

PLANNING COMMITTEE MEETING AGENDA

Monday 13th January 2014

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NORTH CRAVEN AREA

APPLICATIONS TO BE CONSIDERED BY THE COMMITTEE

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WARD AND**APPLICATION No.****PROPOSED DEVELOPMENT AND SITE ADDRESS**

**SETTLE & RIBBLE
72/2013/14034**

*INSTALLATION OF 1 NO. ENDURANCE E-3120 WIND TURBINE WITH A TIP
HEIGHT OF 34.5M INCLUDING CONTROL KIOSK AND ASSOCIATED
TEMPORARY INFRASTRUCTURE*

BOOSTAGILL, RATHMELL .

APPLICANT NAME: MR & MRS BRENNAND

TARGET DECISION DATE: 25/12/2013

CASE OFFICER: Jack Sykes

Cllr Whaites has asked that this application be referred to Planning Committee. He comments that the purpose of the turbine is to make the farm more economical for milk production and there is a need to support the proposal. He also comments that there are a number of turbines in the area, especially in Lancashire, that break the skyline.

1. Site Description

- 1.1 The application site is an area of grazing land associated with Boostagill Farm, Rathmell. The farm is a relatively isolated farmstead located to the west of Rathmell close to the boundary of the Forest of Bowland Area of Outstanding Natural Beauty. The site is an area of relatively flat agricultural land located above the farmstead but in close proximity to the main structures associated with the farm. The site is accessed along the same access road as the farm itself.
- 1.2 The site is close to a number of public rights of way with a PROW running along the farm access and a few PROW junctions around the farmstead.
- 1.3 The application site lies outside of development limits in an area classified as Open Countryside by the Local Plan. The site also lies approximately 250m to the east of the Forest of Bowland AONB. The site is identified as Open Upland Pasture with Outcrops by the 2002 Craven Landscape Appraisal.
- 1.4 The application site is just outside the outer Buffer Zone of the Pannal / Nether Kellet gas pipeline hazard area.

2. Proposal

- 2.1 Permission is sought for the installation of a three bladed wind turbine with a tip height of 34.5m and hub height of 24.8 m. The radius of the blades (from centre to tip is just under 10 m. Also proposed is a control kiosk and associated temporary infrastructure.

3. Planning History

- 3.1 72/2013/14145 (6/12/13) Screening opinion issued for the development under consideration as part of this application. The conclusion reached was that no Environmental Impact Assessment was required.
- 3.2 72/2012/13193 Application withdrawn for installation of wind turbine 34.5m to the tip and control kiosk and temporary infrastructure. This site was located a short distance to the north of this application site.

4. Planning Policy Background

- 4.1 National Planning Policy Framework
- 4.2 Planning practice guidance for renewable and low carbon energy. July 2013.

4.3 Saved Policy ENV1 and ENV2 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan

4.4 Craven District outside the Yorkshire Dales National park and Forest of Bowland AONB landscape appraisal (2002)

4.5 Forest of Bowland AONB Landscape Character Assessment (2009)

5. Parish Council Comments

5.1 Ribble Banks Parish Council object to the proposed development raising the following points:-

- The Parish Council understands the need for renewable energy sources and appreciates the challenges faced by dairy and other farmers in managing energy costs.
- The Council do not object to the notion of energy production by wind turbines but believe that the cumulative effect of single turbine installations is damaging to the character, appearance and amenity of the parish without any evidence of a co-ordinated renewable energy strategy or any demonstrable benefit of wind energy production to the wider local economy.
- The development is excessive in scale and will be visible across a wide area of the parish.
- The development due to its scale will clearly spoil the quality of the open countryside contrary to the requirements of Saved Policy ENV1 of the Local Plan.
- The proposal could not be classed as small scale and the design and access statement and planning justification do not provide convincing evidence that this proposal meets the criteria of Saved Policy ENV1.
- In respect of the requirements of Saved Policy ENV2 the development would only meet one of the criteria regarding the rural access roads.
- The proposal would introduce a tall man made steel structure into a rural landscape already blighted by five different and largely plainly visible turbine installations. This installation would add to the already adverse effect of wind turbine installations on the landscape, character and amenity in the area.

6. Consultations

6.1 **NATS Safeguarding** considers that the proposal does not conflict with their safeguarding criteria and as such has no safeguarding objection to the proposal.

6.2 The **Environment Agency** considers that the proposal falls outside the scope of issues that they wish to be consulted upon.

6.3 The **Highways Authority** do not wish to impose restrictions on any grant of permission however has recommended an informative regarding the adjacent public rights of way.

6.4 The Council's **Environmental Health** Department consider that, with the exception of the applicant's properties – Boostagill and Brackenbent, the nearest non-financially involved noise sensitive property is Long Gill at approximately 520m distance. Due to the separation distance from the location of the turbine they are satisfied that there are no potential environmental protection issues. There are also no known contaminated land implications.

6.5 **Natural England** have made the following comments:-

- The application site is in close proximity to the Hesley Moss Site of Special Scientific Interest however NE are satisfied that if the development is carried out in accordance with the submitted details the development would not damage or destroy the interest features for which the site has been notified.
- The application site falls within the setting of the Forest of Bowland AONB although NE has no comments to make on this proposal as they do not believe the development is likely to adversely affect the purpose of the Forest of Bowland AONB. However, given the proximity of the AONB NE recommend that the LPA should seek the view of the AONB as they may have more detailed comments to make on the location, nature or design of the development.

Officer's Note: The Landscape Officer for the Forest of Bowland AONB (although not a statutory consultee) has been consulted but no response has been received to date.

- The LPA should assess the development in light of their standing advice on protected species.

7. Representations

7.1 Representations have been received from 10 parties with 8 parties supporting the application and 2 objecting to the development.

7.2 The supporters of the development comment:-

- National requirement for independent and renewable energy is vital. Installations such as this are temporary and would be replaced when better sources of energy are developed and as such their impact on local areas should not be overemphasised.
- This is one of the few remaining family dairy farms in the area and as such their need for affordable electricity is vital to their long term business sustainability and wind turbines would help insulate this type of business from power price volatility.
- DEFRA has a long term commitment to reducing the greenhouse gas emissions of agriculture and local wind power production helps meet those targets.
- Locally we are expected to help meet regional and national targets for renewables so again this family is helping to meet those aims.
- The farm offers local employment to a number of individuals which is important to the community and local economy.
- The submission has taken note of previously received comments relocating the turbine closer to the farm.
- The respondent does not consider the development would detract from the natural beauty, environment and ecology of the area in the location proposed.
- The respondent finds the turbines pleasant looking and as they live in close proximity to the site they look forward to adding this one to their view.
- Milk production which is the main enterprise on the farm requires a large input of electricity so to be able to generate their own electricity using the natural resource of wind would seem to be a responsible and sound farming practice.

7.3 Comments raised by objectors state:-

- The CPRE object to the reapplication for a wind turbine due to the potential harm to the landscape and amenity i.e. the adverse impact on the character and appearance of the surrounding rural countryside.
- The changes in the application are minor and the CPRE do not consider that they have addressed their concerns.
- The cumulative impact of wind turbines in the area has an adverse impact on the character and appearance of the special landscape.
- The CPRE do not object to individual micro scale turbines to power farm buildings but do object to the larger turbines that have blighted many areas around Rathmell and Wigglesworth.
- The proposed wind turbine would introduce a tall man made steel structure into an otherwise unspoilt landscape and result in what can only be regarded as an adverse effect.
- The CPRE consider that the turbine would damage and degrade the local landscape which is contrary to the NPPF which states that “the planning system should contribute to an enhance the natural and local environment by protecting and enhancing valued landscape.”
- The CPRE consider that the government’s targets on climate change cannot and should not take precedence over natural beauty.
- CPRE considers that the development is acceptable in principle under the NPPF but that the harm that would be caused to the character and appearance of the surrounding rural area outweighs that support and the benefits flowing from the renewable energy application.
- A few selective visual references have been provided. The proposed site has been moved further south at a lower location on the land and further away from the road and closer to the farm site. However at this site the proposal still impacts on the open upland nature of the surrounding area.
- There is no information on the application regarding the impact from a northerly direction within the Forest of Bowland AONB. Although the respondents dwelling is not the closest receiving impact it is right in line with it and as far as the respondent can establish unmitigated by land topography.
- There is no flicker assessment which is recommended for dwellings up to a 1km away and its location in a southerly position could affect the respondent’s home.
- How would the structure react/deflect light as the rotor blades turn – the respondent does not know and the application does not show them. As the sun hits other structures in the afternoon the turbines listed are starkly present but they are all below the skyline in a south easterly direction.
- The cumulative impact on the landscape of the turbine with the closest one at 1km is already building up and at this height the turbine would be viewed from the National Park and from the AONB. The sequential views of the landscape are gradually changing to one with wind turbines generally lessening the landscape character. If this turbine were to be approved it would be the largest turbine and in the most exposed location with upland views intruding into the skyline and opening up the potential for further development.

- The functionally linked environmentally protected sites exist and Hesley Moss is a SSSI with a Natural England Biodiversity Action Plan on it promoting wildlife and special species. There are also 3 other SINCs within 1km of the site.
- The seasonal visual reference shows the summer season only showing a landscape full of deciduous trees providing screening not present in the winter which gives 75% of extra camouflage. There is much less cover with which to screen the turbine in the late autumn, winter and early spring – the representation does not give a clear picture.
- The respondent also questions the accuracy of the heights shown on figure 16a scaling from the building in front and the telegraph pole and tree to the left and behind.
- The proposal is for a small scale turbine which is in a banding of 1-5 and if consented could develop into a wind turbine with turbines up to 70m high. The respondents understanding is that the temporary installation would be for 25 years during which period the area would change into something considerably different in character and nature.
- The application has been submitted in conjunction with a wind turbine company – further potential for wind farm development?
- The respondent understands that the land is agricultural and the need power for the farm but questions how big a turbine needs to be to power a dairy. At this size the turbine is not just for the dairy and unsubstantiated clamour along with the size of the turbine is distorted and excessive. The proposal states openly that the development is for diversification into wind power and also for housing and export.
- It is well documented that wind turbines and wind farms blight landscapes, cause harm to birds gradually industrialising areas in appearance and nature introducing noise and flicker and in turn cause residential blight.
- Some local addresses close to the site in support of the application are mitigated by the topography of the land.
- The wind turbine would be visible from the Yorkshire Dales National Park and Natural England state that developments on the boundary of a national park have the potential to adversely on the character and setting of the park.
- *Officer's Note: Due to the distance between the site and the YDNP the National Park were not consulted however Natural England had no concerns with respect to this issue.*
- Object due to the impact on the Bowland Fringe and Pendle Hill AONB and area described as having a rich and distinct landscape in the NCA.

7.4 The CPRE and another respondent have also forwarded their comments to the previous application and consider that they are of relevance to this determination.

8. Summary of Principal Planning Issues

- Principle of the proposed development
- Visual impact of the proposed development on :-
 - A) Forest of Bowland AONB
 - B) Yorkshire Dales National Park
 - C) Other areas in Craven District.

- Impact of the proposed development on the amenities of neighbouring properties
- Impact of the proposed development on protected species
- Impact of the proposed development on Public Rights of Way

9. Analysis

Principle of the proposed development

- 9.1 Saved Local Plan Policy ENV1 states that small scale development in the open countryside will only be permitted where it can be demonstrated that it either; clearly benefits the rural economy; helps to maintain or enhance landscape character; is essential for the efficient operation of agriculture or forestry, or is essential to the needs of the rural economy. Where development is acceptable in principle under Saved Policy ENV1, it must then be considered under Saved Policy ENV2, which sets out, amongst other things, that development should not have an unacceptable impact on the landscape.
- 9.2 At a National level, the National Planning Policy Framework (NPPF) provides guidance against which planning applications should be assessed. With regards to proposals for renewable energy, paragraph 98 of the NPPF states that unless material considerations indicate otherwise, applications should be approved if the impacts are (or can be made) acceptable. LPAs should also not require applicants to demonstrate the overall need for renewable energy and recognise that even small scale projects can provide a valuable contribution to cutting greenhouse gas emissions.
- 9.3 National planning guidance is generally supportive of renewable energy, and the turbine would provide a contribution to cutting greenhouse gas emissions.
- 9.4 Planning policy at all levels seeks to protect the open countryside from sporadic development that would harm its character and appearance, and enjoyment for future generations, whilst recognising that some development in rural areas is necessary. It is about balancing the benefits of a proposed development against the impacts. The impact of the proposed development in terms of its appearance and impact upon biodiversity environment and neighbouring amenity, are all matters that will be addressed in the remainder of this report. However, in terms of the principle of development, it is considered that there is an overriding need to provide renewable energy and as such the development should be supported in principle with the up to date National Planning Policy Framework considered to outweigh the overly restrictive, in terms of wind turbines, Saved Local Plan Policy ENV1.

Visual impact of the proposed development

- 9.5 Paragraph 126 of the NPPF advises on the desirability of new development making a positive contribution to the local character and distinctiveness of the historic environment. Paragraph 115 of the National Planning Policy Framework states that “great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.”
- 9.6 Saved Policy ENV2 states that development acceptable in principle under policy ENV1 should only be permitted where it is compatible with the character of the surrounding area and does not have an unacceptable impact on the surrounding area. The design of structures should also relate well to the setting taking into account of the immediate impact and public views of the development. In

considering a relatively recent nearby appeal at Hesley Hall (APP/C2708/A/12/2181298) the planning inspector stated that:-

“The NPPF also seeks to ensure that the intrinsic character and beauty of the countryside is recognised and saved Local Plan Policy ENV2 is in general accordance with this objective.”

- 9.7 Given the local plan policy’s similar aims to the NPPF it is considered that the criteria of this policy are appropriate to be considered in this application.
- 9.8 As part of the submission the application is supported by 16 photomontages. These montages are taken from a range of locations including within the Forest of Bowland AONB, the Yorkshire Dales National Park, settlements and public rights of ways and roads in the vicinity. The montages have also been taken from a range of distances. The choice of montage location is therefore considered to be reasonable and also informed by the ZTV so that the majority of locations find the turbine visible to some extent.
- 9.9 The application site is located between the Forest of Bowland AONB and the Yorkshire Dales National Park on land classified as Open Countryside by the Local Plan. As such the development will be considered in light of its impact on these three areas.

A) Forest of Bowland AONB

- 9.10 The Forest of Bowland AONB Landscape Character Assessment (2009) classifies the land within the AONB adjacent to this application site as being “Rolling Upland Farmland”. This assessment also identifies that this character of landscape stretches beyond the boundaries of the AONB and includes this application site. Within the guidelines for managing this area it is recommended to:-
- 9.11 *“Conserve the distinctive undulating landform by minimising vertical elements such as communication masts and wind turbines”* and
- 9.12 *“Protect key views to and from the area from tall and vertical large-scale developments that may erode the open and undeveloped character of the area.”*
- 9.13 It is also noted that the appraisal recommends that the predominantly open character of the landscape is maintained.
- 9.14 In terms of the impact on the AONB the application has been submitted with photomontages taken from four sites within the AONB (A,B,C and F). Of these montages all the sites are from public roads or other rights of way and, aside from site C, appear to all be indicated as areas where the turbine would be theoretically visible from. No specific comments have been received from the Forest of Bowland AONB regarding the proposed development.
- 9.15 Montage A is one of the closest photographs of the site taken from a distance of 461m from Tod Holes Lane to the north. This site is on the boundary of the AONB. From this viewpoint the turbine is considered to be a dominant feature in the landscape that is not related to any other tall features in the landscape.
- 9.16 Montage B is taken from a distance of 837m from a public footpath in the AONB to the northwest. From this position the turbine would be viewed against the distant back drop of the hills however would not be well related to vertical features within the immediate area of the installation. The public footpath in this position leads towards the turbine and as such the turbine would be a strong feature within the context of this part of the footpath.
- 9.17 Montage C is taken from a distance of 3km to the north from a position that borders the AONB. As noted previously the ZTV does not indicate that the turbine would be

visible from this location and the lack of the turbine within this montage reflects this. The Forest of Bowland AONB lies immediately to the west of this site and, as displayed by the ZTV, in this area within the AONB there would be very limited points at which the turbine would be visible.

- 9.18 Montage F is taken from Higher Road to the south east of the proposed turbine site at a distance of 1.6km. This particular montage is not considered to be of a particularly good quality with the turbine located to the far left of the montage with limited scope for appraisal of its context to this direction. The wider photograph also does not clearly show the turbine with only enhanced analysis of figure 10A indicating the blurred structure. This montage also appears to show another vertical structure in proximity to the turbine however given the quality of the montage it is difficult to ascertain that structures impact. From this viewpoint it is considered that even at this distance the turbine would be a strong feature within the landscape that would blend somewhat into the distant background. However due to the prominent location and lack of closely related similar vertical features or background would still be a highly visible structure within the landscape.
- 9.19 As noted by the submitted ZTV the turbine would be visible from limited positions within the AONB and, whilst in close proximity, the turbine would be a strong feature within the landscape. However it is not considered that it would be to the substantial detriment of enjoyment of the natural beauty of the AONB.
- 9.20 Given the separation distance between the proposed turbine and the AONB and also the limited locations from within the AONB that the turbine would be visible it is not considered that the development would have an unacceptable impact on the enjoyment of the designated land. Notwithstanding this consideration needs to be given to the setting of the AONB and the turbine's impact on this setting.
- 9.21 In respect of this it is considered that viewpoints N and O and lesserly, due to separation distance viewpoints E and H would see the turbine with the AONB beyond it.
- 9.22 Viewpoint N is from a distance of 1km and shows the turbine against the skyline with no back ground. However given the topography of the land the AONB is also not visible beyond the turbine and as such the turbine would not be considered to be detrimental to the setting of the AONB from this position.
- 9.23 Viewpoint O is from around 2.2km away and whilst the montage is not clear the turbine would be predominantly screened by the topography and the band of trees between the proposed turbine and the photo point.
- 9.24 Photograph E is taken from around 2.74km shows the turbine at distance and whilst visible the designated land beyond it is not overly conspicuous due to the topography. As such from this viewpoint the turbine is not considered to be to the significant detriment of the setting of the AONB.
- 9.25 Photomontage H shows the turbine at a distance of 4.5km and at this distance is considered to be a strong feature within the landscape however due to the land form of the AONB beyond and the separation distance, it is not considered that the turbine would be to the detriment of the setting of the AONB.
- 9.26 It is therefore considered that the proposed turbine would not have an adverse impact on the Forest of Bowland AONB either in views from the designated land or on the setting of the AONB.

B) Yorkshire Dales National Park

- 9.27 The Yorkshire Dales National Park lies to the east of the proposed turbine site. The application is submitted with a solitary photomontage from the boundary of the

National Park (Location I) which is at a distance of 3.1km from the proposed turbine. Although there is just one montage from the YDNP this is taken from one of the closest points and this designated area is at some distance from the turbine. This montage does not clearly show the turbine due to distortion and distance however the turbine would be viewed against the backdrop of the hills beyond and due to the separation distance from the YDNP the proposal is not considered to be to the significant detriment of the YDNP or its setting.

C) Other areas in Craven District.

- 9.28 The Craven District outside the Yorkshire Dales National Park and Forest of Bowland AONB landscape appraisal classifies the land as Open Upland Pasture with Outcrops. This land has a moderate-strong landscape character with dry stone walls, scattered rocky outcrops and boulders. The landscape is considered to be in a good condition with an intact network of dry-stone walls. It is stated within this appraisal that the relatively elevated and exposed nature of the open upland pasture may provide suitable sites for additional wind farms that could be potentially intrusive having a wide visual impact on views from surrounding landscape.
- 9.29 The proposed turbine would be a tall structure of 24.8m to the hub height and rotor blades of a diameter of 19.2m giving the structure a maximum height of 34.5m. The area within which the turbine would be located has a low level of development within it and in particular very few developments of any significant height. Whilst there is mature vegetation and trees within a relatively close proximity immediately around the site the land is predominantly exposed. The turbine would essentially be viewed as an isolated vertical structure with no developments of a complimentary height or vegetation for the turbine to assimilate with.
- 9.30 From close viewpoints the turbine would be a dominant structure within the surrounding area (Locations A and L). The turbine is located on land above the farm holding and would be relatively devoid of rising land to form a backdrop and as such would be predominantly viewed against the skyline. There are a number of public footpaths that converge on the farm holding at Boostagill and it is considered that the turbine would be an imposing feature to users of those PROWs along which the user would have the turbine in their view over some distance as the paths lead towards the site. The site is relatively remote with limited neighbouring residential properties in close proximity to the development. It is therefore considered that the development would have a significant detrimental impact on the immediate surrounding area which has a number of public footpaths in the vicinity and although remote is considered to have a high level of rural tourism activity.
- 9.31 At greater distances from the turbine site the feature would diminish in size in relation to the viewer's field of vision. As noted earlier from viewpoint B the turbine would be a strong feature within the viewer's vision that would be a continued feature in the viewer's vision as they follow the public footpath towards the turbine. The turbine here is not viewed against any close back ground and as such is considered to be a dominant feature in the viewpoint.
- 9.32 From viewpoint J the turbine would be viewed from around 1.5km and seen against the skyline. Whilst it is acknowledged that from this particular point there would appear to be some correlation between the telegraph masts in the foreground and the turbine in the distance this effect would be relatively limited to around the point from which the photo was taken. From this location it is considered that the turbine would be a strong feature in the open location contrary to the relatively undeveloped nature of the surrounding area.

- 9.33 Given the topography of the land there is some screening of the turbine as indicated in viewpoint K where a relatively close montage (1.1km) shows substantial screening due to trees in the foreground. As noted previously photomontage F is not considered to be a good example with the turbine located to the extreme left of the presentation. From this position the turbine would be located in an elevated location above the ridgeline however the visual impact, from what is shown on the montage, would be ameliorated to some extent by the limited vegetation in the foreground and other features on the ridge.
- 9.34 It is acknowledged that there are other turbines within the vicinity such as the 29.5m to tip one that was recently approved at Hard Head Farm however the area has relatively few wind turbines. There is therefore not considered to be an unacceptable cumulative impact. This turbine whilst of a similar height is located further down the valley and is not considered to be in as pronounced a position as the turbine proposed under this application.

Summary of visual impact

- 9.35 Whilst it is not considered that the proposed turbine would have an unacceptable detrimental impact on the designated land itself or the setting of the Yorkshire Dales National Park and Forest of Bowland AONB it is considered that due to the prominent location, lack of vertical features within the area and plethora of public rights of way that the development would have a significant adverse impact on the character and appearance of the surrounding area. It is considered that this detrimental impact would substantially outweigh the benefits of the proposal. The proposal would therefore be considered to be contrary to the guidance contained within the National Planning Policy Framework and Saved Policy ENV2 of the Local Plan.

Impact of the proposed development on protected species

- 9.36 With regards to biodiversity, paragraph 109 of the NPPF sets out that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity.
- 9.37 As noted within the submitted habitat survey the application site is located within 1km of the Hesley Moss SSSI and two SINCs to the north east and northwest.
- 9.38 Hesley Moss is a site designated for its marshy grassland, raised bog and broadleaved woodland habitats and, provided the developer constructs the turbine in accordance with the submitted plans, the turbine would not have a detrimental impact on the features that make the area worthy of a SSSI status.
- 9.39 The site is in between two SINCs which are both within a 1km radius, The site named "Above Rathmell", described as a "Large "moorland field"", is located a short distance to the west. Higher Lumb Gill Wood is an ancient woodland to the east that is also designated as a SINC.
- 9.40 The relevant statutory and non-statutory consultees with respect to these designated lands have been consulted and no concerns have been raised with the proposed turbine development.
- 9.41 According to Natural England guidelines (Bats and single large wind turbines: Joint Agencies interim guidance) bat surveys are normally recommended where the development would be within 50m of features such as woodland, hedgerows, rivers or lakes, sites designated for bats or buildings or structures suitable for roosting. The proposed site is away from such features and as such a bat survey is not considered necessary to support the application and there is unlikely to be a significant impact on bats within the vicinity as a result of this development.

9.42 The site has also not been identified as being of specific value to the protection of birds.

9.43 The proposed development is therefore not considered to cause significant detrimental harm to protected species meeting this requirement of the National Planning Policy Framework.

Impact of the proposed development on the amenities of neighbouring properties

9.44 The National Planning Policy Framework states that LPAs should seek to achieve a good standard of amenity for all existing and future occupants of land and buildings. The General Development Principles of the Local Plan states that all developments should protect the amenities of neighbouring residents and occupiers.

9.45 With regards to noise, paragraph 109 of the NPPF sets out that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity. Paragraph 109 of the NPPF also states that the planning system should contribute to and enhance the natural and local environment by preventing new development from contributing to unacceptable levels of noise pollution.

9.46 The nearest residential property not associated with the farm holding (Brackenbent 325m away is within the applicant's ownership) is identified at a distance of around 520m. The Council's Environmental Health Department are satisfied that at this distance there would be no environmental protection issues of concern.

9.47 It is noted that specific reference has been made to shadow flicker by a respondent and, as noted within the Design and Access statement, the now deleted companion guide to PPS22 that identifies that "Flicker effects have been proven to occur only within ten rotor diameters of a turbine" (Para 76). With the proposed turbine having a rotor diameter of 19.2m this would give a 192m separation distance required 130 degrees either side of north. As noted previously there are no properties in such proximity and it is therefore considered that the turbine would not cause an unacceptable level of shadow flicker to neighbouring properties.

9.48 The proposed development is therefore considered to not result in any unacceptable impacts on the amenities of neighbouring properties meeting this requirement of the NPPF and the Local Plan.

Impact on Gas Pipeline

9.49 The proposed turbine would lie just outside the buffer zone for a high pressure gas pipeline. The development has been assessed using the HSE's PADHI system and the development is not considered to be an issue with regard to its relationship with the pipeline. Notwithstanding this the developer should be aware of the location of the pipeline and ensure that any development does not impact on it.

10. Recommendation

10.1 That the application is refused for the following reason.

11 Reason for Refusal

11.1 It is considered that the proposed development would have an unacceptable visual impact on the surrounding area that would substantially outweigh any benefits of the proposal. The proposed turbine is therefore considered to be contrary to the guidance contained within the National Planning Policy Framework and Saved Policy ENV2 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan which seeks to protect the character and appearance of the Open Countryside from inappropriate development.

Statement of Positive Engagement: -

In dealing with this application Craven District Council has sought to approach the decision making process in a positive way, in accordance with the requirements of paragraphs 186 and 187 of the NPPF. In particular the Council has: -

- engaged in pre-application discussions