

Appeal Decision

Site visit made on 30 September 2013

by John Braithwaite BSc(Arch) BArch(Hons) RIBA MRTPI

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

Decision date: 26 November 2013

Appeal Ref: APP/T2350/A/13/2192046

Mason House Farm, Clitheroe Road, Bashall Eaves, Clitheroe BB7 3DD

- 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 B Hartley and Sons against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2012/0402, dated 18 April 2012, was refused by notice dated 19 October 2012.
 - The development proposed is the erection of a 50kW wind turbine (34.2m to tip height) to supply electricity to the farming operations.
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Decision

1. The appeal is dismissed.

Reasons

2. The main issues are; first, the effect of the wind turbine on the natural beauty and character of the Trough of Bowland Area of Outstanding Natural Beauty (AONB) within which Manor House Farm is located; second, whether the wind turbine would cause harm for any other reason; and third, whether any harm that would be caused is outweighed by other material considerations.

The first issue - the natural beauty and landscape character of the AONB

3. A track leads westwards from a junction with Clitheroe Road to Manor House Farm and beyond to other remote properties in the countryside. The track is a public footpath from where there are far reaching views southwards across the valley of the River Hodder towards Longbridge Fell. The tranquillity of the countryside in the vicinity of Manor House Farm and the scenic beauty of the landscape in the views across the river valley, with Longbridge Fell in the background, cannot be overstated. They are typical of the AONB and, as indicated in paragraph 115 of the National Planning Policy Framework (NPPF), such a designated area is afforded the highest status of protection.

4. The wind turbine, with a blade tip height of about 34 metres and a hub height of about 24 metres, would be situated in a field to the west of the farmstead. The field slopes upwards from the track to the north and the turbine would be about 75 metres from the track. From the public footpath, given that it would be on higher ground and its proximity to the track, the turbine would be seen against the sky and would be a prominent and intrusive mechanical feature that would detract from the tranquillity of the area. More importantly, it would draw the eyes of walkers on the footpath and would detract from their appreciation of the scenic beauty of the river valley landscape.

5. The proposed wind turbine would intrude into the tranquillity of the countryside area and would detract from appreciation of the views from the nearby footpath of the river valley landscape. From the footpath the turbine would be sited on the skyline to the north of the footpath and the proposal, for this and other reasons, is inconsistent with the provisions of the AONB Renewable Energy Position Statement produced by the Council's who share the AONB. The proposed development would have a serious adverse effect on the natural beauty and landscape character of the AONB and would thus be in conflict with, in particular, saved policy ENV1 of the Ribble Valley Districtwide Local Plan (LP).

6. The LP was adopted before 2004 and, with regard to paragraph 214 of the NPPF, is afforded less than significant weight. However, the Council's emerging Core Strategy (CS) has been submitted for examination and, with regard to the protection of the environment, is consistent with the NPPF. CS policy DMG2 seeks the preservation of the character and special qualities of the AONB. The proposed development conflicts with CS policy DMG2.

The second issue – other harm

7. A reason for refusal of the planning application alleges that the wind turbine would adversely affect the setting of a listed building, Browsholme Hall. This building is situated about 2 kilometres to the north of the appeal site. The Council has not provided the listing description for Browsholme Hall but has provided the listing description of the farmhouse at Manor House Farm, a Grade II listed building. Browsholme Hall is a significant distance away and the farmhouse is surrounded by modern farm developments so the proposed wind turbine would not harm the setting of either listed building.

8. Concerns expressed by the Council regarding the ecology of the area could be overcome by imposition of a condition that would require surveys to be carried out, and, potentially, a mitigation scheme to be agreed with Natural England and the Local Planning Authority and implemented before development is commenced. The proposed development would not cause any harm in addition to that which would be caused to the natural beauty and landscape character of the AONB.

The third issue

9. National policy on renewable energy is set out in the NPPF. In paragraph 93 it is stated that 'Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure'. In paragraph 98 it is recognised that 'even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions'.

10. The proposed wind turbine would produce energy for use at Manor House Farm and would contribute to the establishment of a robotic dairy unit that the Appellants intend to establish at the farm. The benefits for their farming enterprise, the renewable energy credentials of the proposed scheme and all other matters mentioned in support of the appeal have been taken into account but they do not, either individually or collectively, outweigh the serious harm that the wind turbine would cause to the natural beauty and landscape character of the AONB.

John Braithwaite

Inspector