

Report of the Director of Planning, Regeneration and Culture

ITEM NO. SUBJECT

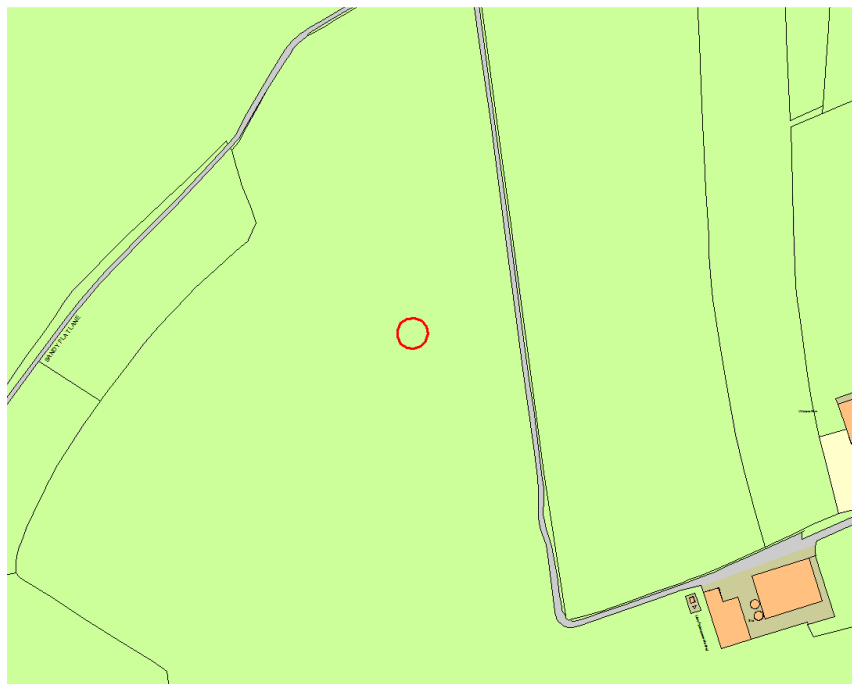
1 Appeal Decision – Dismissed

Appeal against refusal of planning permission to vary condition 02 (amended plans) imposed by RB2014/0727 (Installation of 2 No. turbines (24.8m hub height and 34.5 tip height)) at land at Parkcliffe Farm, Morthen Road, Wickersley, reference RB2015/0493

Item 1

Appeal Decision – Dismissed

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**Recommendation**

That the decision to dismiss the appeal be noted.

Background

Planning permission for the erection of two turbines at the site (24.8m hub height and 34.5m tip height) was approved at Planning Board on 16/03/2015 (reference RB2014/0727). A subsequent application to vary condition 02 (amended plans) of this permission to increase the blade tip length by 2.1m and reduce the hub height by 0.8m on each turbine so that the productivity of the turbines could be increased by 33% was subsequently refused by Planning Board on 05/06/2015 (RB2015/0493). The applicant has appealed against this refusal and the Council has now been informed that the appeal has been dismissed.

A separate application for the installation of a single wind turbine with 24.8m hub height and 36.6m tip height remains undetermined (RB2015/0907).

Subsequent to the original grant of planning permission, a Written Ministerial Statement (WMS) dated 18th June 2015 has been issued which explains that where a valid planning application for a wind energy development has already been submitted to a local planning authority and the development plan does not identify suitable sites, transitional provisions apply whereby local planning authorities can find the proposal acceptable if, following consultation, they are satisfied it has addressed the planning impacts identified by affected local communities and therefore has their backing.

Inspector's Decision

The Inspector noted that it was accepted that the proposals represented inappropriate development in the Green Belt and considers the main issues to be –

The effect of the proposal on the openness of the Green Belt and the purposes of including land in it.

The existing, extant, planning permission for 2 No. 34.5m high turbines is a material consideration. Therefore when considering the openness the main focus was on the increase in height and the greater blade sweep. The Inspector considered that the approved turbines would reduce openness in this location to a moderate degree, and that the increase height to the tip of 2.1m and the resultant greater blade sweep would reduce openness further, albeit to a limited degree. The reduction in openness as a result of the larger proposed turbines would therefore be modest. This would result in harm to the Green Belt which attracts substantial weight.

The effect of the proposal on the character and appearance of the area.

The appeal site falls within an area defined in Rotherham Unitary Development Plan as an Area of High Landscape Value, and within National Character Area 38: Nottinghamshire, Derbyshire and Yorkshire Coalfield and the Central Rotherham Coalfield Farmland sub area. The Inspector noted that there are no other very tall man-made structures in the vicinity of the site, and that visually the increased blade tip height of the turbines and the greater blade sweep would be noticeable, compared to those approved, in closer views such as from Morthen Lane, Morthen Hall Lane, the public footpath on Sandy Flat Lane and the dwellings and gardens closer to the appeal site. In longer distance views, such as those from Worry Goose Lane, the proposed changes would be barely perceptible.

The Inspector considered that the effect of the proposal would result in modest additional material harm to the character and appearance of the area compared to the approved scheme.

Whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

The output of the proposed turbines would increase the output by 33%, it would supply the energy needs of Parkcliffe Farm, with the remainder directed into the National Grid. The proposal would contribute to Government renewable energy targets, reduce the emission of greenhouse gases and address climate change. The Inspector noted that these matters attract significant weight in favour of the proposal.

It is for the appellant to demonstrate very special circumstances if the project is to proceed. These will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.

The Inspector found that the proposal would result in a modest reduction in openness. Substantial weight must be attributed to the harm to the Green Belt, in accordance with paragraph 88 of the NPPF. In addition, the proposal would result in a modest amount of harm to the character and appearance of the area which attracts some weight. Additionally, the proposal does not have the backing of the local community since their concerns in relation to the Green Belt and the character and appearance of the area have not been addressed, as required by the Written Ministerial Statement.

The Inspector also concluded that on the positive side, significant weight is to be given to the environmental benefits of the proposal, above and beyond that which already has planning permission. However, the Inspector noted that according to the appellant, the original approved scheme would be unlikely to be a viable project because of a change in the feed in tariff in March 2015. The Inspector considered that these other considerations are insufficient to outweigh the harm by reason of inappropriateness and the other identified harm and as such do not amount to the very special circumstances necessary for the proposal to be acceptable.

Other Matters

A few letters of objection were submitted which raised other matters, including the noise impact of the turbines and the potential impact on ecology though the Inspector concluded that these matters were not significant.

Conclusion

The Inspector concludes that for the reasons stated and having regard to other matters raised, the appeal should be dismissed.