

**Item Number:** 12  
**Application No:** 13/00551/FUL  
**Parish:** Weaverthorpe Parish Council  
**Appn. Type:** Full Application  
**Applicant:** Mr Anthony Milner  
**Proposal:** Erection of 1no. 55m high (overall tip height 81m) 500kw wind turbine to generate electricity for the National Grid with associated sub station, crane pad, access track and temporary construction compound.  
**Location:** Land At Dotterel Farm Main Road Weaverthorpe Malton North Yorkshire

**Registration Date:**  
**8/13 Wk Expiry Date:** 15 July 2013  
**Overall Expiry Date:** 3 July 2013  
**Case Officer:** Shaun Robson **Ext:** 319

#### CONSULTATIONS:

<b>Neighbouring Parish Council - Sherburn</b>	No observations
<b>Neighbouring Parish Council - Luttons</b>	Object
<b>East Riding of Yorkshire Council</b>	No response received
<b>Neighbouring Parish Council - Weaverthorpe</b>	Object
<b>National Air Traffic Services (NATS)</b>	No objection
<b>The Joint Radio Company Ltd</b>	Cleared with respect to radio link infrastructure
<b>Wind Farm Enquiries</b>	No objection
<b>Tree &amp; Landscape Officer</b>	No response received to date
<b>Natural England</b>	Comments Only
<b>Environmental Health Officer</b>	Object
<b>Countryside Officer</b>	No objection
<b>Civil Aviation Authority</b>	No objection
<b>National Grid Plant Protection</b>	No response received
<b>Archaeology Section</b>	Recommends Conditions
<b>Highways North Yorkshire</b>	Recommend conditions
<b>Building Conservation Officer</b>	Object
<b>Ministry Of Defence</b>	Satisfied no impact from proposed development.

**Neighbour responses:** Ms Lynne Porter, Mrs Caroline Garrod, Mr Evan Ferguson, Mr Graham Perry, Mr Eddie Startup, Dr Dave Parrott, Mrs Jill Wilson, Mr Kenneth Wright, Mr Maurice Daniel, Dr Peter Wilson, Mrs Angela Ewbank, Mrs Judith Tiplady, Mr Paul Stephens, Mrs Annette Mitchell, Mrs Paula Conner, Mrs Caroline Bradshaw, Jean Whiteley, Mr Keith Lewindon, Mr Paul Millward, Mrs M A Carr Mr J B Lawty, Mrs Kate Lyon, Mr Andy Boothroyd, Mr Ben Burgess, Robert William Buck, Mrs Lyndis Millward, Mr Chris Dale, Mrs Caroline Clark, Mr P Carpenter, Mr Thomas Webborn, Mrs Sherry Parrott, Mr Michael Rowland, Mr Ian Stubbings, Mr Tim Stubbings, Mr Andrew Lockwood, Mr Stuart Lockwood, Mrs Ann Lockwood, Mr Frank Bannister, Mr Stanley Bell, Lynn Wraith, EJ And JE Sleightholme, Dr Mark Whyman, Mr Christopher Googe, Mr Nicholas John, Mr Neil Ford, Margaret Stevens, Mr Andy Thompson, Mr David Hinde, Mr David Milner, Mr John Grindrod, Mrs Helen Chapman, Mr Robert Stubbings, Mrs Brenda Mellor, Mr Alan Mclean, Mr Stuart Taylor,

**SITE:**

The application site is located on elevated land approximately 1.9 km to the north-west of Weaverthorpe, to the north of the Weaverthorpe to Butterwick road.

The site currently consists an agricultural field within part of the Dotteral Farm holding and is within an area designated as an Area of High Landscape Value.

**PROPOSAL:**

Planning permission is sought for the erection of 1500kW turbine with a hub height of 55.0m and a tip height of 81.0m, associated crane pad, substation, access track and temporary construction compound. The development is proposed to be operational for 25 years.

The grid connection for the turbine will be underground and run parallel with the proposed access track, therefore the connection to the grid will not be visible.

The applicant has indicated that the turbine will produce sufficient energy to power up to 350 homes, as well as providing a small amount of the energy produced to the farm. The turbine will produce a small amount of energy to be utilised on the farm with the remaining amount fed into the National Grid.

**HISTORY:**

91/00493/OLD Erection of 18m diameter wind turbine on 30m high tower at Dotterel Farm, Weaverthorpe – APPROVED 14/02/1992

**POLICY:**National Planning Policy Framework (March 2012)

Section 7: Requiring good design.

Section 10: Meeting the challenge of climate change, flooding and coastal change.

Section 11: Conserving and enhancing the natural environment.

Section 12: Conserving and enhancing the historic environment.

National Planning Practice Guidance (March 2014)

Climate change

Conserving and enhancing the historic environment

Design

Determining a planning application

Renewable and low carbon energy

Use of planning conditions

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990Ryedale Plan - Local Plan Strategy

Policy SP12 – Heritage

Policy SP13 – Landscapes

Policy SP14 – Biodiversity

Policy SP18 – Renewable and Low Carbon Energy

Policy SP19 – Presumption in Favour of Sustainable Development

Policy SP20 – Generic Development Management Issues

## National Guidance

The Climate Change Act 2008

The Renewable Energy Strategy 2009

National Policy Statement for Renewable Energy Infrastructure (EN-1)

National Policy Statement for Renewable Energy Infrastructure (EN-3)

### **PUBLICITY:**

43 letters of objection have been received from residents of Weavertorpe, Helperthorpe, East Lutton, West Lutton, Kirby Grindalythe, Malton, Pickering, West Heslerton, Bempton (East Yorkshire) and Leeds. Weavertorpe and Luttons Parish Councils have also objected to the application. The received objections from the Parish Councils and residents cite one or more of the following points:-

- Impact of the development on the Area of High Landscape Value;
- Cumulative impact of the development;
- Supporting photomontages are incorrect;
- Devaluation of properties;
- Visual impact of the proposal;
- The Wolds will not receive AONB status if the application is approved;
- The turbine is too large;
- Impact on wildlife;
- Impact of the proposal on heritage assets;
- Impact on tourism to the area;
- The development will have a detrimental impact of Grade I and Grade II designated historic assets in the area;
- The proposal will detrimental impact on aircraft safety at a private airstrip (Moor Farm);

17 letters of support have been received from residents from Weavertorpe, Helperthorpe, East Lutton, Kirby Grindalythe, Thorpe Bassett and York citing one or more of the following points:-

- Wind energy meets future needs;
- The visual impact of the development would not be too obtrusive;
- No negative impacts will be created through the scheme;
- Good farm diversification;

### **APPRAISAL:**

It has been assessed that taking into account the scale and location of the development, it does not constitute 'Environmental Impact Assessment' development in accordance with Schedule 2 of the Town and Country Planning Environmental Impact Assessment Regulations 2011 (as amended).

The main material considerations are:

- Principle of development in policy terms
- Landscape and cumulative impact
- Impact of development on residential amenity
- Heritage impact
- Ecology
- Transport
- Aviation, radar implications and aircraft safety
- Impact on Tourism

## Policy Context

### National Planning Policy

The most relevant paragraphs of the NPPF state;

*93. Planning plays a key role in helping shapes 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. This is central to the economic, social and environmental dimensions of sustainable development.*

*97. To help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources;*

- Have a positive strategy to promote energy from renewable and low carbon sources;*
- Design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impact;*
- Consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources;*
- Support community-led initiatives for renewable and low carbon energy, including developments outside such areas being taken forward through neighbourhood planning; and*
- Identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.*

*98. When determining planning applications. Local planning authorities should:*

- Not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and*
- Approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should also expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.*

The relevant policies in the Ryedale Plan – Local Plan Strategy are:

SP14 – Biodiversity

SP18 – Renewable and Low Carbon Energy

SP19 – Presumption in Favour of Sustainable Development

SP20 – Generic Development Management Issues

Para 7.32 of the Local Plan Strategy advises that one of the main ways in which climate change can be mitigated is through a reduction in greenhouse gas emissions. In order to assist in the decarbonisation of the UK's electricity and heat supply, Ryedale will realise its potential for renewable and local carbon energy sources. Para 7.37 is also relevant to this application and states;

7.37 *It is important to recognise and support the contribution of community-led and farm scale renewable and low carbon solutions.*

Policy SP18 is criteria based and supports the principle of renewable and low carbon energy, and states;

***SP18 Renewable and Low Carbon Energy***

*Developments that generate renewable and/or low carbon energy will be supported providing that individually and cumulatively proposals;*

- *Can be satisfactorily assimilated into the landscape or built environment, especially in respect of the setting of the North York Moors National Park, the Howardian Hills Area of Outstanding Natural Beauty (and its setting), the Wolds and the Vale of Pickering;*
- *Would not impact adversely on the local community, economy, or historical interests, unless their impact can be acceptably mitigated;*
- *Would not have an adverse impact on nature conservation, in particular in relation to any sites of international biodiversity importance, unless their impact can be acceptably mitigated;*
- *Would not have an adverse impact on air quality, soil and water resources in Policy SP17, unless their impact can be acceptably mitigated.*

It is clear therefore that there is strong policy support at both National and Local level for the *principle* of renewable and low carbon solutions.

Landscape impact

The application is accompanied by supporting documents including aviation data, acoustic data, visual impact assessment, archaeological survey and a photomontage. The area is described in the Local Plan Strategy as – an upland chalk landscape with a string of medieval (and earlier) villages following the spring line of the Gypsy Race. The designation of the area ‘Area of High Landscape Value’ has been retained in the Local Plan Strategy, and demonstrates the value placed on the character of the area. It also adds weight to the requirement to take account of the impact of development on the landscape.

The proposed turbine would be sited in isolation on rising ground to the north-west Weaverthorpe. Given the proximity of the existing operational turbines the development will be viewed in combination with those turbines.

Officers consider that those single turbines that have best been assimilated into the landscape are those which are visually associated with farm buildings, because they are not as isolated. Nevertheless the District Council has approved other single turbines at distance from existing development where it is considered that the benefits of renewable energy outweigh the harm.

The turbine will introduce a tall vertical structure which is at odds with the more horizontal rolling slopes of this part of the Wolds. Nevertheless from most view points the greatest impact is relatively localised. Indeed other turbines in the area have been approved by the District Council on that basis. Examples are Gara Farm, and Manor Farm, Weaverthorpe, and Boythorpe Farm at Butterwick.

In relation to cumulative impact, there is little guidance on how to accurately assess cumulative impact. It is necessary to balance the strong policy support for renewable energy with the need to ensure that the number, location, design etc of the turbine does not cause significant demonstratable harm to the Wolds Area of High Landscape Value. The following is a list of turbines that have been approved in the area.

## APPROVED

09/00906/FUL (*installed*) – Kirby Wold House, Low Road, Kirby Grindalythe – hub 18.3m tip 25m  
10/01311/FUL – Duggleby Wold Farm, Weaverthorpe – hub 32m tip 48m (x2 turbines)  
11/00336/FUL (*installed*) – Barrow Farm, Ganton Hill, Ganton – hub 24.6m tip 34.2m  
11/00337/FUL (*installed*) – Cat Babbleton Farm, Ganton Hill, Ganton – hub 24.6m tip 34.2m  
11/00541/FUL (*installed*) – Kirby Wold House, Low Road, Kirby Grindalythe – hub 18m tip 24.5m  
11/00615/FUL (*installed*) – Ling Farm, Green Lane, Langtoft – hub 24.6m tip 34.2m (x2 turbines)  
11/00744/FUL (*installed*) – Spaniel Farm, Main Road, Weaverthorpe – hub 37.18m tip 53.88m  
12/00201/FUL (Appeal Allowed) – Manor House, Long Hill, Helperthorpe – hub 36.4m tip 46m  
12/00566/FUL (*installed*) – Gara Farm, Weaverthorpe – hub 24.6m tip 34.2m  
12/00602/FUL (*installed*) – Manor Farm, Main Road, Weaverthorpe – hub 24.6m tip 34.2m  
12/00822/FUL – Allison Wold Farm, Simon Howe, Sherburn – hub 30.5m tip 44m (x2 turbines)  
13/00534/FUL – Boythorpe Farm, Butterwick – hub 31.5m tip 46m (x2 turbines) – 5km  
13/00675/FUL – Kirby Wold House, Low Road, Kirby Grindalythe – hub 30.1m tip 41.6m

## PENDING

13/00850/FUL – Land West of Pasture Road, Weaverthorpe – hub 40m tip 67m  
13/00851/FUL – Land North of Main Road, Weaverthorpe – hub 40m tip high 67m  
13/01091/FUL – Land to the West of Grange Farm, Main Road, Weaverthorpe – hub 24.8m tip 34.5m

It should be noted that the majority of the above turbines are all within 5.0km of the application site.

The list is quite extensive, however when taken in isolation it can be misleading in terms of assessing cumulative impact. The reason for this is that the Wolds include a number of valleys which means that whilst the location of turbines can appear to be close on a map (see the attached plan to the report), they may not appear in the same viewpoint when seen on site. In view of this, and as part of the assessment of the application, officers have visited the area to assess the impact of the turbines already erected, and also looked at key views for those proposed. In relation to this application officers identified a key view point on the road from Weaverthorpe to Sherburn. Whilst the road is not classified, it is a main route from the A64 to the Wolds, and regularly used. From this point turbines at Dotterel Farm, and Manor Farm, Weaverthorpe are presently visible. Permission was granted on appeal at Manor House Helperthorpe. The proposed turbine would be the fourth in this particular vista, if the application is approved.

A recent refusal at High Barn Helperthorpe is the subject of an appeal which is yet to be determined. Officers are of the opinion that this accumulation will result in a further change in the character of the landscape to the extent that it will become a turbine dominated view. The variation in height and design, together with the irregular spacing is considered to add to their incongruous appearance.

Para 98 of the NPPF, states that such applications should be approved if its impacts are (or can be made) acceptable. SP13 of the Local Plan Strategy states that developments that generate renewable and/or low carbon sources of energy will be supported providing that individual and cumulating proposals:

- Can be satisfactorily assimilated into the landscape or built environment, especially in respect of the setting of the North York Moors National Park, the Howardian Hills Area of Outstanding Natural Beauty (and its setting), the Wolds and the Vale of Pickering.

Members will note that Weaverthorpe Parish Council has expressed concern regarding the cumulative impact of turbines on the Wolds Area of High Landscape Value. Their full response is appended to this report. It is also worth noting the recent decision from the Secretary of State (SoS) decision on the Heselton Wind Farm development, particularly his comments on the landscape and visual impact on the Yorkshire Wolds Area of High Landscape Value.

The SoS states, in paragraph 12, that:-

*“...the Wolds is a highly valued landscape...”*

On balance, taking into account the permissions already granted it is considered that the proposed additional turbine will result in significant and demonstratable harm to the character of this part of the Wolds Area of High Landscape Value.

#### Neighbour impact

##### (i) Noise

The application is accompanied by a site specific noise survey. The applicant advises that it has been prepared in accordance with ETSU-R-97, and also a new guidance document ‘A Good Practice Guide to the application of ETSU-R-97 for the assessment and rating of wind turbine noise May 2013). This is the acknowledged method of assessing potential noise impact.

The Councils Environmental Health Officer has objected to the application, stating the following comments:

*“This has been a difficult proposal to assess, not least because of the complicated nature of assessing the existing and proposed cumulative impact of a variety of turbines in this locality. However the applicants noise consultants have carried out their own assessment in accordance with the Institute of Acoustics document ‘A Good Practice Guide to the application of ETSU-R-97 for the assessment and rating of Wind Turbine Noise’ and have concluded that at Highdale Farm and Waddale End the predicted noise levels fail to comply with the ETSU criteria. It is worthy of note that this is not because of the proposed turbine’s impact but because of the already high predicted noise levels from the existing/permitted turbines”.*

##### (ii) Shadow flicker

It is noted that concerns have been received regarding visual flicker. Given the proposed turbine will be positioned in excess of 800m from any occupied building it is not considered that shadow flicker is an issue in this instance.

#### Archaeology

The applicants have supplied information in support of the application. The County Archaeologist has responded and raised no concerns, subject to the imposition of an appropriate condition were the application approved.

#### Highway considerations

The NYCC Highway Officer has raised issues in relation to the information submitted in support of the application, specifically the routing of the apparatus and components to the site.

The additional information/clarification required, however, has been included within a condition by the Highway Officer.

No further concerns have been raised.

#### Heritage impact

Members are advised that there are a number of historic assets, specifically Listed Buildings, located in the surrounding landscape and that the Local Planning Authority has a statutory **duty** under legislation relating to Listed Buildings:

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides, so far as material: *'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'*.

National policy guidance regarding the impact on heritage assets is set out in the National Planning Policy Framework (NPPF) and the recently published National Planning Practice Guidance (NPPG).

Paragraph 129 of the NPPF states that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including development affecting the setting of a heritage asset), taking account of the available evidence and any necessary expertise.

Paragraph 133 goes on to say that where a proposed development will lead to substantial harm Local Planning Authorities should refuse permission, unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh the harm or loss. Where a development proposal will lead to 'less than substantial' harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

In terms of development within the setting of heritage assets, paragraph 137 is relevant and advises local authorities to *"look for opportunities for new development within Conservation Areas....and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably."*

The National Planning Practice Guidance (NPPG), paragraph 013 amplifies the relevance of an assets setting stating *"Setting is the surroundings in which an asset is experienced..."*. The paragraph continues and goes on to say *"The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting. This will vary over time and according to circumstance."*

The proposal has been assessed by the Council's Building Conservation Officer, her comments are as follows: -

*"The NPPF requires at paragraph 129 that Local Planning Authorities should 'identify and assess the particular significance of any heritage asset that may be affected by a proposal (including development affecting the setting of a heritage asset)'.*

*It is apparent with this application that no heritage asset will be physically directly affected by the proposal. This response therefore focuses on the impact that the proposal will have on the setting of heritage assets.*

*In my opinion the built heritage asset most affected by this application are the Grade I Listed church of St Andrew at Weaverthorpe and the Grade II Listed Dotterel Cottage. Whilst the Grade II Listed church of St. Peter at Helperthorpe is roughly equidistant from the application site to St. Andrew's, due to its heavy screening by trees and its proximity to the built up village, I am of the opinion that this will not affect the setting of the church of St. Peter.*

*In my opinion the setting of Dotterel Farm cottage consist of 2 aspects. The wider view of how the farm is experiences in the landscape and the closer view of how the farmhouse is experiences within the farmstead.*



*When viewed from the principle road running east-west, the wider setting gives clear distant views of an elevated isolated historic farmhouse set along a long open access road. Due to its distance from the public highway, the views are distant and set against a background of farmbuildings, an existing wind turbine to the rear, an existing wind turbine offset in the foreground and a shelter of trees. This view can also be experienced from the minor road running south between Helperthorpe and Weaverthorpe albeit at a greater distance.*

*The immediate setting of the listed building is formed by a neat grassed front garden and a working rear yard. Horse paddocks and farmbuilding form the boundary to these and the immediate setting is also created by concrete hardstanding and redundant farmbuildings. When looking out from within the immediate setting of the farmhouse, views of the existing turbine to the north of the site are limited by the buildings and shelterbelt to the north. Views to the south are of views down the slope of the Wold to the south over arable countryside.*

*In my opinion the setting of the Grade II listed Dotterel Cottage is formed by the function of the building as a working farm. This includes the attractive historic farmhouse but also includes structures that detract from the listed building. These are however, structures that you would expect to find in this context and are proportionate to the use of the farm. The exception to this is the Manor Farm wind turbine which adds a large and competing element into the landscaping in the foreground of the listed building.*

*Due to the height of the proposed turbine it will be clearly visible when looking towards the farmhouse from the east-west road and the road running south between Helperthorpe and Weaverthorpe and from within the farm complex. This will introduce a large competing element into the landscaping that will dominate views of the listed building and be clearly seen as a backdrop to the listed building. I am of the opinion that the setting of the listed building had already been compromised to some degree of harm caused is less than substantial and according to the NPPF that this should be weighed against the public benefits of the scheme.*

*The Grade I listed church of St Andrew at Weaverthorpe is situated in an isolated position above the village on the northern slope of the woldside. It has an austere beauty partly derived from its position away from the village which predominantly sits at the bottom of the valley. At various points in the landscape St Andrew's is a dominant building giving it some presence within the landscape. The setting of the church extends for a long distance as the church can be seen within the landscape from a number of positions within the public realm most notably when travelling east along the east-west road and glimpsed through openings in hedges along the East Heslerton Wold road running north out of Helperthorpe. This setting has already partly been compromised by various turbines in the vicinity. Two turbines exist within near vicinity of the proposed turbine, a newly erected 24.6m (34.2 to tip) turbine for on farm use at Manor Farm, Weaverthorpe and a turbine at Dotterel farm for on farm use (height unknown). These however are likely to be at least 20m lower in height than the proposed turbine.*

*When looking west into the landscape from the churchyard, there are clear distance views out into open countryside. Due to the lie of the land and tree screening, Dotterel Farm is not clearly visible and the predominant view is rolling arable fields. Within this view, 2 existing turbines can be seen however the predominant views are of wide and distant arable landscapes.*

*Due to the height of the proposed turbine it will clearly be visible when looking west from within the churchyard. It will also be visible when looking at the church when travelling east along the public highway and along the road running north out of Helperthorpe. I am of the opinion that this will have a harmful effect on the setting of the Grade I listed church as it will add a distracting and competing element into the landscape and affect the serenity and calmness of the landscape when looking from the church.*

*In my opinion the degree of harm caused will, be less than substantial and according to the NPPF should be weighed against the public benefits of the scheme."*

Members will be aware of the Secretary of States (SoS) recent decision on the East Heslerton Wind Farm (11/00270/MFULE). The SoS disagreed with the Planning Inspector's assessment of the impact of the proposal upon the setting of a Grade I Designated Historic Asset (St.Andrew's, East Heslerton). The SoS concluded that the impact of the turbine's created a harmful distraction to the Asset's setting. In this particular case the view of and from the designated Historic Asset will be affected by the proposed turbine. This proposal, as reflected in the Building Conservation Officer's comments results in a similar adverse impact.

Paragraph 132 of the NPPF states: -

*"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification."*

The Building Conservation Officer has identified that the development will cause harm to the setting of a number of listed buildings.

Policy SP12 (Heritage) of the Ryedale Plan - Local Plan Strategy reflects the NPPF. Specifically it in requires that the *"historic environment will be conserved and where appropriate, enhanced."*

The Legislation, specifically Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that *"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting..."*

Whilst the development has the potential of delivering a large amount of renewable energy (sufficient to power 350 homes) it is considered to be of sufficient weight, in the decision making balance, to outweigh the identified harm caused to the setting of the Grade I Listed Church and Grade II Listed cottage.

### Ecology

The information submitted in support of the application includes a report in respect of the potential impact of the turbine on ecology. The turbine location takes account of the surrounding area and accordingly there is no objection from the Councils Countryside Officer.

### Aviation, radar and Aircraft Safety

#### *Aviation and Radar*

There been no objections received from the relevant aviation and radar consultees.

The Ministry of Defence (MoD) originally objected to the application due to the potential interference with the AD Radar at Staxton Wold. However following the submission of additional information from the applicant the MoD withdrew their objection to the proposal.

#### *Aircraft Safety*

The application has been accompanied by an aviation assessment by Wind Farm Aviation Consultants (All Wind UK) Ltd.

An objection has been received from the owner/operator of the private airstrip at Moor Farm, citing aircraft safety as a significant concern. The objector (owner/operator of Manor Farm) has produced a report focussing on the perceived impact of the development upon what appears to be unlicensed private airfield.

Given the specific technical information submitted by the applicant and objector, RDC commissioned its own aviation consultant to assess the submission and effectively provide the Authority with an independent assessment of the perceived impact on the private airfield.

RDC consultant has confirmed that the development will not have a detrimental or safety impact on the operation of the Moor Farm airstrip subject to some minor changes to the circuit dimensions currently operated from the airstrip.

In conclusion, the Authority's aviation consultant has advised that the proposals provided by the applicant are sufficient for the safe operations at Moor Farm airstrip from an aviation perspective if the wind turbine application is permitted.

Members should note that the operation of a private airfield is the direct responsibility of the owner.

#### Impact on Tourism

A number of objections have been received stating that the turbine has the potential to have a detrimental impact on tourism.

However, whilst concerns have been raised in relation to this issue there is no conclusive proof in terms of the effect of wind turbines on tourism.

In the absence of any conclusive evidence that the proposed development would harm tourism significantly, it is concluded that the development would be acceptable, in terms of its impact on the tourism industry in surrounding area.

#### Other Matters

A concern has been received from a number of residents in regard to the potential devaluation of their property. However this is not a material planning consideration.

#### Conclusion

The District Council is supportive of the principle of renewable energy and this is demonstrated by the number of turbines that have been approved in the District.

However, it is considered that the proposed turbine would create an accumulation of turbines that would change the perception of the Wolds Area of High Landscape Value in this locality. This is in particular when viewed from the Weaverthorpe to Sherburn road.

It is also considered that the harm to the settings of St. Andrew's Church and Dotterel Cottage outweighs the benefits of the proposed development.

As such the recommendation is one of refusal.

#### **RECOMMENDATION: Refusal**

- 1 The proposed development would result in an accumulation of the turbines locally in the landscape when viewed from the Sherburn to Weaverthorpe road. This is considered to be detrimental to the character of the Wolds Area of High Landscape Value. As such the development would be contrary to the principles of para 98 of the NPPF and Policies SP13 and SP18 of the Local Plan Strategy.

2 The proposed development by reason of its prominent position in the landscape proximity will result in an unacceptable level of harm to the setting of both the Listed Church (St. Andrew's) and Dotterel Cottage. Insufficient public benefits are derived from the development that outweigh the harm to the designated asset. The application is therefore considered to be contrary to Policy SP12 of the Ryedale Plan – Local Plan Strategy and the provisions of Section 12 of the National Planning Policy Framework, specifically paragraphs 129, 131, 132, 133, 134 and the statutory provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3 The noise consultants report submitted in support of the application identified that the predicated noise levels to 2 out of the 5 closest noise receptors (Highdale Farm and Waddle End) fails to comply with ETSU criteria. The existing and permitted turbines are predicted to be above the 35db LA90 ETSU criteria.

The proposed wind turbine would further compound this situation which will create a further adverse impact on the identified residential properties.

The proposed wind turbine is therefore considered to be contrary to Policies SP18 and SP20 of the Ryedale Plan - Local Plan Strategy and guidance contained in paragraph 123 of the National Planning Policy Framework.

**Background Papers:**

Adopted Ryedale Local Plan 2002  
Local Plan Strategy 2013  
National Planning Policy Framework  
Responses from consultees and interested parties