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(13)

# LUTTONS PARISH COUNCIL

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11 September 2013

KK PL/09/13  
RYEDALE DM  
12 SEP 2013  
DEVELOPMENT

Dear Karen,

**Planning Application No. 13/00850/FUL Erection of 500kW wind turbine on land to west of Pasture Road, Weaverthorpe by Weaverthorpe Wind Ltd**

**And**

**Planning Application No. 13/00851/FUL Erection of 500kW wind turbine on land to north of Main Road, Weaverthorpe by Wolds Valley Wind Collective Ltd**

At its meeting on 10<sup>th</sup> September, Luttons Parish Council unanimously resolved to **object** to the above application (and its partner application 13/00851/FUL), in the strongest possible terms. This followed a show of hands at the meeting whereby 42 parishioners in attendance unanimously chose to object with no abstentions. This vote follows a similar rejection of this and its partner application (13/00851/FUL) at the meeting of the Weaverthorpe Parish Council the previous evening.

This Council's grounds for objection are set out below.

### **Planning Context (13/00850/FUL and 13/00851/FUL)**

In September 2012 Natural England published their National Character Area Profile 27: Yorkshire Wolds that states:

*'This gently rolling landscape instils a sense of openness, escapism and tranquillity provided by the expansive views, sparse population and agriculture. Protection of the rural character and long, open views is important for conservation of this distinctive landscape.'*

and provides a Statement of Environmental Opportunities SOE3:

*'Improve opportunities to enhance people's enjoyment of the area while protecting high levels of tranquillity by conserving extensive views and intimate, steep-sided valleys which contribute to sense of*

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*place, and by protecting and promoting the extensive historic evidence of past human settlement, landscape change and designed landscapes.'*

The Council believes this to be the most recent assessment of the value of the landscape of the Wolds by a national body, and considers it material to this application in establishing the quality and character of the landscape.

The Ryedale Plan, adopted by the RDC on 5<sup>th</sup> September 2013 in full accord with the National Planning Policy Framework (NPPF), confirms the area as one of High Landscape Value. Policy SP13 Landscapes and Policy includes:

*'Development proposals should contribute to the protection and enhancement of distinctive elements of landscape character that are the result of historical and cultural influences, natural features and aesthetic qualities'*

*'The Yorkshire Wolds and Fringe of the Moors are valued locally for their natural beauty and scenic qualities. As well as protecting the distinctive elements of landscape character in each of these areas, there are particular visual sensitivities given their topography and resulting long distance skyline views within Ryedale and further afield. The Vale of Pickering, the Wolds and the Fringe of the Moors are of significant historic landscape value and loss or degradation of the elements that are integral to their historic landscape character make these landscapes particularly sensitive to change.'*

This Council believes that the introduction of three (Weaverthorpe Wind, Wolds Valley Wind Collective, Dotterel Farm) industrial-scale turbines, 67m to blade tip, will have a detrimental effect on the landscape of the Great Wold Valley and its surroundings. These elevated and highly visible development against the skyline will have an overbearing presence on the local communities and for miles around.

In Policy SP18 of the Ryedale Plan, Renewable and Low Carbon Energy, states:

*'Developments that generate renewable and/or low carbon sources of 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;'*

This Council does not believe that the proposed developments can be assimilated into the landscape due to their scale and location; moreover, the Council believes that the proposals, by damaging perceptions of the landscape, will adversely impact upon the local communities and the local economy which is highly dependent upon visitors. This would undermine Policy SP8 Tourism wherein RDC would support *'Tourism in areas where potential is significantly underdeveloped, in particular, Malton and Norton and the Wolds'* and Policy SP12 Heritage wherein *'The potential of heritage assets to contribute towards the economy, tourism, education and community identity will be exploited including: · The nationally significant prehistoric archaeological landscapes of the Yorkshire Wolds and the Vale of Pickering.'*

This parish values its environment and heritage, as expressed by the overwhelming majority of parishioners in their Parish Plan of September 2008. Aside from the Wolds Way National Trail, recent efforts to attract visitors and promote economic activity have included the National Cycle Route 166,

local cycle routes (Big Skies Bike Rides) and heritage trails (Sykes Churches, Great Wold Valley) all of which pass down the valley past the proposed development sites. The USP for these initiatives has been the heritage landscape of the Wolds, which this development puts at risk.

In July 2013 the Government published new 'Planning Practice Guidance for renewable and low carbon energy'. The Secretary of State made a statement that preceded it, which included the following:

- *planning works best when communities themselves have the opportunity to influence the decisions that affect their lives. However, current planning decisions on onshore wind are not always reflecting a locally-led planning system.*
- *It has become clear that action is needed to deliver the balance expected by the National Planning Policy Framework on onshore wind. We need to ensure that protecting the local environment is properly considered alongside the broader issues of protecting the global environment.*
- *local communities have genuine concerns that when it comes to wind farms insufficient weight is being given to environmental considerations like landscape, heritage and local amenity. We need to ensure decisions do get the environmental balance right in line with the framework and, as expected by the framework, any adverse impact from a wind farm development is addressed satisfactorily.*
- *We have been equally clear that this means facilitating sustainable development in suitable locations. Meeting our energy goals should not be used to justify the wrong development in the wrong location.*

The Planning Practice Guidance itself states:

- *the need for renewable energy does not automatically override environmental protections and the planning concerns of local communities;*
- *decisions should take into account the cumulative impact of wind turbines and properly reflect the increasing impact on (a) the landscape and (b) local amenity as the number of turbines in the area increases*
- *local topography should be a factor in assessing whether wind turbines have a damaging impact on the landscape*

The cumulative impact of wind turbines upon the landscape is of particular concern to this Council. There are currently 16 turbines, applied for, approved or erected, in the three small Wolds parishes of Kirby, Luttons and Weaverthorpe, excluding the 10 in the proposal for the wind farm at West Heslerton. Whatever their size, these structures are alien to the environment and a dynamic insult to the tranquil landscape. The Planning Guidance is expansive on both landscape and visual impacts, and on the need to assess the cumulative effects of all turbines whether in application or approved. Included in Fig.1, with reference to sequential cumulative effects, is: '*Common routes through a landscape (eg major roads, long distance paths or cycle routes) can be identified as 'Journey scenarios' and the proposals impact on them can be assessed.'* The applicant has not examined either the cumulative impact of all turbines in the area or their effect upon residents going about their daily lives or upon visitors, especially tourists, walkers and cyclists.

As a small rural parish, with communities directly affected by this proposed development, the Council struggles to make its voice heard. It therefore welcomes the Minister's direction that the concerns of local communities should feature more strongly. The area's principal asset is not wind but the unique heritage landscape. This Council believes that the proposed development will be detrimental to the character and perception of the landscape with adverse consequences for local communities and economy, and so runs contrary to national and district policy. As the Minister says, this is '*the wrong development in the wrong location*'.

### The Application (13/00850/FUL)

The co-ordinates for the location of the wind turbines in both applications differs significantly between the application form and the supporting documentation, in one case by 900m and in the other by 1800m. The applicant states that both turbines stand in Weaverthorpe; this is not so as one stands within Luttons parish. Unfortunately, this unprofessional 'oversight' has affected consultation and early communication, particularly in the Helperthorpe community. The location of other wind turbines in figure 01 is incomplete, in particular omitting the recent applications at Dotterel Farm (13/00551), Jubilee Farm (13/00624) and High Barn Farm (13/00699).

At 67m to tip and with a rating of 500kW this turbine is excessively large in both physical presence and output to justify its prominent location overbearing the village of Helperthorpe. It will stand only 800m from that proposed on Jubilee Farm (13/00624). The scale, location and relative position of the current proposal is detrimental to the landscape, the village and its residents.

Although the Conservation Officer does not take issue with this turbine's impact on Scheduled Monuments and Listed Buildings, we contend that there is a detrimental impact upon the *'the visible and hidden finite resource of past human landscape change, land use and settlement – for example, the extensive prehistoric, ritual landscapes, later iron-age and medieval settlements, and 18th-century landscape reorganisation [through the Parliamentary Enclosures](Natural England NCAP27)'*. The dynamic vertical intrusion of wind turbines into this landscape detracts from both the landscape itself and from the historic Grade 1 and 2 buildings, particularly the 'Sykes' churches for which the valley is widely known.

The proposed site is within an area of unique Iron Age earthworks that are believed to relate to large scale cattle ranching. These earthworks have been identified from crop-marks but are not recorded as 'monuments'. The applicant's assessment of 'Impact on Heritage Assets' makes only passing comment on both the Dikes Field earthworks and the landscape created by the Parliamentary Enclosures, that will be significantly impacted by the proposed development. However, *'the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application'* (NPPF #135) and *'non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets'* (NPPF #139). *'Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation'*(NPPF #128). The applicants recently submitted a Fluxgate Gradiometer Survey of the site but that report does not include an overview of the whole earthworks nor its context in the 'enclosed' landscape of the Great Wold Valley; consequently the full contextual significance of these unique earthworks is not considered.

The ecological assessments undertaken as part of the planning application are based on the impact of each turbine individually. However, just as the National Planning Policy Framework places an obligation to consider the cumulative visual impact, the planning process also has to consider the cumulative impact of multiple turbines on vulnerable wildlife. Indeed the cumulative impact of multiple turbines is recognised by Ryedale Council's Countryside Officer in a response to ecological objections for another live turbine application (13/00551/FUL Dotterel farm) in the same parish *'...gatherings of turbines in the countryside will have a greater potential to impact populations of bats locally and possibly nationally...'*. The existing and planned turbines in the Helperthorpe/Weaverthorpe areas of the Great Wold Valley clearly represent such a gathering of turbines. The inevitable cumulative impact on vulnerable bats and birds has not been considered in either of the planning applications for the Helperthorpe/Weaverthorpe turbines. There is evidence that bats are attracted to turbines, for example to investigate potential roost

sites or to forage on insects that themselves are attracted to the turbines; they may be at greater risk than birds because they can be affected by barotrauma as well as by direct collision. Natural England categorises both the risk of collision with wind turbines and the risk to the UK population from collision with turbines as high risk for noctule bats. For birds, there are numerous species of conservation concern in the local area.

The Shadow Flicker Report and the Radio Interference Report are authored by The Humberside Community Development Agency, and the more recent Fluxgate Gradiometer Survey is authored by the Landscape Research Centre. All are beneficiaries of the schemes. The Shadow Flicker Report and the Radio Frequency Interference Report do not allay the concerns of Helperthorpe residents due to the winter sun and satellite angle from residences passing to the south of the turbine.

The Landscape Characterisation 3.2 is based upon a study commissioned by North Yorkshire County Council in 2011, without acknowledgement to Natural England's NCAP27. The Landscape and Visual Impact Assessment is a shallow piece of work. The author shows little understanding of the area, for example, in 3.4.4 failing to understand the significance of Gypsey Race as the most northerly chalk stream in the UK and as a typical gypsey stream running the length of the Great Wold Valley. The study names Weaverthorpe as the nearest settlement (3.4.10) although Helperthorpe is nearer and more affected by the proposals. In 3.4.16 the study finds 'a number existing turbines in the area of similar scale to that proposed' but omits three turbines applications predating this application, at Dotterel Farm, Jubilee Farm and High Barn Farm; that at Jubilee Farm is only 800m away from the Weaverthorpe Wind turbine site. The author then contradicts themselves in 6.3.5 by stating that 'they are both taller than any of the other turbines existing or planned in a 5 kms radius'. The turbine proposed in both 13/00805, 13/00851 and 13/00551 is significantly larger than anything erected or proposed previously (bar those in the West Heslerton Wind Farm proposal) at 67m to tip and 500kW, and appears to be a version of the maker's industrial 900kW machine de-rated to 500kW to maximise on the domestic Feed-in-Tariff. Throughout the Landscape and Visual appraisal the 'Magnitude' is reduced by the dismissive 'Reversible due to 25-year lifespan of the proposed turbine' to 'Low due to moderate scale of reversible local effects over a long period'; consequently the 'Significance' is reduced to 'Slight' in nearly every case. The author fails to acknowledge that 25 years is a generation during which a business can fold in less than one year if trade falls off or house prices can fall as perceptions of the area change. Some of the photographs from the Viewpoints conveniently use trees or hedgerows to hide the turbine, after which the study plays lip service to cumulative effect, particularly sequential. Sequential effects, whether landscape or visual, are key to the sustainability of the area as visitors move through it, and yet there is only mention of Wolds Way (a national trail) some distance away rather than Cycle Route 166, Big Skies Bike Rides, the Sykes Churches Trail or the Great Wold Valley Heritage Trail, all of which draw visitors into the immediate area. Panoramic and long views are devalued or omitted from the study (for example, those from the B1253 ridgeway, the C356 valley road, the C359/360 and the Settrington High Street) even though they clearly lie within the 'bare earth' Zone of Theoretical Visibility and are the essence of Natural England's NCAP 27. Possibly in an attempt to satisfy the new planning guidance on cumulative effect, the study 'shows that for each turbine, across its area of ZTV, the other turbine would be visible across around 70-80% of that area' (6.3.7); furthermore, the study concludes 'The full range of turbines built, consented and in the planning system, if all built, would be likely to have a cumulative effect on local landscape character' – and that is without three pre-dating applications.

This proposed turbine, together with that proposed in the related Planning Application No. 13/00850/FUL, bring the number of individual turbines (either approved or applied for) in the small parishes of Kirby Grindalythe, Luttons and Weaverthorpe to sixteen. Of these nine are visible from the environs of the villages of Helperthorpe and Weaverthorpe. The cumulative impact, including combined or simultaneous visibility (static), successive or repetitive visibility (static), and sequential (on

the move), of such numbers of turbines in a limited area of high landscape value has not been adequately explored by the applicant. The locations of assessed viewpoints, when related to the Zone of Theoretical Visibility, fail to adequately cover the B1253, the C356, the C359/360 and the Settrington High Street, particularly to the west of the 5km radius; these are the routes most used by residents and visitors to the area. The extensive views from the ridgeway and down the valley from the C356 are not adequately assessed for cumulative impact. Cumulative impact has now reached its tipping point.

**Management structure (Planning Statement 13/00850/FUL and 13/00851/FUL)**

This Council is concerned that this project is presented as a 'community project' or 'for the benefit of the community'. Minimal 'consultation' has taken place and the usual channels of representation through parish councils ignored. Support has been garnered from outside the area whilst the proposal has proved divisive within the community, due in no small part to the application being designated as in Weaverthorpe rather than Helperthorpe. From the evidence of the applicant's own planning statement there is a suggestion of narrow interests, rather than community representation and wider benefit; the management structure is neither transparent nor representative. No business plan has been presented but the financial inducement to households is a small part of the yield and subject to erosion by tax and inflation; the scheme is only as good as the continuing government subsidy. There is concern that funds generated will leave the area or be under individual control.

The Council is informed that the structuring of the scheme only becomes material to the planning application if there is demonstrable misrepresentation. This Council believes that the failure of the applicants to consult the wider community, the shortcomings of the application itself, the exclusion of Helperthorpe from formal notification, the lack of a business plan and the opaque presentation of the control and beneficiaries of the scheme, taken together amount to unintentional misrepresentation. The perception of misrepresentation was confirmed by 42 parishioners in a second unanimous show of hands at the meeting on 10<sup>th</sup> September. The public anger and expressions of concern that these proposals have initiated have never before been witnessed in this parish. Planning Officers and the RDC Planning Committee are asked to set aside any suggestion that these proposals have community support or community benefit and to dismiss proforma 'letters' of support solicited upon the prospect of financial benefit rather than planning grounds.

One of the true assets that the area possesses is not wind but a large area of unspoilt historic countryside – that is until the advent of the wind turbine and government subsidies. The area will only be truly sustainable if it remains an attractive place to live and retains and attracts business, particularly tourism. Visitors will not come to the valley to view wind turbines and we allow the desecration of the landscape by them at our peril.

Please ensure that the Council's views are represented to RDC Planning Committee. Furthermore, please accept this letter as the personal submission of all nine elected/co-opted Councillors who, until the meeting on the 10<sup>th</sup> September have been unable to express an individual opinion. The Council would like to see the Officer's Report upon publication and to be informed of the date of the Committee at which this application will be considered.

Yours sincerely

Andy Macdonald  
Councillor and Clerk to Luttons Parish Council

c. Councillors of Luttons Parish Council, Cllr Edward Legard, Cllr Janet Sanderson, Clerks to Weaverthorpe Parish Council and Foxholes Parish Council