
Appeal Decision

Site visit made on 26 June 2014

by Richard McCoy BSc MSc DipTP MRTPI IHBC

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

Decision date: 8 December 2014

Appeal Ref: APP/P2935/A/14/2215293

Felkington Farm, Norham, Northumberland TD15 2NR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Lee Houghton against the decision of Northumberland County Council.
 - The application Ref 13/02691/RENE, dated 30 August 2013, was refused by notice dated 6 March 2014.
 - The development proposed is the erection of 2 no. wind turbines, maximum tip height of 24m and hub height of 34.5m and ancillary equipment.
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Procedural matter

1. With regard to cumulative impact on the setting of the Duddo Stone Circle Scheduled Ancient Monument (SAM), my attention was drawn to a nearby development at Shoreswood Farm where a 74m to blade tip wind turbine was granted planning permission at appeal ref. APP/P2935/A/13/2195630. At the time this appeal was made that decision was subject to a claim under section 288 of the Town and Country Planning Act 1990. The claim has since been allowed and the decision quashed to be re-determined. I have dealt with this appeal on that basis.

Decision

2. I dismiss the appeal.

Main Issues

3. The main issues are the effect of the proposed wind turbines on the setting of the SAM and whether any harm would be outweighed by the national objective of promoting renewable energy generation.

Reasons

Background and Policy

4. Proposed is the erection of 2 no. wind turbines each with an overall height of around 34.5m (including a hub height of around 24m). They would stand on concrete bases around 125m apart, in an agricultural field. The turbines would be connected to the national grid and the proposal also includes an electrical control cabinet. A 20 year planning permission is sought.
5. The appeal site is located in an area defined in the adopted Berwick upon Tweed District Local Plan (LP) (saved Policy F4) as an 'Intermediate Area of

Landscape Value' (IALV), wherein there is recognised scope for renewable energy development subject to detailed matters such as siting being resolved. In addition, saved LP Policy C28, in considering wind farm development within the IALV, gives particular regard, amongst other criteria, to the need to protect features and areas of heritage interest, and to consider landscape impacts.

The setting of the SAM

6. The proposal would not have any direct physical impact on the Duddo Stone Circle as it would be some distance away. The principal impact would be on the experience of the SAM within its wider landscape context which relates to its setting.
7. The National Planning Policy Framework (NPPF) defines the setting of a heritage asset as the surroundings in which it is experienced. The extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset; may affect the ability to appreciate that significance; or, may be neutral. English Heritage guidance; *The Setting of Heritage Assets*, indicates that setting embraces all of the surroundings from which an asset can be experienced or that can be experienced from or within the asset. Setting does not have a fixed boundary and cannot be defined, in perpetuity, as a spatially bounded area or as lying within a set distance of a heritage asset.
8. The significance of an asset is defined in the NPPF as its value to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. In this instance, the interest in the main is archaeological and historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. Significance may be harmed by a development.
9. The relationship of the SAM with its setting has previously been considered during a wind farm inquiry in 2009 ref. APP/P2935/A/08/2078347, 2079520 & 2077474. In that case, the Inspector expressed her observations of the circle as "a serene and remarkable place" with "a very special atmosphere". I agree with that Inspector that "the stone circle has high evidential, historical, aesthetic and communal value; the 4 categories of "value" set out in English Heritage's *Conservation Principles*". As a designated SAM, it is clearly of national importance. These values, when combined with its rarity, give the stone circle a high degree of significance.
10. The SAM is situated around 1.8km to the south west of the appeal site. It is about 4000 years old and occupies a small rounded hill on the southern fringes of the Milfield Basin which has been described as one of the most important prehistoric landscapes in the country. I am informed that it is the only surviving hilltop stone circle in Northumberland. There are extensive views from the stone circle in most directions, and I consider that the setting incorporates all of the visible landscape since these are the surroundings in which the stone circle is experienced. The proposal would fall within the setting of the SAM. Given the prominence of the heritage asset across the local landscape and from wider views from the public domain, I am satisfied that a large part of its significance is derived from its setting.
11. I observed that the approach to the SAM and views of it from surrounding countryside, are mainly from lower ground which adds to its prominence as a

skyline feature. The SAM is a destination in its own right or it can be visited as part of a linear or circular walk. The proposal would not be visible in the long walk towards the SAM from the south but would be prominently in view upon reaching the SAM. The proposed turbines, although of a modest scale would nevertheless be a stand out feature when seen from the SAM. Those visiting the stones and contemplating their significance would be distracted by seeing the upper portions of the turbines, in particular their rotating blades.

12. A consequence of the Duddo Stone Circle having been erected at this location is the strong visual relationship with the surrounding landscape. Given that the setting of the stone circle is the surroundings in which it is experienced, which gives it a context and embraces present and past relationships with the surrounding landscape, I consider that the proposal would be a very detrimental intrusion into this relationship. The proposed wind turbines would draw the attention and would appear as incongruous vertical features with rotating blades in the open and generally uninterrupted landscape, detracting from the appreciation of the SAM in its wider context. Whilst it is appreciated that there are a number of electricity poles in the vicinity and an existing turbine at Felkington Farm, these are not as tall as the proposed turbines.
13. The Council is concerned that as a result of cumulative impact with the Shoreswood turbine, this proposal would cause substantial harm to the significance of the SAM. However, as explained above, the Shoreswood decision has been quashed and will be re-determined at a later date. I note from the officer report that it was considered that this proposal, of itself, would not cause substantial harm to the significance of the SAM. I agree with this assessment and further agree with the view of the Assistant County Archaeologist that the proposal would cause less than substantial harm to the significance of the heritage asset as a development within its setting. This would be contrary to saved LP Policy C28. Under NPPF paragraph 134, this harm requires to be balanced against any benefits of the proposed development. However, before dealing with this balance, I turn firstly to the other material considerations in respect of this appeal.

Other matters

14. I concur with the officer's view who in the report to Committee concluded, that with the exception of the effect on the setting of the SAM, the overall characteristics of the landscape would not be significantly altered by the proposal. I further agree with the officer that due to the rolling nature of the landscape and intervening features such as blocks of woodland, the visual impact of the proposal would be within acceptable limits. I am therefore satisfied that the scale of the wider landscape could absorb the scale of the proposed turbines. Moreover, the separation distances with other wind turbine developments in the vicinity, notably the smaller turbines at Felkington Farm and West Allerdean Farm would be such that each would be perceived as separate and distinct. In which case, any cumulative impact would be slight.
15. The proposal would be located in a predominantly rural area, with the nearest dwellings being situated around 388m distant. While windows and outside amenity space at these dwellings would take in the proposal, I consider that the scale of the turbines and the separation distances would mean that outlook would not be harmfully changed and shadow flicker would be unlikely to affect residential living conditions.

Benefits

16. The appellant claims that the proposed turbines would supply around 160, 240kWh per annum to the national grid, saving around 2781 tonnes of carbon dioxide over the life of the development. The development plan provides in-principle support for renewable energy and the NPPF at paragraph 98 recognises that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. The development would contribute to the generation of renewable energy which would assist in meeting national targets that seek to reduce carbon emissions in order to tackle climate change.

Planning balance

17. The NPPF makes it clear that if a development would result in less than substantial harm, this harm should be weighed against the public benefits of the proposal. In this instance, the proposal would assist with achieving targets to reduce greenhouse gases. The NPPF, in stating that even small scale projects can make a valuable contribution to cutting greenhouse gas emissions advises that applications should be approved provided that impacts are (or can be made) acceptable.
18. Against this I have found that the Duddo Stone Circle, as a SAM, is a heritage asset of considerable importance. NPPF paragraph 132 states that "when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting." I have found that the setting of this SAM makes a considerable contribution to its significance. This includes the wider landscape setting which affords the heritage asset its serene and special atmosphere.
19. The proposal would cause harm to the significance of a heritage asset of considerable importance by introducing an incongruous development within its setting. I consider that the environmental benefits accruing from a reduction in the emission of greenhouse gasses and the commitment to remove the turbine after 20 years following any grant of planning permission would not outweigh the less than substantial harm arising from the proposal. Accordingly, giving great weight to the conservation of the heritage asset, the proposed wind turbines would conflict with paragraphs 132 and 134 of the NPPF, and saved LP Policy C28.

Conclusion

20. Having taken account of all of the matters raised in the representations, including the letters in support of the proposal, I conclude, for the reasons given above, that the appeal should be dismissed.

Richard McCoy

INSPECTOR