



The Planning Inspectorate

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Mrs F Farnell
North York Moors National Park
Authority
Development Control Support
Officer
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

Your Ref: NYM/2009/0824/FL
Our Ref: APP/W9500/A/10/2123346/NWF
Date: 16 July 2010

NYMNPA

Dear Mrs Farnell

16 JUL 2010
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**Town and Country Planning Act 1990
Appeal by Mr Robert William Walker
Site at South Moor Farm, Langdale End, Scarborough, YO13 0LW**

I enclose a copy of our Inspector's decision on the above appeal.

If you have queries or complaints about the decision or the way we handled the appeal, you should submit them using our "Feedback" webpage at www.planning-inspectorate.gov.uk/pins/agency_info/complaints/complaints_dealing.htm. This page also contains information on our complaints procedures and the right of challenge to the High Court, the only method by which the decision can be reconsidered.

If you do not have internet access, or would prefer hard copies of our information on the right to challenge and our complaints procedure, please contact our Quality Assurance Unit on 0117 372 8252 or in writing to the address above.

Please note the Planning Inspectorate is not the administering body for High Court challenges. If you would like more information on the strictly enforced deadlines for challenging, or a copy of the forms for lodging a challenge, please contact the Administrative Court on 0207 947 6655.

Yours sincerely

Erin Lindell

COVERDL1



INVESTOR IN PEOPLE



POSITIVE ABOUT
DISABLED PEOPLE



Appeal Decision

Site visit made on 28 June 2010

by **Philip Major** BA(Hons) DipTP MRTPI

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

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Decision date:
16 July 2010

Appeal Ref: APP/W9500/A/10/2123346

South Moor Farm, Dalby Forest Drive, Langdale End, Scarborough YO13 0LW.

- 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 Mr Robert Walker against the decision of North York Moors National Park.
- The application Ref: NYM/2009/0824/FL, dated 30 November 2009, was refused by notice dated 16 February 2010.
- The development proposed is the installation of a 6kw domestic wind turbine.

Decision

1. I dismiss the appeal.

NYMNP

16 JUL 2010

Main issue

2. The main issue in the appeal is the effect of the proposed development on the character and appearance of the locality.

Reasons

3. The appeal site is within the North York Moors National Park, which enjoys the highest degree of protection for its landscape and scenic beauty. This is taken forward in the objectives of Core Policy A of the *North York Moors Core Strategy and Development Policies* document of November 2008. Amongst other things this policy seeks to ensure that development does not have an unacceptable impact on the wider landscape whilst applying the principles of sustainable design and energy use. Core Policy D is encouraging of activities in the National Park which will address the causes of climate change, including the generation of electricity from renewable sources where these are of a location, scale and design appropriate to the locality.
4. The *North York Moors Renewable Energy Supplementary Planning Document* (SPD) of June 2008 gives guidance on wind energy developments. This recognises the national advice of Planning Policy Statement 22 – *Renewable Energy* (PPS22) and other national policy and guidance which encourages the development of renewable energy in order to help to tackle the effects of climate change. The SPD sets out key design considerations for wind turbines. These include that they should be visually related to buildings, man made structures or have a backdrop of trees; and that the height to blade tip should be visually related to the nearby buildings and structures.
5. The site of this proposed wind turbine is on relatively high ground in a large area of open land within the greater confines of Dalby Forest, itself an

extensive area of woodland managed by the Forestry Commission. I do not accept that the turbine would be in a small clearing as suggested. Dalby Forest is a popular visitor attraction which includes a forest drive, various walking and cycle trails, and public rights of way. Whilst I do not doubt that other parts of the forest are most heavily used by visitors, the area around the site is also visited and used for access to the forest generally.

6. Though it is the case that the forest edges would provide a degree of backdrop to the proposed turbine from some viewpoints, it would nevertheless be located in a relatively open position. I recognise that this is deliberate, and driven by the desire to maximise the effectiveness of the turbine by avoiding the influence of buildings and trees on wind speed and wind character. The result, however, is that the turbine would be some distance from any associated buildings.
7. I saw at my visit that visibility from the nearby forest drive would be limited to the top part of the structure, though this would include the turning blade. But from other publicly accessible areas the majority of the structure could be seen starkly against the sky. This includes views from the nearby public footpath and bridleway, and from a forest trail. There would also be visual interruption of the extensive long distance views over Deepdale.
8. The distance between the turbine and the outlying buildings at South Moor Farm would be such that the functional link between the 2 would be seen as weak from many viewpoints. It would not enjoy the same close relationship that wind pumps have had to farmsteads in other locations in past years (and in some cases continue to have). Furthermore, although there are some electricity poles crossing nearby, these are much lower, do not have moving parts and therefore do not draw the eye as the turbine would. The backdrop of trees would be intermittent, and in any case relatively minor in terms of the height of turbine proposed. As a result it is my judgement that the turbine would appear as an isolated and intrusive feature in the National Park.
9. I have taken account of the fact that there is a great deal of encouragement for renewable energy, and schemes such as this are to be commended when located in the right place. I also note the support of neighbours and others. However, it is my opinion that the prominence of this turbine from public viewpoints would, on balance, be unacceptably harmful to the character and appearance of the locality. It would, therefore, conflict with development plan policy and SPD guidance noted above.
10. Whilst noting the comments relating to the consideration of the application by the National Park Authority, these are not matters for me to comment upon, and they have had no bearing on my conclusion.
11. For the reasons given above I conclude that the appeal should be dismissed.

Philip Major

INSPECTOR

NYMNP
16 JUL 2010