
Appeal Decision

Site visit made on 29 November 2016

by B.Hellier BA(Hons) MRTPI

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

Decision date: 21 March 2017

Appeal Ref: APP/B2355/W/16/3152975

Gatehouse Farm, Bamford Road, Ramsbottom, Bury, BL0 0RT

- 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 DC21 Group Ltd against the decision of Rossendale Borough Council.
 - The application Ref 2015/0241, dated 12 June 2015, was refused by notice dated 24 December 2015.
 - The development proposed is the installation of one Endurance X-35 wind turbine with a height to blade tip of 48m.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The reasons for refusal include impacts on air control radar and the effect of shadow flicker. The parties now agree that these matters could be satisfactorily dealt with by condition and I accept this to be the case.

Main issues

3. The site lies within the Green Belt. It is agreed that the proposal would be inappropriate development in the Green Belt. I consider the main issues are:
 - the effect of the proposed turbine on the openness of the Green Belt;
 - the effect on the character and appearance of the surrounding area;
 - whether the requirements of the Ministerial Written Statement of 18 June 2015 are met;
 - whether there are other considerations that favour the proposal including the benefits of renewable energy production and support for the existing farming enterprise; and
 - whether the harm to the Green Belt through inappropriateness and openness and any other harm is clearly outweighed by other considerations so as amount to the very special circumstances necessary to justify the proposal.

Reasons

Planning policy

4. The Government is committed to developing renewable energy. Underlying this is EU Directive 2009/28/EC which requires the UK to achieve a legally binding target of 15% of all energy to be generated from renewable resources
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by 2020. The National Planning Policy Framework (NPPF) advises that an application for renewable energy should normally be approved if its impacts are acceptable or can be made acceptable¹. However current national planning practice guidance (PPG) makes it clear that the need for renewable energy does not automatically override environmental protections. Particular attention should be given to cumulative impacts².

5. The PPG includes the requirements of a Written Ministerial Statement (WMS) of 18 June 2015 which are that planning permission should only be granted if: the development is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan; and, following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.
6. The NPPF states that the Government also attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.
7. The key development plan policy is Core Strategy³ Policy 20. This supports wind energy proposals subject to a number of criteria including a requirement that they should not have an unacceptable harmful impact, alone or cumulatively, on landscape character and value.

Openness

8. The proposed turbine would consist of a 30.5m monopole, a nacelle and two blades 35m in diameter giving an overall height of about 48m. The size of the turbine and the impact of the rotating blades would result in a noticeable loss of openness to which I attach moderate weight.

Character and appearance

Landscape effects

9. The appeal site lies in moorland pasture on a small rise at a height of about 287m AOD on Harden Moor. The moor is a pocket of open access land with high points of 297m both on the adjacent Wham Hill and at the trig point about 800m away. It is within an area of intermediate upland between the Irwell valley and the M66 corridor to the west and the higher moors to the north and east where the turbines of the Scout Moor Wind Farm are the dominant feature.
10. On the steep western side of Harden Moor is the prominent scar of Fletcher Bank Quarry above the town of Ramsbottom. To the north-west the land also drops away to an intricate mix of old mills, mill ponds⁴ and weavers cottages set in the steep sided valley of Harden Brook. Beyond this are long views across the Irwell valley to Holcombe Moor and beyond. The A680 linking the settlements in the Irwell valley to Rochdale and the Roch valley passes about 400m to the east of the site. Nearby there is a scattering of properties, mainly

¹ NPPF (paragraph 98)

² PPG: Renewable and Low Carbon Energy. Paragraph: 007

³ Core Strategy Development Plan Document: *The Way Forward (2011-2026)* Adopted November 2011

⁴ Some now fishing ponds in association with the Twine Valley Country Park

farms and farm conversions. The nearest properties are Gate House Farm and a more recent bungalow with an adjacent joinery workshop.

11. The landscape is not designated. Sub-regional guidance on landscape capacity¹ shows the site within the *High Moorland Plateaux* landscape character type (LCT) although close to the boundary with, and surrounded by, the *Moorland Fringes/Upland Pastures* LCT. The latter LCT is perhaps more appropriate as the site provides the foreground to the higher land to the east. Generically it is considered to have a moderate to high sensitivity to turbines of the scale proposed. Traffic on the main road, pylons and Ashworth Moor Reservoir lessen the sense of tranquillity but there is still a sense of remoteness. I consider the sensitivity of the location to be at least moderate.
12. The turbine would introduce a new landscape feature to Harden Moor which, whilst it would be close to the farm, bungalow and workshop, would be out of scale with the domestic scale of these buildings. The local impact would be considerable but having regard to the wider LCA I consider the magnitude of change would be moderate. I agree with the appellant that the overall landscape effect would be moderate.

Visual effects

13. The submitted ZTVI² map shows that short (less than 1km) and medium (1km to 2.5km) range views of the turbine would be limited. An old paved trackway, the Bamford Road, gives access to Gate House Farm and the appeal site. It is also a bridleway. Inevitably at close quarters the turbine would have a considerable impact on horse riders and walkers using this route and walkers on the two footpaths crossing Harden Moor. The only medium distance views would be from the east. Sensitive receptors would be walkers on the Rossendale Way for a length of about 1km where it traverses around below the steep slope of Scout Moor and occupiers of a handful of properties³ along the A680. From here the turbine would be conspicuous on the skyline.
14. The principal long distance views would be from Holcombe Moor. From the popular Peel Tower viewpoint the turbine would be seen against the backcloth of Scout Moor and with Fletcher Bank Quarry in the middle ground. Then travelling north along the B6214 it would start to appear on the skyline. At this distance it would be a small element in the view. Taking into account its relatively limited visual envelope I consider the visual effect of the turbine in isolation would be moderate.
15. However the turbine is not seen in isolation but in association with other wind turbine developments. The 26 large Scout Moor turbines are well spaced out and are a constant presence to the north-east of the A680 for several kilometres. There are a further two large turbines at a similar elevation to the appeal site about 2km away on the northern slope of the appropriately named Wind Hill.
16. Arguably in this setting one more turbines would make little difference. However the appeal proposal would extend the influence of turbines on the Irwell side of the A680 creating cumulative effects in combination, in

¹ *South Pennines Wind Energy Landscape Study* Julie Martin Associates an LUC. October 2014

² Zone of Theoretical Visual Impact

³ Fecit Farm and the adjacent bungalow appear to be less than 1km of the site and occupiers should be treated as visual receptors with high sensitivity

succession and sequentially for drivers, for people living on this stretch of road, and for walkers on the Rossendale Way. It would also introduce a rather smaller turbine than the Scout Moor/Wind Hill turbines with a faster blade rotation speed which would jar on the senses. For walkers and residents I consider the visual effect would be significant.

Conclusion on character and appearance

17. As a new element in the landscape in its own right the proposed turbine would have only moderate landscape and visual effects. Considering it in the context of the existing turbines I find that the cumulative visual impact would result in a significant adverse effect on the appearance of the area.

Written Ministerial Statement

18. The Council has not designated land for wind energy related development in its Core Strategy or in any emerging plan. Therefore, as a matter of fact, the proposal is not located within an area designated for wind energy development. The 2014 landscape capacity study, referred to above, establishes the sensitivity of landscapes to turbines of various scales but it does not then proceed to identify and allocate land where turbines would be acceptable.
19. There was limited consultation with local community. Nonetheless the application was validated and the local community became aware of the proposal. There is no need in this case to revisit the question as to whether the legislative requirements were met¹. Over 50 representations, fairly evenly divided for and against the application, were received from local residents. A common thread to the objections is cumulative visual impact. I find that this would be significant and that it would count against the proposal. As such the planning concerns of the affected communities have not been fully addressed.
20. The proposal fails to satisfy the above two requirements of the WMS. This must weigh significantly against the proposal.

Considerations favouring the proposal

21. The turbine would produce about 738MWh of electricity annually from a renewable energy source, the equivalent of the electricity consumption of 180 typical dwellings, giving annual savings of some 442 tonnes of CO₂. This would be a modest but important contribution to meeting national targets for renewable energy generation. The NPPF emphasises that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions.
22. Gate House Farm has been in the ownership of the Worthington family for over 60 years. They have had to abandon dairy farming and now fatten sheep and cattle. One member of the family runs a joinery business operating from the nearby workshop. The electricity from the turbine would provide a 3-phase supply to the workshop and would reduce the energy costs of the farm. I consider the local economic benefits to the farm and joinery business together with the wider environmental benefits should attract substantial weight.

Green Belt balance and conclusion

23. Inappropriate development is, by definition, harmful to the Green Belt and to this must be added further moderate harm arising from loss of openness. In

¹ Sections 61w and 61X of the Town and Country Planning Act 1990

accordance with the advice in paragraph 88 of the NPPF any harm to the Green Belt should be given substantial weight. There would also be significant cumulative visual harm. Contrary to the WMS requirements the appeal site does not fall within an area designated for wind energy related development nor are the planning concerns of the affected communities met. These matters too must be given significant weight. I find that the totality of these harms would not be outweighed by the environmental and economic benefits set out above. The harm would be limited to the 30 year operational life of the turbine but this would provide little mitigation.

24. The NPPF indicates that when considering wind turbine proposals in the Green Belt the wider environmental benefits associated with increased production of energy from renewable sources may amount to very special circumstances. However in this case I conclude that the harm to the Green Belt is not clearly outweighed by other considerations. Therefore the very special circumstances necessary to justify the proposal do not exist. This being the case the proposal would conflict with national Green Belt policy and with Core Strategy Policy 20. It would fail to satisfy the provisions of the development plan as a whole.
25. For the reasons given above I conclude that the impacts are not acceptable and that the appeal should be dismissed accordingly.

Bern Hellier

INSPECTOR