

North York Moors National Park Authority

Ryedale District Parish: Eberston and Allerston	App Num. NYM/2010/0827/FL
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Proposal: Installation of a 6kW wind turbine (max height 17.75 metres) (revised scheme to NYM/2009/0824/FL)

Location: South Moor Farm, Dalby Forest Drive, Langdale End

Applicant: Mr Robert Walker, Dalby Forest Drive, Langdale End, Scarborough, North Yorkshire, YO13 0LW

Date for Decision: 09 December 2010

Grid Ref: NZ 490483 490320

Director of Planning's Recommendation

Approval subject to the followings conditions:

1. TL03 Standard three year commencement date
2. AP07 Strict accordance with plans/specifications or minor variation
3. MIS0 If the use of the turbine for generating electricity permanently ceases within five years from the date on which the development was substantially completed, the turbine shall be removed from the land and the land shall, so far as is practicable, be restored to its condition before development took place unless the Local Planning Authority has otherwise agreed in writing.

Reasons for Conditions

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. For the avoidance of doubt and to ensure the details of the development together with any subsequent insignificant variations as may be approved in writing, comply with the provisions of NYM Core Policy A and NYM Development Policy 3.
3. In the interests of the visual amenities of the locality and to comply with the provisions of NYM Core Policy A.

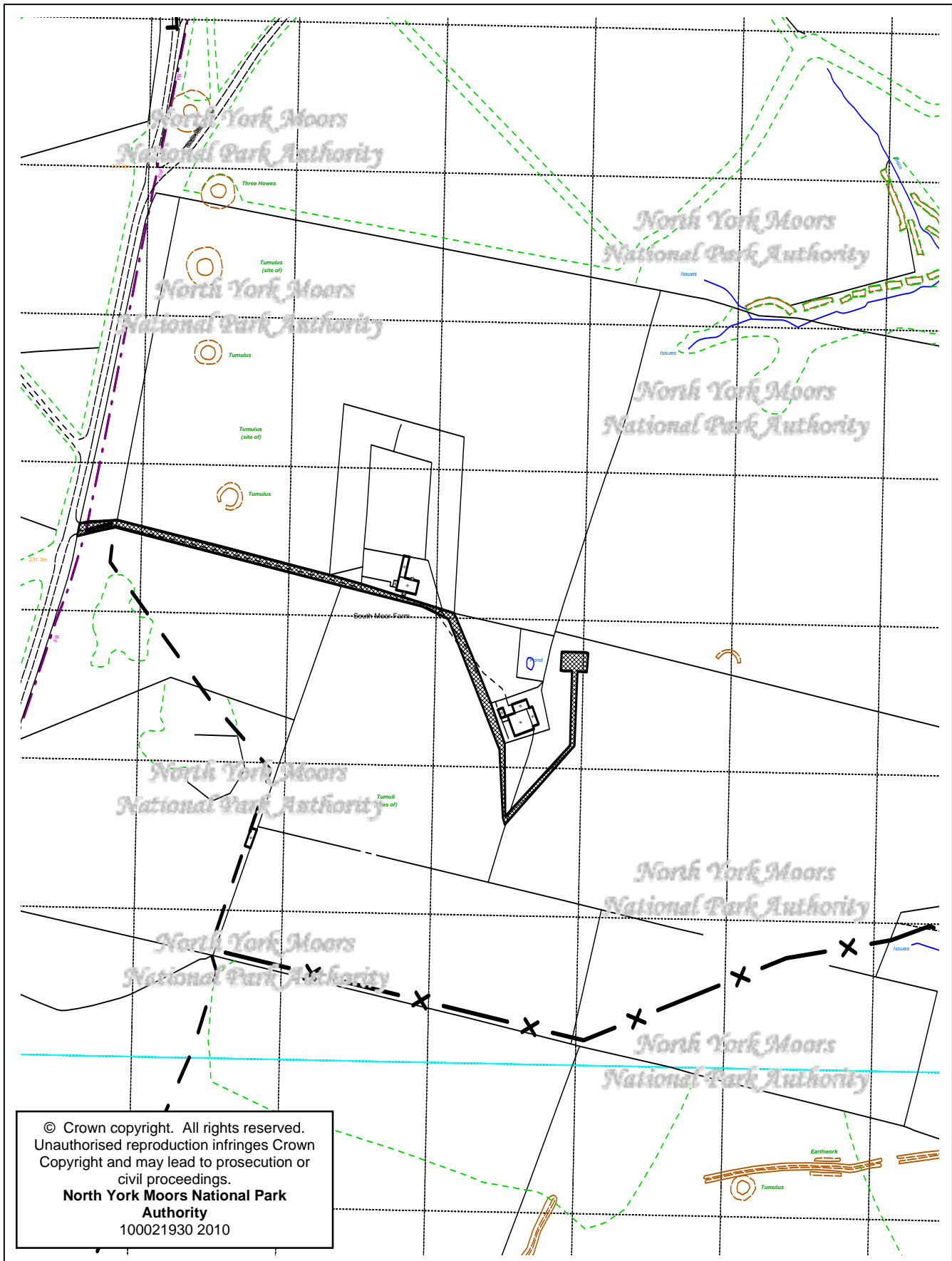
Consultations

Parish - Support the application as we believe the application meets the criteria and is ideally situated.

Highways - No objection.

Ramblers Association - No comments.

Ministry Of Defence - No objections.




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**North York Moors National
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Scale: 1:3501 



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Yorkshire Wildlife Trust - The Bat Scoping Survey shows very little sign of use by bats of the farm buildings surveyed but not all the buildings were surveyed. Also the area where the turbine is to be located was not checked for bat activity. However, have spoken to Giles Manners who did the original survey in September 2008 and he is of the opinion that the impact on bats from a turbine would be very low due to the exposed nature of the site and lack of trees and hedgerows connecting the farm to woodland areas. Ideally the turbine should be more than 50 metres from the farm buildings. Best practice would be for an impact assessment for the development for which permission is being applied for but in this case the turbine will probably not affect the bats.

Environmental Health Officer -

Arqiva -

National Air Traffic Service - The proposal does not conflict with safeguarding criteria in terms of en-route air traffic and has no objection.

Site Notice Expiry Date - 16 November 2010.

Background

South Moor Farm is located on Dalby Forest Drive within a large clearing approximately 1 km in width by 2 km in length within Dalby Forest. The land undulates and the existing farm buildings are visible from Dalby Forest Drive. The farm is run as a small agricultural business with a Bed and Breakfast also operating from the main farmhouse. The farmhouse and farm buildings are separated by a distance of approximately 50 metres.

Members may recall that in 2009 planning permission was refused for the erection of a 17.75 metre high 6 kW domestic wind turbine at South Moor Farm. The turbine was proposed to be prominently positioned in an open field to the east of the farm buildings and a distance of 50 metres from them in full view of the adjacent Public Right of Ways and forest drive.

The turbine proposed is a 6 kW Proven design with a relatively thick pole style mast of a height of 15 metres and a rotor diameter of 5.5 metres. The mast would be sited on a 3 metre square concrete base, will be dull grey in colour with matt black turbine head blades. The applicant states in support of his proposal that in order to fund the project he needed to provide 50 percent of the output from the turbine to be exported to the National Grid over and above his needs and hence the size chosen.

In processing that application the applicant was requested to reduce the size of the turbine or revise to two smaller turbines located nearer to existing buildings, however he declined citing that the output would be reduced below that required to meet the FREP guidelines and felt the general tree'd setting would ensure the turbine was not unduly obtrusive.

The application was refused for the following reason:

“The proposed turbine by reason of its height, kinetic movement and location away from the existing farm steading would represent an unduly obtrusive feature in this part of the National Park and as such have an adverse impact on the character and appearance of this part of Dalby Forest visitor attraction. The proposal is therefore considered to be contrary to Core Policy A as there is a conflict with the National Park purposes in respect of giving priority to landscape conservation and Core Policy D of the NYM Local Development Framework, which seeks to ensure generation of electricity from renewable sources is of a scale and design appropriate to the locality.”

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Background (continued)

The applicant appealed the decision, the Planning Inspectorate dismissed the appeal and supported the National Park's reasons for refusal.

A revised application has now been submitted and planning permission is now sought for the same turbine, but in a revised location. It is now proposed that the turbine be located 1435 metres to the east of the farm house and approximately 50 metres to the north east of the agricultural buildings. To the north of the proposed turbine is an extensive area of trees.

In this revised location the turbine would be viewed, from any direction, against the backdrop of buildings or trees and viewed nestled against the steadings agricultural buildings.

Main Issues

Planning Policy Statement (PPS) 22 states the Government's commitment to support appropriate renewable energy developments. In National Parks, the guidance states that renewable energy projects should only be permitted where they would not compromise the objectives of landscape designation and it envisages that small scale projects which are not harmful could be acceptable.

Core Policy A of the NYM Local Development Framework is concerned with delivering National Park purposes. This is done, in part, by limiting the scale of development and level of activity to that which would not have an unacceptable impact on the wider landscape or the quiet enjoyment, peace and tranquillity of the Park, nor detract from the quality of life of local residents or the experience of visitors.

Core Policy D of the NYM Local Development Framework is concerned with climate change. The policy states that the Authority is supportive of addressing the causes of climate change and with regard to renewable energy sources, states these should be of appropriate location scale and design for the locality.

Officers have always considered that there was scope for modest micro wind development at the site. However the combination of the size and location of the previously refused proposal was considered to be likely to have a significant detrimental impact on the landscape and appearance of this part of the National Park.

It is considered that the revised location, whilst still at some distance from both the farmhouse and increasingly normal 50 metre separation from farm buildings, would be seen against the backdrop of these buildings when viewed from the Dalby Forest Drive, and when viewed from public footpaths round the site would be viewed in the context of these buildings or the forested area to the north.

It is considered that in this context, whilst the turbine would be clearly visible, on balance it would not be unduly visually intrusive due to its less visually isolated location and in view of this it is not considered to have a detrimental impact on the landscape character of this part of the National Park.

In view of the above considerations it is considered that the proposal would now be in accordance with Core Policies A and D of the NYM Local Development Framework and approval is recommended.

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Reason for Approval

The proposed turbine, whilst of significant height, would be seen, from any aspect, against the backdrop of farm buildings or forest and consequently it is considered that in this context, the turbine, although clearly visible, would not be visually intrusive and therefore would not have a detrimental impact on the landscape character of this part of the National Park. The proposal is therefore considered to be in accordance with Core Policies A and D of the Local Development Framework.