advantage of and enhances the distinctive features of Barnsley, including topography, green infrastructure assets and other natural features. In relation to renewable energy development, policy CSP 6 permits proposals that do not have a significantly harmful effect on the character of the landscape and the appearance of the area.
8. These objectives are broadly consistent with paragraph 97 of the Framework which refers to the landscape and visual impacts that renewable energy developments can have, and paragraph 17 which refers to the need to recognise the intrinsic character and beauty of the countryside. Similar objectives are contained in the *Planning Practice Guidance* published in March 2014.
9. In this case the key characteristics of the landscape, as identified in the LCA, include a stepped landform comprising fields of pasture strongly defined by distinctive stone walls, scattered farmsteads and single lane rural roads. It also refers to panoramic views over adjacent river valleys and identifies the wind farm at Spicer Hill as visually prominent on the skyline. It describes the landscape sensitivity to built development as high and landscape capacity as low.

¹ *Barnsley Local Development Framework: Core Strategy* (adopted 2011)

10. The proposed wind turbine would be located beyond the north-western confines of the village, where the landscape is characterised by gently sloping, undulating pastures criss-crossed by drystone walls and punctuated by sporadic trees and well defined parcels of deciduous woodland, most notably near to High Bank Lane and Royd Moor Road. The landform falls gradually from north-west to south-east towards the village and rather more steeply from the north in the vicinity of Folly Lane down to Royd Moor Road.
11. Within the wider landscape there are a number of wind turbine developments, including large wind farms at Spicer Hill, Royds Moor and Blackstone Edge and a single turbine installation at Scout Dike Reservoir. The larger developments are highly prominent and readily visible from numerous elevated vantage points in the area, and although the character of the landscape essentially remains open and exposed its appearance has been significantly affected by them.
12. In addition to observing the appeal site from numerous viewpoints in the area, I viewed it from the vantage points suggested by the main parties and from the locations identified in the appellant's *Visual Impact Assessment* (VIA). Due to the topography the proposed wind turbine would not be visible from Location 3 near Royd Moor Hill. It would be seen in conjunction with the windfarm at Royds Moor/Spicer Hill from Location 4 near Scout Dike Reservoir, although it would have a limited presence in the landscape. From Location 5 to the south of Hoylandswaine it would be a very modest element in the landscape when observed in the context of the large wind farm development at Royd Moor/ Spicer Hill and Blackstone Edge. From these and other viewpoints I visited, I consider that the cumulative impact of the proposal on the fabric, character and quality of the wider landscape would not be significant.
13. I now turn to the effect of the proposal on the local landscape, which for these purposes I have taken to comprise land to the north of the village up to Folly Lane; land to the north-west extending to Royd Moor House; and land to the west towards High Bank Lane. This approach is broadly consistent with the appellant's submission that the "*visual envelope is restricted by local topography that limits visibility to predominantly near distance views*".
14. The turbine would be sited in an open field some 75m from the nearest building that forms part of the complex of agricultural outbuildings at Westfield Farm, and about 200m from the edge of the village. At 24.6m to the hub and 34.2m to the blade tip it would be a relatively tall structure and its presence would be compounded by the movement of the blades. There are few vertical elements within this local landscape and none directly comparable with the proposed turbine.
15. Most views of the turbine from Westfield Avenue, Royd Moor Court and Royd Moor Road where it leaves the village would be partly screened by the farm buildings and trees, with the blades and upper part of the tower visible against the sky from these vantage points. However, it would be clearly visible from the section of well used public bridleway that extends from the south-west edge of the farmyard and climbs towards High Bank Lane. From here it would be observed against a backdrop of rising land to the north of Royd Moor Road and the open landscape beyond.

16. The turbine would also be highly prominent from the section of Royd Moor Road between Westfield Farm and Location 2 in the VIA. At its closest point to the road (near to Location 1) it would be seen as a foreground element against a backdrop of open fields and in the context of the cluster of trees at the western end of the former quarry. From this viewpoint it would have a significant presence. Whilst its impact would progressively diminish as one travels north-westwards along the road, it would nevertheless remain an assertive feature (Location 2), and its impact would be reinforced where it breaches the skyline, whilst the movement of the blades would draw the eye. The turbine would also be prominent from the rising public footpath that connects Royd Moor Road with the housing estate to the north-east, and would be visible from a number of dwellings on the estate and, to a lesser extent, from Folly Barn and some residential properties on Westfield Avenue and Royd Moor Court.
17. I acknowledge that a number of turbines at Royd Moor are visible from various viewpoints on Royd Moor Road and the footpath to the estate. However, they are at some distance and the appeal proposal would not be readily observed within the context of these structures.
18. Although I have found that the visual impact of the appeal proposal on the wider landscape would not be significant, I conclude that it would introduce an incongruous element that would harm the visual amenity of the local landscape for those using the routes I have described. It would therefore harm the character and appearance of the area contrary to the aims of policies CSP 6, CSP 29 and CSP 37 of the Core Strategy.

Other considerations

19. The Framework advises that where renewable energy projects comprise inappropriate development, developers will need to demonstrate very special circumstances if projects are to succeed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.
20. It is clear from paragraph 98 of the Framework that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. The appellant advises that the proposed turbine would generate an estimated 170,000kWh annually, thereby reducing carbon emissions and contributing to the Government's Renewable Energy target for 2021. I attach significant weight to the benefits that the appeal proposal would bring about in these respects.
21. It is also submitted that the development would provide the equivalent of 5.5 new jobs over its lifetime and help protect one full-time job. However, the manufacture and construction stages would be relatively short and the maintenance regime would only be periodic. I therefore attach only limited weight to these factors in favour of the proposal.
22. The development would provide a secure electricity supply to the farm and reduce the overall energy costs of the business, and these factors attract moderate weight in favour of the development. Income from the project would facilitate investment in buildings, infrastructure and farming activities thus protecting and creating local jobs to which I attach moderate weight.

23. Income generated would enable the appellant to continue to maintain and manage the rural landscape, thus helping to protecting the character and appearance of the area and encourage biodiversity. However, it is not clear what additional benefits the development would bring about compared to any present arrangements regarding these matters, and I cannot attach more than minimal weight to these factors.

The balancing exercise

24. The turbine represents inappropriate development in the Green Belt which is, by definition, harmful. There would also be some loss of openness, albeit modest, and the proposal would be harmful to the visual amenity of the area. These harms attract substantial weight.
25. The benefits focus on the provision of renewable energy and resultant reduction in CO₂ emissions which attracts substantial weight; security of supply which attracts moderate weight; and more modest economic and environmental benefits.
26. In coming to the Green Belt and planning balance, I conclude that the benefits do not clearly outweigh the totality of harm that would arise as a result of the development, and the very special circumstances necessary to justify the proposal do not therefore exist.

Other Matters

27. I have seen no technical evidence to show that broken blades would endanger the public or that strobing and flicker would be hazardous to wildlife or compromise the safety of horses and their riders. The Council has raised no objections regarding noise associated with the turbine, and I am satisfied that suitable conditions could be imposed to establish acceptable operational noise limits at nearby properties in the event that the appeal were to succeed.
28. Neither these nor any other matters raised are sufficient to outweigh my conclusions on the main issues in this case.

Conclusion

29. For the reasons set out above, I conclude that the proposal is unacceptable and the appeal should fail.

Michael R Moffoot

Inspector