

DEVELOPMENT MANAGEMENT PANEL

16 April 2012

**APPEAL DECISIONS**  
(Report by Planning Services Manager (Development Management))

**PUBLIC INQUIRY**

- |    |                                    |  |  |                                     |
|----|------------------------------------|--|--|-------------------------------------|
| 1. | <b>Appellant:</b><br><b>Agent:</b> | Broadview Energy Developments Ltd<br>TNEI Services Ltd | Erection of 4 wind turbines, crane pads,<br>access tracks and ancillary works<br>West of Bicton Industrial estate<br>Kimbolton | <b>Dismissed</b><br><b>09.03.12</b> |
|----|------------------------------------|--|--|-------------------------------------|

**HEARING**

- |    |                                    |                                       |   |                                     |
|----|------------------------------------|---------------------------------------|---|-------------------------------------|
| 2. | <b>Appellant:</b><br><b>Agent:</b> | Mr N Farmer<br>Pegasus Planning Group | <b>Appeals 'A' and 'B'</b> 2.5 storey extension to<br>nursing home to provide additional 28<br>bedrooms and ancillary facilities<br>Cromwell House,<br>82 High Street<br>Huntingdon | <b>Dismissed</b><br><b>08.03.12</b> |
|----|------------------------------------|---------------------------------------|---|-------------------------------------|

**WRITTEN REPRESENTATIONS**

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| 3. | <b>Appellant:</b><br><b>Agent:</b> | Messrs S Chapman and J Woods<br>Taylor Vinters | Erection of garage block<br>163 Crosshall Road<br>Eaton Socon                                | <b>Dismissed</b><br><b>30.01.12</b> |
| 4. | <b>Appellant:</b><br><b>Agent:</b> | Callisto Properties Ltd<br>None                | Erection of entrance gates<br>to an approved development<br>ATS Ltd Brook Street<br>St Neots | <b>Dismissed</b><br><b>14.03.12</b> |

All appeal decisions can be viewed in full via Public Access. The most notable decisions are summarised below.

## **PUBLIC INQUIRY**

**1. 1001201FUL                      Erection of 4 No. wind turbines, crane pads, access tracks and ancillary works  
Land west of Bicton Industrial Estate  
Kimbolton  
Broadview Energy Developments Ltd**

Planning permission was refused by Development Management Panel at its meeting held on 17 January 2011 in accordance with officer advice and the recommendation of the affected Parish Councils. The reasons for refusal were as follows:-

1. The Environmental Assessment is incomplete because it failed to provide the necessary information to allow proper assessment of the environmental impacts of the development: namely 7 of the 9 requested additional Photo-montages. The LPA cannot therefore take into consideration all the necessary environmental information and Regulation 3 of the Environmental Impact Assessment Regulations 1999 therefore prohibits the granting of planning permission.
2. Notwithstanding the lack of submitted information, it is considered that the development would have a significant adverse effect on the setting of cultural heritage assets including the Conservation areas of Kimbolton, Tilbrook and Stonely, Grade 1 and 2\* listed buildings including Kimbolton Castle, Kimbolton Castle Gatehouse, Church of St Andrew, Kimbolton, Church of All Saints Tilbrook and Warren House. The development would also have a significant adverse effect upon the character of the landscape as the turbines would dominate the views of the sensitive wooded ridge that divides the valleys of the Kym and Ellington Brooks and fail to respect existing landmark vertical features. The significant adverse effect of the proposed wind farm on the cultural heritage assets and character of the landscape, as a result of its dominance and visual intrusion, is not outweighed by the benefits of the development. The proposal is, therefore, contrary to Development Plan Policy, Development Management DPD proposed submission 2010 and SPD's Huntingdonshire Landscape and Townscape Assessment 2007 and Huntingdonshire Wind power 2006.

### **The Inspector's Reasons**

- In respect of the first reason for refusal the Inspector considered that the further environmental information submitted during the appeal process provided adequate information for the proposal to be considered.
- He considers that the Council's Wind Farm SPD provides a starting point for decision making and its adoption is relatively recent and it provides the most useful and relevant guidance on the relative landscape sensitivity and turbine capacity of different areas in Huntingdonshire.
- All 4 turbines would form a conspicuous group several times the height of the Kym valley and that turbines T2 and T4 would be dominant features straddling the valley crest. The turbines would compete with the spires of St Andrew's Church at Kimbolton and All Saints Church at Tilbrook and diminish their significance. Their precipitous siting would be clearly perceived behind the spire of Tilbrook Church and their moving blades would add significantly to a marked distracting and alien impact in an area of recognised landscape quality. He concludes that the turbines would appear unsympathetically located and conspicuously out of scale in relation to the intimate and sensitive Kym valley landscape and the settlements therein and that the chosen locations of Turbines 2 and 4 are directly contrary to the advice in the SPD.

- In terms of heritage assets he describes Kimbolton itself as a settlement of very significant heritage value and that the open space of the castle grounds is very important to the setting of the Castle and the wider character of the town. He considers that the Grade 1 Castle and Gatehouse are a planned composition and are a strong focal point and central feature within the Conservation Area and that the symmetrical axis results in additional significance to this historic townscape. The turbines would appear to a viewer looking northwards to grow out of the town roofs in an uncomfortable and anachronistic juxtaposition and would appear as a significant modern intrusion in this highly sensitive historic environment. He also describes the Castle as a significant visitor attraction with its historical association with Catherine of Aragon and that the turbines would be so prevalent in views that they would significantly erode and diminish that experience.
- The effect upon Tilbrook Conservation Area would be major and adverse because of the modern industrial character of the turbines which would be higher than the surrounding valley sides and out of character with them. The whole development would straddle the crest of the valley and significantly change its character.
- In terms of residential amenity whilst the Inspector identifies some harm to two residential properties he does not consider this so great as to make these houses unacceptable places in which to live. He also concludes that the degree of noise and disturbance caused by the appeal development would be acceptable.
- He states that the objections raised on the grounds of the impact on the cricket pitch and wildlife would not represent reasons for refusal for the scheme.
- The Inspector concludes that while he does not underestimate the importance of achieving significantly higher levels of renewable energy it is not the intention of the Government that all renewable energy schemes should be supported, irrespective of any harm that might be caused. He recognises that renewable energy projects are by definition sustainable and that there is a presumption in favour of sustainable development. However, in this case the harm that would occur to the attractive countryside in the Kym Valley by reason of the location of the turbines on the crest in direct contravention of the adopted SPD and the most serious contributing factor to the harm that would occur to heritage assets amounts to a very serious objection which would outweigh the environmental and economic benefits of the scheme and that therefore the appeal must be dismissed.

## **FORTHCOMING APPEALS**

**None**