



Appeal Decision

Site visits made on 2 and 22 April 2014

by Ron Boyd BSc (Hons) MICE

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

Decision date: 25 July 2014

Appeal Ref: APP/D2510/A/13/2205932

Causeway Bridge Farm, 48 Church Lane, Manby, Louth, Lincolnshire LN11 8HL

- 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 Bernard Matthews Wind Energy Co-operative Limited against the decision of East Lindsey District Council.
 - The application Ref N/113/02189/12, dated 16 October 2012, was refused by notice dated 10 July 2013.
 - The development proposed is installation of 1 wind turbine with maximum height to tip of 78m, access track, a hard standing, a substation and associated infrastructure.
-

Decision

1. The appeal is dismissed.

Procedural matters

2. Since the appeal was submitted the Department of Communities and Local Government published its Planning Practice Guidance (PPG) on 6 March 2014. Both parties have been given the opportunity to comment on the relevance of the PPG to their cases. I have had regard to their responses and to the PPG in determining these appeals.
3. I undertook an accompanied site visit on 2 April 2014. In view of the poor visibility resulting from the weather conditions on that day I agreed with the parties that I would revisit the site on an unaccompanied basis at a later date when visibility was likely to be better. This I did on 22 April 2014.

Main issues

4. I consider these to be the effect the proposed development would have on the character and appearance of the surrounding area; the setting of the Lincolnshire Wolds Area of Outstanding Natural Beauty (the AONB) and the visual amenity of people within the surrounding area, having regard to the potential cumulative impact from it being seen alongside other approved and constructed turbines.

Policy context

5. The development plan consists solely of the saved policies of the East Lindsey Local Plan Alterations 1999. Saved Policy A4 states that development which unacceptably harms the general amenities of people living or working nearby will not be permitted. The supporting text makes clear that consideration of the impact of any development proposal will include its effect upon the

distinctive character of the area. Saved Policy C11 states that the Council will protect the natural beauty of the AONB.

6. The National Planning Policy Framework (the Framework) indicates that the role of planning in supporting the delivery of renewable energy is, amongst other matters, central to the economic, social and environmental dimensions of sustainable development. Paragraph 98 states that applications for renewable or low carbon energy should be approved if the impacts are (or can be made) acceptable, unless material considerations indicate otherwise, and recognises that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. Nevertheless, the PPG makes it clear that the need for renewable or low carbon energy does not automatically override environmental protections and that protecting local amenity is an important consideration which should be given proper weight in planning decisions.
7. The Council's emerging Core Strategy went to public consultation in October 2012. Consideration of the responses received resulted in revisions which at the time of submission of the Council's Appeal Statement had yet to be considered by the Council prior to any decision to take it forward towards submission for examination in public. The post-consultation policies relevant to this appeal are SP15 (Landscape) and SP19 (Renewable Energy). The latter states that *'large scale renewable energy development will only be supported where their individual or cumulative impact is considered to be acceptable'* in respect of, amongst other things, landscape quality and the setting of heritage assets. The supporting text advises that acceptability will be assessed in terms of the landscape's capacity for accommodating the development. However, in view of its early stage of development, only limited weight can be attached to the emerging policy.

Reasons

8. The proposed turbine would have a hub height of 50m with three 28m long blades. It would be sited within a flat agricultural landscape on a small area of grassland to the north of a row of ten poultry sheds at Causeway Bridge Farm on the north side of Church Lane. The surrounding settlements are Manby, about 1.6km to the south west, Grimoldby, some 1.9km to the north west and Saltfleetby St Peter about 800m to the north east. Dwellings closest to the proposed turbine would be the farm manager's bungalow, 270m away directly south of the poultry sheds; Eastfield Farm, around 630m to the west along Church Lane; Poplar House Farm, on the B1200 some 720m to the north east; Thornham Farm, further east along the B1200 about 807m from the proposed turbine; and The Poplars, also on the B1200 about 1 Km to the north west.
9. Direct views towards the proposed turbine from the farm manager's bungalow would be blocked by the proximity of the poultry sheds. The other properties would be sufficiently distant from the turbine and variously so orientated or partially screened by outbuildings or intervening vegetation that the turbine would not, in itself, so dominate the overall outlook from those dwellings such as to amount to unacceptable harm.
10. However, the turbine would also be viewed from within the surrounding area in the context of nearby turbine developments already existing. Those closest consist of two wind farms, one of 20 turbines 89m high to blade tip at Conisholme, some 6.2 km to the north west, and a second of 16 turbines 87m to tip at Mablethorpe about 8 Km to the south east, together with a single 67m

high turbine at Yarburgh, about 1.5 Km west of Conisholme. In addition, permission at appeal (APP/2510/A/12/2176754) was granted in 2013 for the erection of a further wind farm of 8 turbines 115m to tip at Gayton le Marsh about 2.2 Km to the south-east of the appeal site. At the time of my site visits the Gayton le Marsh turbines had yet to be erected but I have assumed their presence in my consideration of the effect of the appeal turbine.

11. In considering the above appeal the Inspector concluded that the landscape between the existing wind farms at Mablethorpe and Conisholme had the capacity to absorb the Gayton le Marsh turbines located roughly mid-way between them. Whilst accepting that any landscape could eventually become so cluttered with wind turbine developments that its character would have changed from one where wind turbines could be seen within it to one where obvious views of wind turbines become unavoidable, the previous Inspector concluded that the addition of the Gayton le Marsh turbines to the area would not result in such a change.
12. However, their provision, as permitted, would result in three wind farms, broadly in a line, over the 14Km long corridor from Mablethorpe to Conisholme, and a landscape which, to my mind, would be more sensitive to the addition of further large turbines within it. I consider the presence of the three wind farms would be sufficiently prominent in that landscape as to effectively eliminate its capacity to absorb any more large turbines without significant harm to its character. The submitted Landscape and Visual Impact Assessment (LVIA) explains that the addition of the Gayton le Marsh turbines would result in a new occurrence of the wind farm sub-type 'Tetney Lock to Skegness Coastal Outmarsh with Wind Turbines' up to possibly 3-4Km from the turbines and that the addition of the appeal turbine would lead to a coalescence of sub-types and significant cumulative landscape effect, albeit over a limited area. The PPG advises that cumulative impacts require particular attention, especially the increasing impact that wind turbines can have on landscape and local amenity as the number of turbines in an area increases.
13. The LVIA identifies that significant visual effects arising from the addition of the appeal turbine would be experienced by local properties including Eastfield Farm; those on the west side of Saltfleetby St Peter; the eastern side of Grimoldby; and the eastern edge of Manby as well as by travellers on the B1200 approaching the turbine from east and west, and those using the minor roads and footpaths up to around 3.5Km from the proposed turbine.
14. The LVIA summarises these significant cumulative landscape and visual effects, as 'limited', and primarily as a reinforcement of the significant effect that would result from the Gayton le Marsh turbines. However, as a separate development, both in location and dimensions, the proposed turbine would compound the impact of the existing turbines and add to the impression of a clutter of industrial apparatus within the area. I consider that the result would be a clear exacerbation of the impact of turbines on the surrounding area both in the degree to which they would be a defining characteristic of the landscape and as a feature of the views experienced by people within that area.
15. I conclude that the composite cumulative landscape and visual effects arising from placing the appeal turbine in the area between the Gayton le Marsh and Conisholme assemblies would amount to an unacceptable additional degree of harm to the surrounding landscape and to the people living, working or travelling within or through it. As such it would conflict with Saved Policy A4 of

the East Lindsey Local Plan Alteration 1999 which, amongst other things, seeks to prevent harm to the landscape character of an area so as to protect the amenities of those living and working in it. Also with the advice in the Framework that the impacts of a renewable energy proposal should be acceptable (or capable of being made so) for it to be approved. I consider there is no inconsistency between the aim of the above Policy and the Framework or with the PPG advice on the importance of the protection of local amenity as a consideration in planning decisions relating to renewable energy developments.

16. The eastern boundary of the Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB) lies some 7Km west of the appeal site. Views from the higher ground within the AONB over the agricultural landscape to the east, such as from adjacent to the A153 some 10 Km from the appeal site, are extensive. In such views, in the context of the scale of the visible landscape, the effect of the appeal turbine, whilst an additional element within those views, would, whether individually or cumulatively, be slight and would not amount to significant harm. My decision has not turned on this aspect.
17. In respect of views towards the AONB from points east of the appeal site, such as from Rimac, the proposed turbine would be more intrusive in the foreground, as, acknowledged by the previous Inspector (Appeal APP/2510/A/12/2176754), would the Gayton le Marsh turbines. The appellant contends that the wide scale of the AONB horizon seen from such viewpoints is able to accommodate the vertical contrast of the appeal turbine without unacceptable conflicts of scale arising. However, the proposed turbine would be seen in such views together with the Gayton le Marsh turbines and would contribute to the cumulative effect that these two developments would have on those views, which would be to detract from the setting of the AONB. Whilst not, to my mind, sufficient on its own to warrant dismissal of the appeal, I conclude that this is an additional harm to that I have identified above.
18. I have taken account of the arguments put forward by the appellant in support of the scheme including that it would: contribute towards UK and EU targets for renewable energy generation and to security of supply; assist in combating climate change; provide a valuable form of farm diversification contributing towards making the agricultural enterprise sustainable; be an educational resource for local schools and colleges; and is being promoted by a co-operative venture in which local people will be able to invest and gain financial benefits, with priority being given to people living close to the project and to Bernard Matthews employees. I have also taken account of the letters of support submitted in response to the application and the notice of appeal and note that planning permission is only requested for a period of 25 years. However, I consider that the benefits of the proposal are insufficient to outweigh the harms I have identified above in my conclusions in respect of the main issue which have led to my decision on this appeal. The proposal is contrary to both the development plan and the Framework. Accordingly I conclude that the appeal should fail.

R.T.Boyd

Inspector