

## **7. Full Application – Erection of One 50kw Wind Turbine, 24.6m to Centre of Hub and Base to Blade Tip Height of 34.4m and Erection of Ancillary Building on Land Adjacent to Pikehall Farm, Pikehall (NP/DDD/0814/0817 419206/359151 P.10599 CF/03/11/2014)**

**APPLICANT: Hartington Creamery Limited**

### **Site and Surroundings**

Pikehall Farm is situated adjacent to the A5012, which leads from Newhaven to Grangemill. The farm is a large working dairy farm that is currently let out to a tenant. There are two dwellings on the farm; the original farmhouse at Pikehall Farm, which is a Grade II listed building, and a farm worker's bungalow. There is a range of stone-built barns within the curtilage of the listed building and two of these buildings have been converted to house a small cheese-making unit alongside associated staff, training and education facilities for Hartington Creamery Limited.

The application site is approximately 500 metres to the north west of the cheese factory and the existing group of modern farm buildings at Pikehall Farm. The site itself comprises a field parcel that lies on higher land above the main farm buildings that has some mature planting along its eastern boundary. There are no public rights of way within close proximity to the site but the High Peak Trail passes within 600m of the application site. The application site is within 400m of the A5012, which passes through Pike Hall, where there is a relatively small number of residential properties.

In terms of its wider landscape setting, the site is located within the landscape character area of the 'White Peak' and in particular is located within a landscape type characterised in the Authority's Landscape Strategy and Action Plan as 'limestone plateau pastures'. The application site and its landscape setting have many attributes in common with this landscape because the application site is surrounded by a typical of an upland pastoral landscape with small to medium sized rectangular fields bounded by limestone walls, with occasional groups, and small shelter belts, allowing wide views to the surrounding higher ground.

This is also a landscape often characterised by isolated stone farmsteads and field barns, medieval granges surrounded by older fields, relict lead mining and quarrying remains, and Prehistoric monuments, often on hilltops. Of these types of features, the Scheduled Ancient Monument at Minning Low is the most distinctive and conspicuous in the landscape setting of the application site despite being over 3km away. It is also notable that the Derbyshire Dales National Nature Reserve lies to the east of the site and includes Long Dale and Gratton Dale Sites of Special Scientific Interest, which also form part of the Peak District Dales Special Area of Conservation.

### **Background**

The Hartington Creamery Limited cheese factory was started up with assistance from grant-in-aid funding and has been producing Peakland White and Peakland Blue since 2012. The business has increased production of cheese from one day a week to three days a week and began producing Stilton cheese in 2014. The cheese factory currently produces around 30-70 cheeses per week. It is intended to increase production of cheese to six days a week, which will involve expansion of the existing factory and increase local employment opportunities. However, cheese production relies on relatively high levels of energy consumption, amongst other things, regulating the temperature of maturing cheese requires air-conditioning/refrigeration units to be used 24 hours a day. The process of maturing cheese can also take several months. This leads to several issues for the business, not least that the existing 'maturing' facilities are close to capacity and more capacity is required to build the business, which will lead to increased energy consumption.

Increased energy consumption will result in higher overheads, which causes problems with cash flow when energy is needed constantly to mature cheeses, but they may not be ready for sale for several weeks or months. This relatively intensive consumption of energy already gives rise to a significant cost to the business per annum, and this overhead is said to be one obstacle to the continued growth of the business. In supplementary information submitted with the application prepared by Hartington Creamery Limited, it is said that the business currently takes around 52,000kW of electricity per annum from the National Grid at a cost of around £6,000 per annum. To increase production from around 30-70 cheeses to 180-420 cheeses per week, it is said the business will require an additional 100,000kW of electricity per annum, which would cost around £12,000 if it were to be obtained from the National Grid.

Given the high demand for electricity at the cheese factory, the applicants consider that there is a need to consider renewable energy development from a commercial perspective, as this would help to reduce energy costs to promote the ongoing viability and future growth of the business. Some energy saving measures, such as high standards of insulation for the building, have already been carried out, and there is little that can be done within the process of producing cheese to reduce requirements for regulating air pressure and temperature controls. The needs of the business also sit alongside the applicants' wider environmental concerns in respect of reducing dependency on non-renewable energy sources and reducing carbon emissions, amongst other things. Progress on making the business more sustainable is also increasingly required to be able to meet the requirements of various quality assurance schemes and the requirements of the businesses that the applicants sells their cheese to.

To this end, the applicants have considered their options and concluded that a 50kW rated wind turbine would be the best option to meet the energy needs of the growing business.

### **Proposal**

The application proposes the erection of a single wind turbine in a field 500 metres to the north west of the buildings currently used by Hartington Creamery Limited and the nearby group of modern farm buildings. The turbine would have a base to blade tip height of 34.4m and the centre of hub height would be 24.8m relative to the adjacent ground levels. The specific model of the wind turbine is an Endurance E-3120, which is rated as a 50kW wind turbine, which the suppliers say is ideal for larger commercial/industrial sites and will produce 100,000 - 250,000 kW per annum in appropriate wind conditions.

The submitted plans show that the turbine would be a horizontal axis turbine with 3 blades, each blade measuring approximately 9.6m in length (blade tip to centre of hub), whilst the area swept by the blades would have a diameter of approximately 19.2m. The submitted plans show that the tower for the turbine would be approximately 2m wide at the base and would diminish in width to approximately 0.7m wide. The submitted Design and Access Statement notes that the external finish for the wind turbine, including the tower and blades, would be a recessive off-white, with a non-reflective finish.

An ancillary building and concrete base are also required for the turbine. The building would be a control cabinet finished in a dark green colour, sited next to the turbine, measuring 2.25m high with a footprint measuring approximately 2.1m x 1.25m. The submitted plans also show the detail of the connection to the grid. The concrete base for the turbine would measure 3m x 4.5m above ground with concrete foundations below ground measuring 6m x 6m. The grid connection for the turbine would be undergrounded, with the cabling running back to the farm buildings.

In this case, there are no proposals for the construction of a new track to the proposed site for the turbine because a temporary access track will be used to allow for the installation of the turbine.

## **RECOMMENDATION:**

That the application be **REFUSED** for the following reasons:

- 1. In this case, the proposed development would have a significant adverse visual effect on the character of its landscape setting, and it would harm the scenic beauty of the National Park by virtue of its size, scale and siting. The current application is therefore considered to be contrary to Core Strategy policies GSP1, GSP3, L1, and CC2 and Local Plan policies LC4 and LU4, contrary to guidance in the Authority’s adopted SPD on Climate Change and Sustainable Building and the Authority’s Landscape Strategy and Action Plan, and contrary to national planning policies in the Framework and government guidance in the associated Planning Practice Guidance.**
- 2. Moreover, it cannot be determined that the potential impacts of the proposed turbine on archaeological remains that might be present within the application site would cause substantial harm to a non-designated heritage asset. In the absence of proper evaluation of these impacts and in the absence of demonstrably appropriate mitigation measures, the current application also fails to meet the requirements of policy L3 of the Core Strategy, conflicts with saved Local plan policies LC15 and LC16, and does not accord with guidance in the Planning Practice Guide and policies in the Framework.**
- 3. In this case, any environmental, economic and social benefits of approving the proposed development would be outweighed by the harm to the valued characteristics of the National Park identified above, and the adverse impacts of the proposed turbine cannot be made acceptable. Therefore, any approval would be contrary to the principles of sustainable development set out in Core Strategy policy GSP1 and national planning policies in the National Planning Policy Framework.**

## **Key Issues**

- whether the proposed wind turbine can be accommodated without adversely affecting the landscape character and the valued characteristics of the local area.

## **History**

There is an extensive planning history for Pikehall Farm, including planning permissions sought and obtained for a farm worker’s dwelling and various livestock buildings over a period of more than 30 years. In 2011, planning permission was granted for the change of use of two buildings at Pikehall Farm to B2 (cheese making only) with ancillary office space and D1 training facility (NP/DDD/0711/0714) and listed building consent was granted for the associated works to the two ‘curtilage listed’ buildings later the same year (NP/DDD/0911/0993).

A formal screening opinion was requested for the current proposal earlier this year and the Authority determined that an Environmental Statement was not required to support the application (Enquiry PE\2014\ENQ\20544). The Authority’s screening opinion identified the potential landscape and visual impact of the proposed turbine, and concluded that the turbine would have some impact on the landscape setting of Pikehall Farm. The Authority’s screening opinion also suggested the area which will be disturbed by the construction of the turbine, turbine house and any access road should be archaeologically evaluated in advance of a planning application being submitted.

## **Consultation:**

### **External Consultees**

Hartington Nether Quarter Parish Council – Support the application based on the details submitted application and with reference to the consultation exercise carried out by the applicants.

Derbyshire County Council (Highway Authority) – No objections

Derbyshire Dales District Council – No response to date.

English Heritage – Do not wish to make detailed comments on the current application and say the advice of the Authority's in-house historic environment specialists should be sought in respect of the assessment of on and off site historic environment impacts and their potential mitigation (including in respect of below ground remains and the impacts of turbine base, hard standings for access and cabling etc). English Heritage otherwise offer a brief summary of archaeological features within the landscape setting of the application site.

MOD – No response to date

NATS – No response to date.

Natural England – Require a Habitats Regulation Assessment in respects of the potential impacts of the proposals on the nearby Peak District Dales SAC but do not have any objections to the proposals in respects of its potential impacts on the SAC, or in respects of the proposed developments potential impact on Long Dale and Gratton Dale SSSI. Natural England also have no overriding objections to the proposals in respects of the potential impact of the proposed turbine on protected species.

Natural England do however raise concerns regarding the submitted LVIA and the landscape and visual effects of the proposed turbines but have not yet made any further comments on the addendum LVIA submitted by the applicants to address points raised by Natural England. Natural England otherwise state that advice should be obtained from the Authority's landscape architect to help assessment of the landscape and visual effects of the proposed turbine.

The full details of the Natural England's consultation response, which contains more supporting detail on Natural England's position on the submitted LVIA, are available to view on the Authority's website.

### **Internal Consultees**

National Park Authority (Senior Conservation Archaeologist) - Recommends that the application be refused because the direct impacts of the proposed development on archaeological deposits within the application site cannot be properly addressed and because the proposed turbine would have an unacceptable impact on the setting of Minning Low when considering how the setting of this monument has been affected by other wind turbines. The full details of the Authority's Senior Conservation Archaeologist's consultation responses, which provide further discussion of the issues, are available to view online.

National Park Authority (Ecology) – No objections subject to appropriate planning conditions and concludes through a Habitats Regulations Assessment that the proposed turbine would not affect the qualifying features of the Peak District Dales SAC. The full details of the Authority's Ecologist's consultation responses that give further explanation of the potential ecological impacts associated with the proposed turbine are available to view online.

National Park Authority (Landscape Architect) – In summary, recommends that the application be refused because the proposed turbine would have a high visual impact in the local area and on views from the scheduled ancient monument at Minning Low. The full detail of the Authority's landscape architect's consultation response is available to view online and contains further commentary on the submitted LVIA and the potential landscape and visual effects of the proposed turbine.

### **Representations:**

At the time of writing this report, representations made on behalf of the Derbyshire Green Party were received by the Authority that are highly supportive of the current application. In summary, one of the most relevant part of the Derbyshire Green Party's submission is considered to be their view that the creamery is an amazing risk venture, re-inventing the former Hartington Stilton cheese factory, noting that cheese making is a very competitive environment and concluding that every support ought to be given to the business including the Leader grant and the energy offset from the turbine.

The Derbyshire Green Party's following comments on landscape and visual effects are also relevant. The Derbyshire Green Party comments that the application site is a strong and complex landscape, especially the splendid tall beech wood that runs all the way from the buildings to beyond the turbine position. The Derbyshire Green Party go on to say it is inevitable that an efficient turbine harvests clean wind from the west, so it is also inevitable that this site is open to some public viewpoints from the west. In other views it is well contained, such as from the trail crossing and the Embankment and whilst much is made of the view from Minning Low; the distances involved means the proposed turbine will not significantly 'harm' the view. The response also notes that polling of public opinion nationally demonstrates a substantial majority acceptance of wind turbines.

The Authority has also received representations on behalf of Derbyshire NFU who are also highly supportive of the current application. The NFU supports this application on the grounds that it will improve the viability of Hartington Creamery Ltd as well as making it more sustainable in energy terms. The NFU go on to say the local processing of agricultural produce into high value products for sale locally and further a field is what Government has been encouraging the farming sector to do for many years. The NFU say Hartington Creamery Ltd is an example of a company that is doing this and it deserves all the support it can have. The NFU concludes that in landscape terms this is a 'big' landscape that can accommodate the turbine.

A further five representations in support have been received by the Authority, and whilst these representations are short in length they convey full support for this application for a wind turbine mainly on the basis that it would help with the running costs of the factory with emphasis on the importance of the cheese making business to local people.

Six representations raising objections to the current proposals have also been received by the Authority albeit two of these representations are from the same person. These representations tend to be very detailed and set out strong objections to the proposed turbines on various grounds. Issues raised in these representations include reference to the potential harmful landscape and visual effects of the proposed turbine, the potential detrimental impact of the turbine on archaeology and the setting of various archaeological features in the landscape including scheduled ancient monuments. The thrust of the representations against the proposals is therefore that the proposed turbine would harm the National Park, and its enjoyment by others, and should be refused.

There are number of references to suggested flaws in the planning case for the proposed turbine, the submitted LVIA, discrepancies in the submitted details, and what is considered to be very limited consideration of less damaging alternative options. In these respects, the thrust of the representations against the proposals is that the proposals do not properly comprise sustainable development and the harm arising from any approval would not be outweighed or offset by the benefits to the business itself, or the wider public benefits that might be achieved by granting planning permission for the turbine.

All the representations referred to above can be read in full online via the planning application search function on the Authority's website.

## **Main Policies**

### **National Planning Policy Framework ('the Framework')**

At paragraph 17, the Framework says core land-use planning principles should underpin both plan-making and decision-taking, and sets out 12 core planning principles. One of these 12 core planning principles encourages local planning authorities to support delivery of renewable resources through the planning system. Accordingly, at paragraph 98, the Framework says when determining planning applications for renewable energy development, local planning authorities should approve the application if its impacts are (or can be made) acceptable unless material considerations indicate otherwise.

In this case, the Framework makes it clear that the fact that the turbine would be located within a National Park is a highly relevant material consideration in terms of national planning policies. For example, paragraph 115 in the Framework states that great weight should be given to conserving landscape and scenic beauty in National Parks along with the conservation of wildlife and cultural heritage.

In terms of wildlife interests, paragraph 109 of the Framework says, amongst other things, the planning system should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes, and minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity. In terms of cultural heritage, one of the twelve core planning principles in the Framework requires local planning authorities to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

This guidance on renewable energy development in the Framework is also supported by the more recently published Planning Practice Guidance (PPG). The section on renewable and low carbon energy in this guidance reaffirms that the need for renewable energy does not automatically override environmental protections, or the need to conserve and enhance landscape, wildlife and cultural heritage especially within a National Park.

The Government's Planning Practice Guidance (2014) closely reflects the thrust of the following Development Plan policies, which are the most relevant to the current application, and are generally considered to be consistent with the above guidance in the Framework because they support the take up of renewable energy development where its impacts would be acceptable.

## **Key Policies**

Relevant Core Strategy policies: CC2

Relevant Local Plan policies: LU4

These policies relate directly to renewable energy development in the National Park and the recently adopted *Climate Change and Sustainable Building* Supplementary Planning Document (SPD) offers further guidance on the application of these policies. The guidance in this SPD and the provisions of policies CC2 and LU4 are also supported by a wider range of design and conservation policies in the Development Plan listed below:

### **Wider Policy Context**

Relevant Core Strategy policies include: DS1, GSP1, GSP2, GSP3, GSP4, L1, L2 and L3.

Relevant Local Plan policies include: LC4, LC6, LC15, LC16 and LC17.

These policies set out a wide range of criteria for assessing the acceptability of development in the National Park with a particular focus on landscape conservation objectives. The Authority's Landscape Strategy and Action Plan (adopted in 2009) gives further guidance on managing the established landscape character of the National Park, and is referred to specifically by policy L1 in the Core Strategy. The landscape conservation objectives set out in the Authority's Landscape Strategy and Action Plan should therefore guide the assessment of development proposals that are likely to affect the landscape character of the National Park.

### **Assessment**

#### **Policy Framework**

Policies in the Development Plan and in the Framework are generally consistent because both are supportive, in principle, of low carbon and renewable energy development in the National Park provided that it can be accommodated without adversely affecting landscape character, cultural heritage assets, other valued characteristics or other established uses of the area, as set out in Core Strategy policy CC2 and Local Plan policy LU4.

Within Development Plan policies there is a presumption in favour of the conservation of the landscape character, biodiversity and cultural heritage of the National Park, the Framework confirms that great weight should be given to conserving the landscape and scenic beauty in National Parks and makes a presumption in favour of the conservation of heritage assets and wildlife interests in accordance with the provisions of Core Strategy policies GSP1, GSP3, L1, L2 and L3 and Local Plan policies LC4, LC6 and LC17.

Planning Practice Guidance published by the Government in March 2014 confirms that the need for renewable energy does not automatically override environmental protections and great care should be taken to ensure that heritage assets and National Parks are conserved. In short, the desire to encourage the take up and delivery of renewable energy development does not override the conservation purposes of the National Park. Therefore, the key issue in the determination of this application is considered to be whether the proposed turbine would conserve the landscape character, cultural heritage assets or other valued characteristics of the National Park including its biodiversity.

#### **Policy Guidance on Renewable Energy Development**

The Authority's adopted Supplementary Planning Document (SPD) for *Climate Change and Sustainable Building* was adopted after public consultation in March 2013 and should therefore be given substantial weight in the determination of the current application. The Authority's SPD offers advice on renewable energies, including wind turbines.

It explains that wind turbines are the most challenging of all types of low carbon and renewable energy to accommodate in the National Park landscape. Therefore, the SPD promotes a 'Landscape First' approach to choosing a site for a wind turbine.

In these respects, Landscape Sensitivity Assessment has been carried out which is appended to the SPD and provides guidelines on the sensitivity of different landscape character types to various scale of wind turbines. As established in the Landscape Strategy and Action Plan the site is within the landscape character area of the 'White Peak', within the landscape character type of 'Limestone Plateau Pastures'. The SPD says that the first step to take in assessing wind turbine proposals is to identify whether the landscape type has opportunities for this type of renewable energy development, and could accommodate the scale of the turbine being proposed with reference to the Landscape Sensitivity Assessment.

With reference to the Landscape Sensitivity Assessment, the wind turbine proposed in the current application is a medium sized turbine, but it would be located in a landscape highly sensitive to all scales of wind turbines because of its open character, strong historic field patterns, lack of settlement and development, and long views to the surrounding uplands and valued archaeological and historic features. Moreover, the SPD says that a turbine that breaks the ridgeline of a hill when viewed from a distance will have significant impacts, and goes on to say wind turbines that would be seen on the skyline should be avoided.

The Authority's Landscape Strategy and Action Plan gives further guidance on wind turbine development and the application of the "landscape first" approach promoted by the Authority's 'Climate Change and Sustainable Building' SPD.

#### Landscape Strategy and Action Plan

The Authority's Landscape Strategy and Action Plan was adopted in 2009 following public consultation and therefore it is important to give significant weight to the degree to which the development proposals would achieve landscape conservation objectives in this document when determining the current application.

The Authority's Landscape Strategy and Action Plan was adopted in 2009 after public consultation and, therefore, should also be given significant weight in the determination of the current application. This document illustrates that the application site is located within the landscape character area of the 'White Peak' and specifically within the landscape character type of 'Limestone Plateau Pastures'. This is a planned agricultural landscape, derived from the enclosure of former commons around and beyond older settled core of the village farmlands. The Landscape Strategy and Action Plan says that in general developing small-scale renewable energy for local needs is not a priority but may be considered in some locations.

For example, when discussing the issues of changes to the landscape arising from the demand for renewable energy development, the Landscape Strategy and Action Plan says that: *"there is an increasing national demand for renewable energy schemes, particularly wind power. In additions there is increasing potential for solar and water power, and other renewable sources. Inappropriate wind generation projects could adversely impact on landscape character, the setting of historic features and landscapes, amenity value and tranquillity."*

In these respects, some of the landscape attributes of 'Limestone Plateau Pastures' that are particularly sensitive to change and may be adversely affected by wind turbines are:

- the gently rolling, plateau landform;
- strong and distinctive field pattern;



- open character with little tree cover and wide views, including to the surrounding uplands; and
- the presence of important archaeological features including prehistoric monuments, dewponds, lead mining and mill heritage remains.

Therefore, it is reasonable to conclude that the character of the landscape at the application site is highly sensitive to change, and that the turbine, by virtue of its size and scale, may be difficult to accommodate in its proposed location.

### Landscape and Visual Impact

In this case, the submitted details, including the Zone of Theoretical Visibility (ZTV), annotated photoviews and the photomontages, help to illustrate the potential landscape and visual effects of the proposed turbine. The submitted ZTV identifies where the proposed turbine is likely to be seen from and suggests that the turbine would have a significant visual impact within the immediate local area of the application site. The ZTV indicates the turbine would have a strong visual influence along a 10km 'corridor' running on north west-south east axis 5km either side of the application site. The ZTV also suggests the whole turbine would be seen from the western edge of Youlgrave and from Elton.

It is therefore considered that the visual effects of the turbine would be quite substantial and by virtue of its size and siting, the turbine would be a visually intrusive and conspicuous feature on the skyline from various nearby vantage points including from parts of the High Peak Trail. This is primarily because the proposed turbine would be 34.2m tall (from base to blade tip) with a blade diameter of 19.2m and would be sited some 500m away from the main group of buildings, on higher ground. It would also be a medium scale turbine in a landscape character type that is highly sensitive to all scales of wind turbine, and therefore, the turbine is not of a size or scale that would be readily assimilated into the surrounding landscape.

However, the annotated photoviews do support the conclusions drawn in the submitted Landscape and Visual Impact Assessment (LVIA) that the turbine would be seen against the backdrop of trees and higher land behind the turbines from a number of the viewpoints identified in the ZTV. From these viewpoints, the turbine would be better related to landscape features but would still appear to be isolated and sporadic development in open countryside by virtue of its siting in an elevated location away from the existing group of buildings at Pikehall Farm.

The turbine would be an engineered vertical structure in a landscape setting that is characterised by the absence of vertical manmade features. This is quite clearly illustrated by the submitted photoviews. The LVIA otherwise suggests that the chimneys at DSF Engineering at Friden, and the transmitter at Stanton Moor have an influence on the character of the landscape setting of the proposed turbine. However, it is also acknowledged in the LVIA that the chimneys are not seen at the same time as the turbine from any single vantage point, and the transmitter is over 7km away from the application site. On this last point, the submitted ZTV serves to demonstrate that the impact of objects in the landscape tends to diminish beyond 5km from the site.

Therefore, the LVIA tends to underplay the potential landscape and visual effects of the proposed turbine. Equally, it also tends to underplay the effects of the turbine on the tranquillity of the landscape setting of the turbine by emphasising the significance of the siting of the turbine close to the A5012. The photoviews show that the road would not be seen from many of the viewpoints that have been identified, and the annotations confirm that the road is not a significant influence on the character of the landscape that would be affected by the presence of the turbine. In these respects, the LVIA underplays the visual effects of a white vertical structure seen against a dark backdrop of trees and hillsides, and the effects of the turning blades that would draw attention to the turbine in what is otherwise a peaceful and pastoral landscape broadly unspoilt by modern developments.

In terms of archaeological features and other heritage assets within the landscape setting of the turbine, the LVIA asserts there would be no effects on any of the scheduled monuments or listed buildings within the ZTV. However, there are a limited number of photoviews provided with the application that would support these conclusions. There is no proper assessment of the impact on the listed building at Pikehall Farm for example, and limited assessment of the potential impact of the turbine on the setting of Minning Low. There is also no assessment of the views of the turbine from Minning Low or Arbor Low, albeit these monuments are 3.2km and 5km distance from the application site.

Therefore, in terms of cultural heritage, it is difficult to reach a firm conclusion whether the turbine proposals would have a visual impact that would conflict with the specific criteria of policies GSP1 and L3 in the Core Strategy and national planning policies in the Framework. However, there is clear evidence that the proposals would not meet the requirements of Core Strategy policies GSP1, GSP3, L1, and CC2 or Local Plan Policies LC4 and LU4 and the proposals would conflict with the Authority's adopted guidance in the SPD on Climate Change and the Landscape Strategy and Action Plan because the turbine would detract from the scenic beauty of the surrounding landscape.

In summary, by virtue of its siting in an elevated location away from the existing group of buildings at Pikehall Farm, the proposed turbine would be an especially prominent, isolated, and therefore visually intrusive development that would break the skyline and detract from the tranquillity of the surrounding landscape, and the quiet enjoyment of the local area. The potential visual impact of the turbine would be exacerbated its size and scale and by the motion of the blades, which would make the turbine even more noticeable in a landscape that is sensitive to change. Consequently, any approval of the current application would also conflict with national planning policies in the Framework that afford great weight to landscape conservation objectives in the National Park.

### Cumulative and Successive Impacts

Although it is considered that the turbine would be harmful in its own right, there are also some concerns that the proposed turbine would increase the physical presence of turbines across a wider area of the White Peak than is already influenced by the presence of the large turbines at Carsington Pastures, or the medium sized turbines at Hill Top Farm, Parwich, for example. The issue relates to the successive impacts of seeing different turbines moving through the National Park rather than the cumulative impacts of seeing the proposed turbine in the same view as other wind turbines in the landscape.

In these respects, the LVIA does offer a thorough assessment of the cumulative and successive impacts of the turbine proposed in this application in relation to the existing turbines in the local area alongside turbines that have permissions that have not yet been commenced such as the 'Viaton' and Ryder Point proposals, and the turbines proposed at Griffe Grange. It is considered that the LVIA correctly concludes that it is unlikely that the turbine would have a significant cumulative impact insofar as it would not be seen in conjunction with any of the existing turbines within the local area albeit a glimpse of the tips of the turbines at Carsington Pastures may be seen in conjunction with the proposed turbine at Pikehall Farm. The LVIA also quite convincingly argues there is a sufficient distance along the High Peak Trail, for example, between views of the turbines at Carsington Pastures, the turbines at Hill Top Farm and the turbine proposed in this application to avoid any harmful successive impacts.

Officers consider that there is sufficient separation distance between the various turbines noted above to be able to conclude that it is unlikely that the turbine would give rise to such substantial successive impacts that would exacerbate the adverse effects of the turbine identified in the above section of this report when taken in isolation. Nonetheless, the cumulative impacts of another turbine in the setting of the monument at Minning Low would have a harmful cumulative impact when considering the setting of the monument has already been strongly influenced by the turbines at Carsington Pastures, and to a lesser extent perhaps, by the turbines at Hill Top Farm.

Officers also remain concerned that if turbines were increasingly to become part of the established landscape character of the White Peak then future proposals could become increasingly difficult to resist as turbines could become an 'accepted' feature of the landscape in the same way large modern farm buildings are now accepted in principle across the National Park. Moreover, it is noted that some landscape and visual impact assessments are already referring to the acceptability of wind turbines in landscapes characterised by the presence of existing wind turbines.

The submitted LVIA does not make this argument not least because it would seem to be 'common ground' between the applicant and the Authority that this particular turbine would not give rise to any direct cumulative impacts, in terms of the intervisibility of proposed and existing turbines in this area of the National Park, which does carry some weight in favour of the current application.

### Archaeology

In this case, despite the submission of archaeological assessment and walk over survey of the land at Pikehall Farm, the submitted application fails to properly address the potential for the development to have a direct impact on archaeological interest within the application site. In summary, the need for a more thorough assessment of archaeology including field evaluation was identified at pre-application stage and is mentioned in the Authority's adopted screening opinion, but this work has not yet been carried out.

Subsequently, there have been various discussions between the Authority's senior conservation archaeologist, the applicants' archaeologist, the applicants' agent and planning officers that have resulted in field evaluation being commissioned by the applicants, but this work will only commence on site on 10 November 2014. Therefore, the outcomes of this work are not yet known, and it may not be possible to provide any further updates to the Planning Committee at the meeting on 14 November 2014.

In these respects, there seems to be common ground between the Authority's senior conservation archaeologist and the applicants' archaeologist that the application site and its immediate landscape setting must be seen as part of an exceptionally rich archaeological landscape, and that development could have a direct impact on buried and unknown archaeological deposits. Furthermore, there are HER records that confirm there have been repeated finds of prehistoric material within the immediate local area.

It also seems to be common ground that whilst there remains the possibility of in situ archaeological deposits on the application site, in the absence of reliable field evidence, it is difficult to predict the likely state of survival and preservation of any archaeological deposits which might exist. Therefore, a field evaluation prior to commencement of the development is not only proportionate but this approach, now commissioned by the applicants, would allow a better opportunity to assess the significance of the application site in archaeological terms and a better opportunity to consider appropriate mitigation measures in the event the proposed turbine were to be granted planning permission.

However, there appears to be a divergence of views on the likely significance of the archaeological deposits that might come to light following a field evaluation. On one hand, the applicants' agent considers that, on the basis of the evidence that has come to light so far, it is possible to conclude that appropriate mitigation measures could be secured by a 'pre-commencement' condition and this issue does not prevent a positive decision on the current application. Appropriate mitigation in the type of circumstances envisaged by the applicants' agent may include publishing a report on the findings from the field assessment and any artefacts of particular interest that are revealed by the field assessment being transferred for display in a local museum, for example.

On the other hand, the Authority's senior conservation archaeologist considers that there is a real possibility that the field assessment may reveal something of much more significance that would be better preserved 'in situ' and/or lead to a conclusion that the most appropriate mitigation measures would be to relocate the turbine. In these circumstances, a pre-commencement condition may lead to additional costs to the applicants that might have been avoided if the field evaluation had been carried out at an earlier stage in the process and used to inform the siting of the development proposals. Alternatively, if any pre-commencement condition stipulating compliance with mitigation measures identified by the field evaluation and subsequent report had the effect of requiring a different site for the proposed turbine then the terms of the condition would effectively nullify the permission, which would be a wholly unacceptable outcome.

One option would be to defer a decision on this application until the results of the field evaluation are known, but the applicants' agent indicates this approach is not acceptable and advocates the use of a pre-commencement condition, which, as also noted above, may be against the applicants' best interests and not necessarily consistent with best conservation practice.

However, at this stage, the significance of any archaeological deposits on the application site is not known and there is no evidence that clearly demonstrates whether the development would harm any extant archaeological interest, or subject to mitigation, whether the development would result in less than substantial harm to a non-designated heritage asset.

Therefore, it cannot be concluded that the proposed development would meet the requirements of L3(A) which says that development must conserve, and where appropriate, enhance or reveal the significance of archaeological, architectural, artistic or historic assets and their settings, including heritage assets of local importance or special interest. It also cannot be concluded that proposed development would meet the requirements of L3(B) which says that other than in exceptional circumstances development will not be permitted where it is likely to cause harm to the significance of any cultural heritage asset of archaeological, architectural, artistic or historic significance or its setting, again, including heritage assets of local importance or special interest.

In these respects, the proposals also conflict with the detailed criteria of saved Local Plan policies LC15 and LC16, because these policies also require the results of the field evaluation and appropriate mitigation measures to be in place before permission granted. National planning policies in the Framework and Planning Policy Guidance do not suggest that these concerns should be set aside because it is not yet clear that the proposed development can be made acceptable in archaeological terms. Therefore, the absence of sufficient detail to properly assess the direct impacts of the proposed turbine on archaeology within a particular landscape that is rich in pre-historic remains forms a substantive reason for refusal of the current application, alongside the potential landscape and visual effects identified in the above section of this report.

### Ecology

It is notable that the Derbyshire Dales National Nature Reserve lies to the east of the site and includes Long Dale and Gratton Dale Sites of Special Scientific Interest, which also form part of the Peak District Dales Special Area of Conservation. However, the Authority's Ecologist is satisfied that the proposed turbine would not have any direct or indirect impacts on the special conservation interest comprised within these sites. The ZTV indicates the turbine would not have any further visual effects on these sites.

The Authority's Ecologist has also undertaken an assessment required under the Habitat Regulations and has concluded the turbine would not impact directly or indirectly upon any of the habitat features underpinning the SAC designation Peak District Dales Special Area of Conservation. Therefore, Appropriate Assessment is not required to support the current application.

The Authority's Ecologist is also satisfied that the proposed turbine would be unlikely to impact on bird populations, primarily because the application site does not provide appropriate habitat for any bird species of special interest, and there is common ground that subject to appropriate conditions. The proposed turbine is unlikely to have any significant impact on bat populations, taking into account the intervening distance between their habitat and field boundaries and the proposed site of the turbine.

Notably, the current application is supported by thorough survey work and the only area of concern in relation to bats is whether the operation of the turbine will need to be modified between dusk and dawn. The survey work completed to date suggests that bats will only very occasionally approach the turbine and, by managing the land in a particular way, there are opportunities to ensure that the field in which the turbine would be located does not become more likely to attract bats over time.

Taking all these factors into account, it is concluded that there are no objections to the proposed turbines on ecological grounds, and subject to conditions, the application conforms to policy L2 and LC17, and national planning policies in the Framework, which seek to safeguard wildlife interests and promote and encourage biodiversity in the National Park.

## Amenity

In this case, there are no overriding concerns that the proposed turbine would have any direct impact on the tranquillity and quiet enjoyment of the National Park other than by virtue of its impact on visual amenity. In these respects, issues such as ‘shadow flicker’ and ‘blade swish’ are not considered to warrant further consideration, taking into account the relatively remote location of the turbine relative to the nearest public rights of way and the nearest neighbouring residential properties.

The LVIA provides a reasonable assessment of the likely impacts of the proposed turbine on the amenities of the nearest neighbouring properties amongst the main cluster of properties at Pike Hall, and the outlying Mouldridge Grange and Croft Barn either side of Pikehall Farm. This assessment is supported with some reference to photoviews and a photomontage and in broad terms, the turbine would be seen from the curtilages of some of the properties within the local area. However, officers agree that the proposed turbine would not have an especially intrusive in the outlook from the habitable windows of nearby properties, and the intervening distances between the properties and the turbine diminishes the likelihood that the turbine would be an oppressive or over dominant feature that would detract from the quiet enjoyment of these properties or the living conditions of local residents.

It is therefore considered that the current application would not conflict with the specific provisions of Local Plan policy LC4, policy GSP3 of the Core Strategy and national planning policies in the Framework, which are only permissive of development where it would not detract from the residential amenities of properties likely to be affected by the development proposals

## Benefits

It is therefore considered that the proposed turbine would not be unneighbourly and, as noted above, the turbine is unlikely to have any significant impact on wildlife interests (subject to appropriate planning conditions) if permission were to be granted. However, this report sets out substantive reasons for refusal of the current application on landscape and archaeological grounds. In these respects, the Framework states very clearly that applications for renewable or low carbon development should be approved if the impact of the development is acceptable, or can be made acceptable, and also requires the Authority to weigh the harm of the proposal against its public benefits.

In this case, it is clear that the proposed turbine would provide a valuable contribution to cutting greenhouse gas emissions. In comparison to the energy exported from the National Grid, the turbine would replace 64.5 tonnes of carbon dioxide annually if the cheese factory’s energy consumption was equivalent to 150,000kW per annum as anticipated in the applicants’ forward planning for the business. Moreover, the proposed turbine would contribute to reducing dependency on non-renewable energy and contribute positively to the future viability of the cheese factory, with potential ‘knock on’ benefits to the tenant farmer at Pikehall Farm.

However, the Planning Practice Guidance reaffirms that the need for renewable energy does not automatically override environmental protections, or the need to conserve and enhance landscape, wildlife and cultural heritage especially within a National Park. This stance was also supported in the appeal decision at Hill Top Farm, Parwich (APP/M9496/A/12/2179436). This appeal involved the erection of a wind turbine to support what was reported to be the largest dairy farm in the Peak District. The appeal was dismissed.

Notably, at paragraph 33 in the appeal decision, the Inspector explains that in balancing the impact of the scheme on the National Park against the benefits of the scheme in supporting the viability of the farm, there was an inescapable fact that the site is in the Peak District National Park where it is the statutory duty to conserve and enhance the natural beauty of the landscape.

The proposed turbine would have caused significant harm to the natural beauty of the landscape. The Inspector reasoned that in such a situation, greater priority must be given to conserving the natural beauty of the landscape.

Similarly, officers consider that the reported economic benefits of the proposed turbine towards the maintenance and viability of the cheese factory, and the associated benefits of providing renewable energy development at Pikehall Farm, do not outweigh the significant harm to the landscape character and scenic beauty of the National Park landscape that would result from the turbine. In these respects, the proposals do not constitute sustainable development anticipated by policy GSP1 of the Core Strategy or the Framework, taken as a whole and read in conjunction with Planning Practice Guidance.

However, in reaching these conclusions it must be acknowledged that the impact of the proposed turbine is likely to be less substantial than suggested by the ZTV, and the enclosed nature of the landscape setting of the application site would serve to limit the impact of the turbine over the wider landscape setting of the White Peak. Equally, whereas the turbine would contribute to the increase presence of turbines within the setting of the scheduled ancient monument at Minning Low, there would not any significant intervisibility between the proposed turbine and the range of turbines further to the south and south east of the application site. It is also considered that the landscape and visual effects of the proposed turbine when seen in isolation would not be significantly exacerbated by the successive impacts of seeing the turbine proposed in this application alongside others that can be seen along the High Peak Trail, for example.

Therefore, the impacts of the proposed turbine would be 'localised' and there is scope to consider that a smaller turbine sited in a less elevated site could be appropriate. However, the applicants' agent has stated very clearly that the applicants are currently unable to countenance these types of changes.

#### Other Considerations

In this case, ecological constraints support the applicants' stance that the proposed site for the turbine has been carefully sited to minimise potential impacts on bat populations. The Authority's Ecologist would agree that siting the turbine closer to the existing trees and especially siting the turbine lower down the hill and closer to the existing mature plantation at Pikehall Farm would mean that a turbine would be more likely to affect bat populations. However, these considerations do not necessarily rule out the possibility that a better site for the turbine exists noting that maximising co-efficiency and energy production would still remain a key driver for any proposed siting.

In these respects, it is notable that information submitted to support the current application otherwise sets out how the proposals have arisen from an initial assessment of the energy needs of the business and then seeks to identify the type of renewable energy development that would be most appropriate to meet the needs of the business. This approach is not consistent with the 'landscape first' approach set out in the Authority's SPD and fails to properly consider any other option other than meeting all of the cheese factory 'energy needs'. Whilst this approach might make sense commercially, this 'preliminary assessment' does not offer any convincing evidence that the turbine proposed in this application is the only way to offset the cheese factory's 'energy costs' and there is nothing in the submitted application that places the costs of the development (c. £250,000) in the context of the potential savings for the cheese factory of around £30,000 per annum and the future growth of the business.

Notwithstanding this, the 'preliminary assessment' narrows down the options available to the applicant to a choice between solar panels and wind energy and contains a very limited discussion of other energy saving measures employed on site and/or other energy saving measures that could be introduced. In respects of solar panels, this document offers some

evidence that roof mounted panels would not offer a practicable solution, and some evidence that a ground mounted array may be difficult to accommodate in the landscape and would not be as effective as a wind turbine in terms of producing energy.

However, there is little if any consideration of whether a mix of renewable technologies and the introduction of other energy saving measures would work, and there is a presumption throughout the submitted application and supporting documents that only a wind turbine that meets all the future needs of the cheese factory is the only appropriate option in this choice. Therefore, officers cannot conclude that less damaging alternatives are not available to the applicants that would not only support the future viability of the business and achieve 'knock on' benefits within the local economy but also have less substantial impacts on the landscape setting of Pikehall Farm.

In terms of whether the landscape and visual impact of the proposed turbine could otherwise be made acceptable in its proposed location, it is clear that a significant scheme of landscaping would not be appropriate in this landscape type, and there is insufficient land in the applicant's control to be able to use strategic planting to modify the visual effects of the turbine from a wide range of public vantage points from which part or all of the turbine would be seen. Equally, modifying the colour of the proposed turbine is difficult from a technical point of view and where this approach has been used elsewhere in the National Park; the evidence suggests that a different external finish has limited impacts on the visual effects of a 34m high turbine, as proposed in this application. Therefore, whilst it remains unclear whether the potential archaeological impacts associated with the turbine could be made acceptable, officers do not consider the landscape and visual effects of the turbine could be effectively mitigated because of its size and scale, and proposed siting.

The applicants have submitted an addendum LVIA to address concerns raised by Natural England in respect of the LVIA, and further information seeking to rebut the Authority's landscape architect's comments. These documents have been assessed but do not alter the recommendation of refusal on landscape grounds, which has been reached on the merits of the proposals with reference to representations, the prevailing policy context and guidance at local and national level. The addendum LVIA also contains a lengthy review of policies in the National Park Management Plan, but it is considered that the key issues raised in the Management Plan are consistent with the prevailing planning policy context.

The National Park Management Plan reflects the same aims and objectives that run through the Framework and the Development Plan, and the wider range of supporting policy context the applicants' planning consultant has submitted with the application: namely that combatting climate change is an important issue, as is supporting rural businesses, but these matters have to be balanced against the environmental impacts of renewable energy development in the National Park. As noted above, landscape and visual effects must carry great weight in a protected landscape area that the nation has chosen to designate for its scenic beauty and in a situation where a turbine harms landscape character, as in this case, greater priority must be given to conserving the natural beauty of the landscape. In this case, there is also an unresolved issue in respect of archaeology.

Finally, the applicants' planning consultant is keen to emphasise a study previously presented to the Authority's Planning Committee that presents research on public perceptions to wind turbines within the National Park. Representations have been received on a similar theme, which seeks to add positive perceptions of turbines into the balance of considerations for and against the turbine proposed in this application. However, as stated elsewhere in the submitted application, the proposed turbine must be dealt with on its individual planning merits. Opinion polls and public perceptions, whether positive or negative, do not relate to this particular case and cannot carry any weight in the determination of this application.

## Conclusion



It is therefore concluded that there are no other material considerations that indicate that the potential benefits of allowing the scheme would outweigh or offset the harm arising from the substantial adverse impacts arising from the proposed turbine. In these respects, the proposed development cannot be considered to constitute sustainable development that might otherwise be promoted and encouraged by GSP1 and the Framework.

The proposed development would have a significant adverse visual effect on the character of its landscape setting, and it would harm the scenic beauty of the National Park by virtue of its size, scale and siting. The current application is therefore considered to be contrary to Core Strategy policies GSP1, GSP3, L1, L3, and CC2 and Local Plan policies LC4 and LU4, contrary to guidance in the Authority's adopted SPD on Climate Change and Sustainable Building and the Authority's Landscape Strategy and Action Plan, and contrary to national planning policies in the Framework and government guidance in the associated Planning Practice Guidance.

Moreover, the potential impacts of the proposed turbine on any archaeological remains that might be present within the application site have not yet been assessed. In the absence of proper evaluation of these impacts and in the absence of demonstrably appropriate mitigation measures, the current application fails to meet the requirements of policy L3 of the Core Strategy, conflicts with saved Local plan policies LC15 and LC16, and does not accord with guidance in the Planning Practice Guide and policies in the Framework.

Accordingly, the application is recommended for refusal.

### **Human Rights**

Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)