



# Appeal Decision

Inquiry opened on 2 November 2010

Site visit made on 4 November 2010

by **Andrew Pykett** BSc(Hons) PhD MRTPI

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

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**Decision date:**  
**7 January 2011**

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## Appeal Ref: APP/E2001/A/10/2130670

### Land south of Hogsea Lane, Tunstall, Roos, Hull HU12 0JE

- 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 Energiekontor UK Ltd against the decision of East Riding of Yorkshire Council.
- The application Ref: DC/09/02000/STPLFE/STRAT, dated 26 May 2009, was refused by notice dated 21 January 2010.
- The development proposed is a wind farm comprising 3 wind turbines, substation, access tracks and development ancillary thereto.
- The inquiry sat for 5 days on 2, 3, 4, 5, and 29 November 2010.

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### Preliminaries

1. At the inquiry an application for costs was made by Energiekontor UK Ltd against the East Riding of Yorkshire Council. This application is the subject of a separate decision.
  2. The application for planning permission was accompanied by an Environmental Statement (ES) prepared under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999. Volume 1 comprises the Written Text of the statement; Volume 2 is a series of Figures and Visualisations; and Volume 3 contains Technical Appendices. There is also a Non-Technical Summary. The application was also accompanied by a Design & Access Statement, a Planning Statement, and a Transport Statement; by a Breeding Bird Survey, and by three additional visualisations. The proposed development is described throughout as the Monkwith Wind Farm. I have taken this material into account.
  3. Although not recorded on the application form, the appellant clarified at the inquiry that it intended the turbines would be removed after 25 years. At the inquiry a number of Unilateral Undertakings dated 3 November 2010 were submitted by the appellant. The Obligations relate both to a number of general matters and to three specific dwellings – Lyndale, The Cottage and Roos Furze Farm. The general Obligations are concerned with: TV remedial works; the establishment of a Community Liaison Forum; a contribution towards tree planting; the making of an annual payment to a Community Windfarm Fund; the costs of decommissioning the project; a Traffic Management Plan; works necessary for the grid connection; and a planting scheme close to Gills Mere and a number of hedges. The purpose of the specific Obligations is to offer the opportunity of soft landscaping should the occupants of the dwellings so wish.
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4. In each case the Obligations are submitted in duplicate. Two parties have signed one with the remaining five parties signing the other. I am concerned as a public law document it is not clear that, without recourse to its counterpart, all parties with an interest in the land are joined in. In addition, I note that the appellant itself considers both the individual offers of soft landscaping and the Community Windfarm Fund to be unnecessary. As such these parts of the Obligations fall outside the terms of the advice included in ODPM Circular 05/2005 *Planning Obligations*. Subject to these reservations, I have nevertheless taken their contents into account in the determination of the appeal.
5. The Hilston and Tunstall Residents' Association (HTRA) has objected to the proposed development and was granted Rule 6 status for the purposes of the inquiry.
6. In addition to the formal site visit referred to above, I made unaccompanied site visits on 1 and 30 November. Most of the contributions by interested persons were made at an evening session of the inquiry held in Roos on 2 November.
7. During the inquiry the Secretary of State's revocation of the Regional Strategies (RSs) in July 2010 was overturned by the High Court. *The Yorkshire and Humber Plan (Regional Spatial Strategy to 2026)* therefore remains part of the development plan. With the agreement of the parties, I invited their written submissions in relation to the new circumstances. I have taken account of the RS and of the parties' observations in the determination of this appeal.

### **Decision**

8. I dismiss the appeal.

### **Main issue**

9. The main issue in this case is whether any harm to landscape and visual amenity resulting from the cumulative impact of the proposed development, combined with that of other permitted wind energy schemes in the area, would be sufficient to outweigh the presumption in favour of such proposals.

### **Reasons**

10. The appeal site occupies gently undulating agricultural land within about 360m of the eroding North Sea cliffs between the villages of Tunstall, to the south-east, and Hilston, to the north-west. In the main the land is in arable use and the turbines would be sited between 16 and 22m AOD. They would be distributed along a general north-south axis. T1 would be close to Hogsea Lane; T2 would be about 250m to the south-east; and T3 would be almost due south of T1 and just over 550m away. The substation would be close to T1 with a temporary site compound. A single access track would link the turbines off Hogsea Lane.
11. The landscape immediately surrounding the appeal site is open and wind swept with few trees, relatively large fields and low hedges. The settlement of Hilston extends in an east-west direction. It comprises about a dozen dwellings and a church – the closest would be some 840m from T1, the furthest about 1700m. Tunstall is a rather larger settlement comprising some 22 dwellings, a church

and village hall. It lies along a north-south axis with the closest dwelling some 710m to the south-east of the site of T3. The furthest would be about 1300m from T3. North End essentially forms the northern part of the larger village of Roos, with the closest dwelling about 1400m to the south-west of the site of T3. There are a small number of isolated farms or dwellings on Furze Road to the east and south-east; and on Rostun Road to the south of the appeal site. They would be between about 760m and 1200m from T3. Further from the sea the landscape becomes less wind swept with more trees. The elevation of the land is rather lower – down to between about 5 and 15m AOD to the east of Roos and in the vicinity of Burton Pidsea.

12. Planning permission has been granted for 3 commercial wind farms in the area. To the south of Burton Pidsea, permission was granted by the council in September 2009 for the erection of 3 turbines with a maximum height of 135m. Following an inquiry, an application for the erection of 3 turbines at Tedder Hill, with a maximum height of 111m, was granted on appeal in January 2010. The site in that case is just over 6kms to the east of the site at Burton Pidsea. It lies to the east of Roos and south of Tunstall. In that case my colleague considered the cumulative impact of the Burton Pidsea and Tedder Hill sites. He observed however that *the degree of separation would be so great that no visual tension would result and there would be no sense that the local landscape is being overpowered by the presence of wind turbines<sup>1</sup>*. He concluded that the proposal would not have any significant cumulative impact. In arriving at this conclusion he acknowledged the existence of 2 other schemes at different stages in the planning process – that at Sunderland Farm, Roos and the current case at Monkwith. At that time the former had been refused planning permission and was in the appeal process, and the latter was awaiting determination by the council. I agree with his observation that they were not relevant to the assessment of the cumulative impact of schemes.
13. The council also refused planning permission for the proposed development at Sunderland Farm, Roos, and this too became the subject of an inquiry. This scheme is for the erection of 9 turbines with a maximum height of 126.5m. The site lies to the south-west of the village of Roos and to the south-east of the village of Burton Pidsea. The appeal was successful and planning permission was granted in May 2010. The site in that case is about equidistant between the sites at Burton Pidsea and Tedder Hill, such that in each case the closest turbines (Burton Pidsea to Roos, and Roos to Tedder Hill) would be about 2300m and 2200m respectively.
14. In that case my colleague considered both the cumulative landscape impact of the Roos scheme, and the cumulative effect on visual amenity. She considered that although the 3 wind farms would have a defining influence on the local landscape, they would not be substantial installations which would coalesce into dense groups along the skyline. Rather than a 'wind farm landscape' being the result, a more apposite description would be that of a 'landscape with wind farms'. She concluded that the cumulative effect would not be much greater than that of the localised impact of the Roos wind farm scheme alone. As far as the cumulative effect on visual amenity is concerned, she considered this largely in relation to the visual amenity component of residential amenity.

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<sup>1</sup> See paragraph 32 of APP/E2001/A/09/2097720. This observation also takes account of the operational wind farm at Out Newton – about 12kms south-east of Tedder Hill.

None of the effects would be so visually dominant or overwhelming as to be the cause of severe harm, and even where they would overlap in a view, *there would not be the sort of cumulative visual impact that would arise from a substantial number of large wind farms which either overlap or coalesce in dense groups in close proximity*<sup>2</sup>.

#### Cumulative landscape character effects

15. In the Character Map of England the appeal site falls within Character Area 40 – Holderness. This is a large area extending from Bridlington in the north to the outskirts of Hull and the Humber Estuary in the south. It is described as a low-lying, predominantly flat or gently undulating plateau jutting into the North Sea, with sparse tree and woodland cover leading to a generally open landscape. Winding roads connect dispersed villages and hamlets, with village churches providing important landmarks.
16. The council prepared a more detailed landscape character assessment for its area in 2005. The appeal site falls within Landscape Character Type 20: *Coastal Farmland*, and within Character Area 20B: *Hornsea to Withensea Coast*. The key characteristics of the type are similar to those included in the Character Map of England, but include references to erosion and tourism along the coast. As a result of detractors such as caravan sites and gas installations coupled with the condition of the landscape, the quality of the type is considered to be 'ordinary' overall. It is recognised the area would be likely to be attractive to wind energy schemes. However, projects close to the coast would be highly visible and impact on the character of the coastline. The ordinary quality of the landscape means it does have the capacity to accept wind farms set back from the coast and located to respect the settlement and landscape pattern.
17. The *Coastal Farmland Type* is fairly narrow, and although it includes the villages of Tunstall and Hilston, the 3 permitted wind farms and the villages of Roos and Burton Pidsea all fall with Landscape Character Type 19: *Open Farmland*. The key characteristics are very similar to those of Type 20, but it is assessed as 'ordinary to good'. It is recognised that wind turbines may impact on views and would add uncharacteristic vertical elements. It is considered to have medium sensitivity to the development of wind farms generally, but it would also be sensitive to their cumulative effects. Such development should reflect the scale of the landscape and the landscape pattern. The possibility of screening turbines close to receptors is mentioned.
18. At the ES stage of the scheme it was considered that within 800m of the turbines the wind farm would become the defining element of the landscape character – a localised wind farm landscape would have been created. The impact of the development would be major to major/moderate, and this would constitute a significant effect. Viewed at distances between 800m and 3-3½kms the overall impact would be major/moderate – this would also constitute a significant effect resulting in the formation of a new landscape sub-type. Between 3-3½kms and 5kms, the wind farm would be clearly visible but the impact would be lessened to moderate – a consequence which would not represent a significant effect.

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<sup>2</sup> See paragraph 38 of APP/E2001/A/09/2113076.

19. The ES also considered the cumulative impact of the Monkwith scheme with those at Burton Pidsea, Roos and Tedder Hill. It was considered the respective landscape sub-types of the now permitted scheme would coalesce, forming a combined area of *Open Farmland with Wind Turbines*. This would extend to the north to include the *Coastal Farmland with Wind Turbines* sub-type around Monkwith. The changes would constitute a major cumulative effect on local landscape character in the area – an effect which was considered to be significant.
20. At the inquiry (some 17 months after the preparation of the ES) a rather more refined and sophisticated assessment was presented on behalf of the appellant. For the appeal scheme the *Theoretical Wind Farm Landscape* would be confined to an area within 700m of the turbines. Beyond that, and up to 1.3kms from the turbines, would be a *Theoretical Probable Local Landscape with Wind Farm Sub-type*, and beyond that (up to 2.2kms from the turbines) would be a *Theoretical Possible Local Landscape with Wind Farm Sub-type*<sup>3</sup>.
21. I do not seek to depart from the general tenor of either of the approaches adopted, but even based on the latter assessment it is evident that the defined *Theoretical Probable Local Landscape with Wind Farm Sub-types* would coalesce in the vicinities of Prospect Hill and Elmtree Farm (south-east of Burton Pidsea); the southern part of the village of Roos itself; and between Tunstall and North End. It is acknowledged in the latter assessment that a cumulative landscape character effect would occur, but that in the light of the 'existence' of the three permitted wind farms, the appeal proposal should be regarded as being positively reinforcing. Alternatively, if harm is deemed to arise, this would be acceptable since neither the *Coastal Farmland* as a landscape type nor the Local Landscape Character Area into which the site falls would be transformed. The change arising from the Monkwith Wind Farm would be relatively marginal, localised in extent, and consistent with the three permitted wind farms. The surrounding 'wind farm free' area would not be unacceptably diminished.
22. I agree with the appellant's assessments that the addition of a fourth wind farm in relatively close proximity to the three permitted schemes would constitute a significant effect in cumulative terms. I am less sure that the effect of the scheme can be accurately described as a reinforcement – where in effect the project would merely confirm and enlarge the change which would have resulted from the construction of the three consented schemes. I do agree with the appellant however that, taking account of these schemes, the additional effect on the landscape character of the area could not be described as transformative. But by their very nature, cumulative effects are unlikely to be transformative, especially where the increased number and distribution of turbines is modest. Indeed, I would expect such an effect to be more gradual, more subtle or more measured.
23. In this case I believe there is one way in which the cumulative effect would be greater than a reinforcement but less than a transformation. The Landscape Character Assessment confines the coastal farmland designation to a relatively narrow strip – it is only about 1½kms wide in the vicinity of the appeal site and

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<sup>3</sup> In view of the greater heights of the proposed turbines at Roos and Burton Pidsea the equivalent distances would increase to 800m, 1.5kms and 2.5kms, and 900m, 1.7kms and 2.8kms respectively.

Tunstall. Notwithstanding the similarities between this area and the adjoining open farmland, the effect of the proximity of the sea diminishes rapidly with distance. The limited width of the coastal farmland strip adds to its distinctiveness – a quality which is also evident in the differences between Tunstall and Roos. A consequence of the appeal proposal would be the extension of the Local Landscape Wind Farm Sub-type into the coastal farmland in a considerably more obvious manner than that which would result from the Tedder Hill scheme. The presence of the new sub-type would therefore have resulted in the cumulative effect being greater than would have occurred had the turbines been sited within the identified open farmland. The effect would thus be more than a mere reinforcement.

24. The development would result in the establishment of a new sub-type which, by definition, would inevitably diminish the distinctiveness of the *Coastal Farmland*. I saw on my visit that the distinctions between the two types – *Coastal Farmland* and *Open Farmland* – can be readily appreciated from the B1242 between Garton and Withensea; from the B3162 between Burstwick and Withensea; and from Burton Road between North End and Burton Pidsea. The sites of the three permitted wind farms lie within the area defined by these three roads.
25. From Burton Road, from the Waxholme junction on the B1242, and from the minor road leading north from East End, the three permitted sites would collectively dominate the landscape. In its purpose, design and form the Monkwith Wind Farm would be of similar appearance. It would be relatively close to the others, whilst simultaneously being slightly separate. In terms of their effect on landscape character, I agree with my colleague that the addition of the Tedder Hill scheme to the Burton Pidsea scheme is manageable. The further addition of the Roos scheme would in cumulative terms inevitably be greater, but all three wind farms would fall into the same character type.
26. In terms of their numbers, the additional three turbines at Monkwith would amount to a proportionate increase of only 20% above the baseline - a much lower proportionate increase than the 150% increase of the Roos scheme over the combined complement of the Burton Pidsea and Tedder Hill schemes. The equivalent proportionate increases in terms of wind farms or clusters are 33% and 50% respectively. However, I believe these rather mechanistic measures would be more than outweighed by the consequences of extending the new sub-type into a differently defined character type and area. Notwithstanding the similarities in this area between the *Open Farmland* and the *Coastal Farmland*, the latter is rather higher and more undulating. It is characterised by more openness and by its proximity to the North Sea. The two types are readily distinguishable.
27. The settlements in the two character types make their own contributions. In the *Open Farmland* the villages of Roos and Burton Pidsea are comparatively substantial and self-contained. In both cases there are significant numbers of trees. Halsham, though smaller, is also notably bosky. In contrast, Tunstall in the *Coastal Farmland* is comparatively tree-less with a correspondingly more direct relationship with its surroundings. The enlarged sub-type which would result from the proposed development would dilute this difference and diminish even further the contribution which the settlements make to landscape character of their respective areas. I believe that collectively the turbines

would be sufficiently large and sufficiently numerous to compromise the key characteristic status previously enjoyed by the settlements within each type.

#### Cumulative visual effects

28. I turn now to consider the cumulative visual effect of the proposed development. This matter was the subject of some consideration at the ES stage of the process<sup>4</sup>, but at that time there was uncertainty as to whether the Tedder Hill and/or Roos schemes would proceed. It was considered nevertheless that due to the separation distances between the schemes at Burton Pidsea, Tedder Hill and Monkwith they would appear as distinctly separate elements in the landscape. The similarity in their design – three turbine clusters in each case – would help to minimise any potentially significant cumulative effects. The view was also expressed however that the introduction of the Roos Wind Farm between those at Tedder Hill and Burton Pidsea would mean that the visual effect of the three schemes would often be overlapping. This would make it difficult to differentiate between the three schemes. The location of the Monkwith scheme further north and along the coast would ensure that it appeared separate from the others and maintained its distinctiveness.
29. By the time of the current inquiry the likelihood that wind farms would be constructed at Tedder Hill and Roos was established. The contents of the ES were reviewed and the visual effect of the appeal scheme assessed up to a radius of some 4kms or thereabouts. Particular attention was paid to a number of locations and routes. Significant cumulative effects are identified as follows:
- On the B1242 between Withensea to Aldbrough (north bound) after leaving the Waxholme access and to the north of North End;
  - On the B1242 (south bound) from Garton towards North End;
  - To the east of Roos;
  - On minor roads – for example between Burton Pidsey and Tunstall;
  - Between Hilston and North End – in both directions;
  - In the Owstwick area;
  - On Hogsea Lane and Pasture Lane;
  - On Seaside Lane;
  - On parts of Kilnhouse Lane and Southfield Lane;
  - On the bridleway between Coastguard House and Pasture Lane together with the local footpath links to and from Rectory Lane;
  - On the footpaths from the Kenby Farm area and the Owstwick Grange area to Burton Road.
30. It was concluded that whilst local recreational amenity access is highly valued at the local level, there is nothing particularly special at greater levels within

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<sup>4</sup> Paragraph 5.11.11 of the ES (Volume One).

the 4kms radius. Significant cumulative visual effects would arise as a result of the Monkwith turbines – especially to the south of Grimston and towards Fitling; and south towards Burton Pidsea.

31. The area is not one in which viewpoints are promoted to any great extent. I did visit the lighthouse at Withensea however, from which all 4 wind farms would be readily visible to the north-west. The nearest equivalent ES viewpoint is Viewpoint 6<sup>5</sup>, although this is, of course, at ground level. From both locations the Monkwith turbines would appear as an outlier. To my mind this would emphasise and accentuate the extent of the cumulative visual impact of these 3 turbines as a somewhat separate part of the total complement of 18 turbines. The separation of the 3 Monkwith turbines from the other 15 would continue as the observer travels in a north-west direction along the B1242. The road passes between the Tedder Hill and Monkwith sites. The degree of separation of the Monkwith turbines from the combined visual effect of the other 15 would be similarly experienced travelling in the opposite direction on the B1242.
32. One of the consequences of the coastal location of the appeal site is that, from the east or north-east, the cumulative impact of the turbines as foreground against a background of other turbines would be difficult to obtain, other than from a boat in the North Sea. In the opposite direction however – looking from the south or south-west<sup>6</sup> – the Monkwith turbines would be just over 5½kms away but they would lie directly behind the Roos turbines. Though not in all weather conditions, they would be visible on the horizon, and the difference in scale between the two sets of turbines would again serve to illustrate the extent of their separation. However, although from all the potential viewpoint locations looking north-east or north from the B1362 the Monkwith turbines would be unremarkable in their own right, I believe nevertheless their existence would make an inevitable material contribution to the cumulative visual impact of the 18 turbines – effectively extending the impact of the turbines over a significantly larger area.
33. *Planning for Renewable Energy* – the Companion Guide to PPS22 – makes a specific distinction between cumulative effects where two or more renewable energy schemes may be visible from the same location, and the sequential effects which occur when an observer moves through a landscape and experiences two or more schemes. It records that just because no other sites are visible from a proposed development site, it should not be assumed that the proposal would not create any cumulative effects. Cumulative effects can therefore arise over comparatively extensive areas, but in this case the four wind farms would be quite closely spaced. Two or more of the groups would be visible either simultaneously or following fairly frequent short intervals. The experience would be particularly noticeable travelling (west or east) between Tunstall, Roos and Burton Pidsey, for example. An observer in this area would enjoy little respite from the presence of turbines either travelling in a vehicle or walking in the locality. It would be difficult to avoid this sequential cumulative effect or the sense that the turbines had defined the local landscape of a substantial proportion of this part of Holderness.

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<sup>5</sup> This viewpoint is almost identical with the council's Viewpoint 15.

<sup>6</sup> As, for example, in the council's Viewpoint 18.



34. At the time of the preparation of the ES for the current scheme the proposed windfarm at Burton Pidsey was a known commitment. However, as is recorded in paragraph 1.6.11 of Appendix 5.2, uncertainty existed in relation to the proposals at Tedder Hill and Roos. The applications for the latter schemes were acknowledged, and a parallel was drawn between the projects at Burton Pidsey, Tedder Hill and Monkwith – with the three schemes comprising three turbines in each case. Thus, they would appear as repeated elements in the landscape, and it was suggested the similarity of their design would minimise any potentially significant cumulative effects. It was recognised that, due to its location between the Tedder Hill and Burton Pidsey schemes, the larger Roos windfarm would result in all three being seen in close association with one another. Their overlapping appearance would make it difficult to differentiate between the three schemes. In contrast, the location of the Monkwith windfarm would ensure that it would appear separate from the others, and it would thereby maintain its distinctiveness.
35. I recognise that by the time of the inquiry the doubt concerning the schemes at Tedder Hill and Roos had been overtaken by events and the baseline is more certain. The appellant's case takes account of this change. However, much of the appellant's case under the heading of 'visual effects' is closely associated with its impacts on residential amenity. I do not dispute the extent of the overlap between these considerations, but I am not sure that this is necessarily desirable taking account of the general tenor of the contents of paragraphs 19-21 of PPS22 and paragraphs 5.21-24 of *Planning for Renewable Energy*. To my mind the landscape and visual effects of renewable energy developments are better considered separately from the effects on residential amenity at individual properties. I consider that significant adverse cumulative visual effects resulting in unacceptable harm may arise even where there would be no equivalently unacceptable impacts on residential amenity.
36. I acknowledge the appellant's recognition of this distinction<sup>7</sup>. Attention is drawn to the significant cumulative visual effects arising from the combined presence of four local windfarms (plus those at Witherwick and the off-shore site at Westermost Rough), but the possibility is raised that this would be more noticeable driving or travelling around the landscape as opposed to that experienced at any individual property. I believe this rather tentative distinction to be misplaced. It would be the experience of travelling through the landscape in a relatively small area that I fear would give rise to a justifiable conclusion of cumulative harm. Notwithstanding the extensive prospects which are sometimes available, these are complemented by relatively small settlements and a network of small roads and lanes. I fear that, travelling through the area, the repeated visual effects of the four windfarms would dominate and overpower the receptors' experience of the locality. In particular I believe this would harm the local residents' experience of the area.

#### Residential Amenity

37. The appellant has conducted a detailed assessment of the effect of the scheme on residential amenity at 70 locations in Tunstall, Hilston, North End and isolated dwellings in-between. On my visit I went into six of the closest

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<sup>7</sup> See paragraph 6.81 of Mr Stevenson's Proof.

dwellings to the appeal site. They were: The Old Rectory, Rectory Cottage and Lyndale in Tunstall, Holderness Cottages and Pasture House in Hilston, and North End Farm on Furze Road.

38. In each of the properties visited I saw that the proposed turbines would be visible either from windows or from external amenity spaces, or both. In some cases turbines at the other wind farm sites would also be visible, though at greater distances. A number of the dwellings enjoy the benefit of screening by trees within gardens or close by. These would help to obscure the turbines in summer and filter their visibility in winter. Although other properties had a more open outlook, I consider the simple visibility of turbines would be insufficient to result in an overbearing or overwhelming impact on residential amenity. In no case do I consider the turbines would – either individually or cumulatively – render the occupation of any of the dwellings unattractive or unsatisfactory places in which to live. I have therefore arrived at a different conclusion in relation to the cumulative effect of the schemes on residential amenity compared with the cumulative landscape and visual effects in the general area.
39. Both before and during the inquiry the council and the HTRA has raised a number of other issues. I turn now to consider these.

#### Heritage Assets

40. There are a number of designated heritage assets in the vicinity of the appeal site. Amongst these the most notable are All Saints' Church, Tunstall – a Grade I listed building, the conservation areas in both Tunstall and Hilston, and Admiral Storr's Tower in Hilston. The effect of the scheme – including the cumulative effects – was considered at both the ES and inquiry stages.
41. All Saints' Church occupies a central location within the village with its main entrance and elevation facing south. It occupies the highest part of the land and is set behind an open grassed area and a low hedge. The elevation of the building and the openness of the surrounding landscape render the church significantly more visible than others in the area. The principal components of the building date from the thirteenth, fourteenth and fifteenth centuries. The height and size of the building in relation to its surroundings adds to its attraction and appearance and extends the area of its setting. From relatively close observation points, for example on the green or the path leading to the porch, the Monkwith turbines would be visible to the north-west. They would however appear significantly lower than the church and the buildings at Westhill Farm. The turbines would be more prominent however from view points along Seaside Lane. They would appear significantly taller than the church, and I consider they would detract from the setting of the building<sup>8</sup>. To an extent the appearance of the setting of the church is already compromised by a significant number of large farm outbuildings, but none of these appears taller than the church tower.
42. Tunstall Conservation Area covers most of the built-up area of the village, but it excludes about half a dozen dwellings at the northern extremity. The land rises gently from south to north (towards the church), and the council records

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<sup>8</sup> I note the appellant also considers the development would have a moderate adverse effect on the setting of All Saints' Church.

that part of its special character derives from the preservation of the historic centre in an informal layout around the church. The village includes dwellings and functioning farms and the council's appraisal draws attention to the contribution made by traditional farm outbuildings. In functional terms the agricultural setting of the conservation area is relevant to its character and appearance, although from within the area the appearance of the surrounding landscape is of limited interest. On balance I do not depart from the appellant's assessment that the proposed development would have only a limited impact on the significance of the conservation area and its setting.

43. In contrast to Tunstall, the Hilston Conservation Area has a more dispersed character with the surrounding landscape having a correspondingly greater presence. The area extends from Mayfield Farm in the east to beyond Pasture House in the west. The turbines would be sited in the background from observation points to the north-west of the village. Although the existence of the turbines would be readily apparent, the presence and appreciation of the village is diminished by the relatively flat topography and the number of trees which form part of the settlement. Inside the conservation area the trees are even more dominant and they would serve to ameliorate the impact of the turbines. I agree with the appellant's conclusion that there would be only a slight adverse effect on the setting of the designated area.
44. Admiral Storr's Tower is a Grade II listed building which has been incorporated into the Hilston Conservation Area even though it occupies a rather isolated site in a field to the north of the village. The tower is not open to the public although I understand it can be reached via a permissive footpath. According to the notice of listing it originally had a look-out function. The structure therefore has had at least an historic relationship with the surrounding landscape and seascape. The turbines would be some 1½kms to the south-east, but the approach to the building is from the south-west. From this direction the turbines would not be visible at the same time as the tower, but from the B1242 they would have a significantly greater presence. Again, I agree with the appellant that the proposed development would have a moderate adverse effect on the setting of the tower.

#### Garton Airfield

45. Garton Airfield is a privately owned and operated aerodrome some 4.1kms north-west of the appeal site. It is an unlicensed airfield at which four aircraft are based but which is visited by numerous other aircraft. The airfield visual circuit pattern is located entirely to the south of the airstrip, an equivalent northern area having been lost following the construction of a natural gas installation at Aldbrough. The visual circuit pattern extends about 4kms to the east of the airfield and about 2kms to the south. Its south-eastern corner therefore coincides with the site of T1.
46. Aircraft operating from and using Garton Airfield would be flying in accordance with visual flight rules, and these include a provision that, other than during take-off or landing, an aircraft shall not fly closer than 500ft of any person, vessel, vehicle or structure. Taking account of the orientation of the airstrip and the normal glide path of aircraft using or likely to use the site, the area in which an aircraft might reasonably be expected to be below 500ft extends about 3kms from the airstrip. In the direction of the proposed Monkwith

turbines, the south-eastern corner of the area therefore almost coincides with Admiral Storr's Tower, which itself would be about 1½kms from the nearest turbine.

47. HTRA is concerned that, partly as a result of its coastal location, weather conditions are frequently unpredictable in the vicinity, and it is not always possible to comply with the restriction on flying below 500ft. In such circumstances the turbines could be a hazard, and my attention has been drawn to other locations where the need to avoid such potential conflicts have been significant. I have considered the points which have been raised by the parties together with the maximum proposed height of the turbines – 364ft. I recognise that flying a small private aircraft may not be as exacting as flying a large commercial or a military aircraft, but the importance of the 500ft limit is self-evident. I conclude that, even in the event of a pilot becoming disorientated in deteriorating weather conditions, there should still be an ample clearance over the turbines. It follows that I do not consider the proposed wind farm would be a threat to the continued existence of the airfield.

#### Public safety

48. Paragraph 53 of the wind annex to *Planning for Renewable Energy* records that, although a wind turbine erected in accordance with best engineering practice should be a stable structure, it may be advisable to achieve a set-back from roads of at least fall over distance, so as to achieve maximum safety. In this case T1 would be sited only about 50m from Hogsea Lane. Similarly, paragraph 56 refers to the advice of the British Horse Society (BHS) that turbines should be at least 200m from bridle paths. BHS advice is now that turbines should be sited at least three times the height of the turbines – equivalent in this case to 333m. On this basis T2 would also be too close to Hogsea Lane.
49. I understand the lane is used by riders and that, although the circular route using both Pasture Lane and Hogsea Lane has been lost as a result of coastal erosion, there is an alternative permissive route via Gills Mere<sup>9</sup>. The HTRA is concerned that the scheme would therefore both conflict with this advice, and severely restrain the opportunities for riding in the area. However, I have no reason to doubt the appellant's evidence that the complete structural failure of turbines is very rare, and that numerous turbines have been erected on common land and access land. Hogsea Lane is now self-evidently little used, and I do not believe the risk resulting from the proximity of the proposed turbines would be sufficiently substantial to justify dismissing the appeal.

#### Means of access

50. Access to the site from the major road network would be difficult for construction traffic. The HTRA is concerned in particular that Furze Road and Hogsea Lane are both narrow unclassified roads with grass verges. The scheme would necessitate the installation of a temporary service road linking the B1242 with Furze Road. Although this would relieve some of the potential pressure on the more southern part of Furze Road, construction traffic would still have to negotiate the length between North End Farm and the appeal site.

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<sup>9</sup> See Document 28

It is predicted in the ES that construction traffic would also need to pass through Withernsea, Roos and North End.

51. The anticipated construction period for the wind farm would be six months with the majority of journeys taking place in the first three months. I gather the routes have been agreed in consultation with the local highway authority, and abnormal loads would need to be escorted by the police. Apart from the temporary link road there would also be a need for temporary carriageway extensions at five other locations. I do not consider this would be unreasonable or that it would have an unacceptable impact. Although there would be a noticeable impact from HGV traffic, I do not believe it would be unacceptably out of the ordinary. Any disruption caused would be for a limited period.

#### Nature conservation

52. At the ES stage a comprehensive assessment of the impact of the proposed development on the ecology of the site and its surroundings was conducted. The presence of Gills Mere was noted. It gives rise to reed beds and marshy grassland together with immature willows. Though occupied by fish and waterfowl, the water quality was considered poor with the surrounding landscape being dominated by arable farmland. The access track to the proposed turbines would pass within 110m of the mere, but it was not thought this would have any direct or indirect effects.
53. The HTRA is concerned that changes made to the mere in 2007 have altered its form and depth, thus rendering obsolete the ecological surveys carried out in 2006/7. However, a fresh survey was conducted in 2009 and the deterioration in the habitat at Gills Mere was noted<sup>10</sup>. In addition, the scheme envisages tree and shrub planting adjacent to the mere and this would help to increase the diversity of habitats within the site. I conclude that the changes made to the mere in recent years do not invalidate the generally favourable assessment included in the ES.

#### Noise

54. Although the effect of turbine generated noise was not the subject of discussion at the inquiry, representations were made by interested persons, and a proof of evidence was submitted by the appellant. PPS22: *Renewable Energy* notes that the renewable technologies may generate small increases in noise levels, and that a report<sup>11</sup> published by the Energy Technology Support Unit of the former Department of Trade and Industry in 1997 should be used to assess and rate noise derived from wind energy development. Further advice is included in the wind annex of *Planning for Renewable Energy*.
55. It was concluded at the ES stage that the proposed development would be able to comply with the relevant criteria included in ETSU-R-97, including any consequences which might arise from amplitude modulation. I have no reason to question the conclusions reached in the ES, but I do note that ETSU-R-97 is concerned with the regulation of noise at noise-sensitive neighbouring locations. There is no doubt the turbines would be readily audible at locations

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<sup>10</sup> See paragraph 6.11.18 of the ES Volume One.

<sup>11</sup> ETSU-R-97

along Hogsea Lane, and I recognise this would be the cause of disturbance to those visiting this part of the countryside for its tranquillity. This matter is capable of being taken into account within the context of paragraph 5 of Policy U19 of the *Holderness District Wide Local Plan*, but I consider this adverse effect of the project is incapable of outweighing the permissive stance of the policy. As far as the possible effect of noise on horses is concerned, I agree with the appellant that the gradual increase in audibility with proximity would reduce the risk that horses would be startled.

#### Tourism

56. I saw on my visits to the area that significant numbers of caravans and chalets are available for occupation at Sand-le-Mere and Holderness Country Park. Withernsea is a small resort about 6½kms from the appeal site. The height of the turbines and the relief of the landscape would ensure that the wind farm would be visible from a wide area – including from locations off-shore. This too was a matter that was considered at the ES stage and I agree with the appellant that visitors to the area are likely to be attracted by the coast rather than the countryside. I do not believe the proposed wind farm would, either individually or cumulatively, have a significant effect on tourism in the area.
57. In the preceding paragraphs of this decision (paragraphs 40-56) I have referred to a number of matters which I consider to be of secondary importance. In relation to most of these matters I consider the effects of the scheme to be unobjectionable. My attention was drawn at the inquiry to the concept of valency, or the predisposition of observers to a particular point of view resulting from their attitudes to issues surrounding climate change in general and wind energy in particular. I do not dispute that such differences of opinion exist, but this does not undermine the necessity of making a judgement and arriving at a decision in each case. Indeed, in terms of their effect on landscape and visual amenity, the structure of PPS22 is clear – renewable energy schemes should be capable of being accommodated throughout England in locations where the environmental, economic and social impacts can be satisfactorily addressed. In relation specifically to their landscape and visual effects the statement goes on to draw attention to the reversibility of schemes. However, specific reference is also made to their cumulative impact, and in this case I have identified this as the main issue. I fear I have not found the possible distortion of judgement through valency to be useful in coming to a conclusion.
58. As the appellant has observed, there are also distinctions to be drawn between a finding of significant effects in ES terms, and their potential progressive translation into adverse effects, harm, and unacceptable harm. It is thus necessary in relation to each issue to make an assessment of the nature of the effect and the extent of any harm. As far as the secondary matters are concerned I have noted that there would be some disturbance from noise on Hogsea Lane, but I consider the harm would be limited. I agree with the appellant's own judgements in relation to the effect of the scheme on the Tunstall and Hilston Conservation Areas and on Admiral Storr's Tower. The resultant harm would also be limited. I am more concerned about the impact of the project on the setting and hence the appreciation of All Saints' Church. Taking account of its status and location, I consider the harm resulting from

the scheme would be greater than the effect on other heritage assets, but I do not believe this would be determinative.

#### Planning Policy

59. I have referred in paragraph 9 above to the presumption in favour of wind energy schemes. The appellant has cited the international and national origins of the presumption, and this has been translated into development plan policy. Amongst other matters, RS Policy YH2 (Climate change and resource use) records that plans, strategies, investment decisions and programmes should increase renewable energy capacity. In greater detail, Policy ENV5 (Energy) seeks to maximise renewable energy capacity. The regional targets for 2010 and 2021 are 708MW and 1862MW respectively. These targets are further disaggregated in Table 10.2 to indicative local targets. For the East Riding the equivalent targets are 41MW and 148MW.
60. The RS was adopted in May 2008, and it is therefore of significantly more recent origin than the *Holderness District Wide Local Plan*, adopted in April 1999. However, it too is supportive in relation to renewable energy schemes. Policy U16 encourages the generation of power from renewable energy sources, provided schemes accord with the environmental and other policies of the plan. Policy U19 is specifically concerned with wind energy development. It is a permissive policy, provided, amongst other matters, that the economic and environmental benefits outweigh environmental and visual impacts. Paragraphs 2 and 4 refer in particular to effects on conservation areas and listed buildings, and to the intrusion of development into the identified intrinsic visual qualities of the countryside or coast. Taking account of the main issue in this case, Policy U18 is particularly relevant. In order to minimise the effects of wind turbines on the landscape, it records that account will be taken of the cumulative effects of committed projects.
61. It is on the basis of the generally favourable stance derived from these policies that I conclude there is a presumption in favour of wind energy schemes. The sympathetic tenor of the development plan is complemented and reinforced by a significant range of national and international statements. The European Union has adopted ambitious new targets under which the UK is required to provide at least 15% of its total energy consumption from renewables by 2020. In accordance with The Climate Change Act 2008 and *The Renewable Energy Strategy*, the target proportion of electricity consumption from renewables by 2020 in the UK is now at least 30%.
62. More recently, the coalition Government's programme for energy and climate change recognises that urgent action is necessary. Amongst other matters, the programme supports an increase in the EU target for emissions reduction to 30% by 2020. In October 2010 the Secretary of State for Energy and Climate Change made a written ministerial statement concerning the draft energy National Policy Statements. The statement was largely concerned with nuclear power and the Severn Tidal Power feasibility study. In concluding that the Government was unable to see a strategic case for public funding of a tidal scheme at this stage, the Secretary of State considered that other options, including an expansion of wind energy, would represent a better deal for taxpayers and consumers at this time. The appellant argues that this adds to the weight in favour of the appeal scheme.

63. One of the key planning objectives of the Supplement to Planning Policy Statement 1: *Planning and Climate Change* is to make a full contribution to the delivery of the Government's Climate Change Programme and energy policies, and in so doing contribute to global sustainability. In particular paragraph 20 records that planning authorities should ensure that any local approach to protecting landscape is consistent with the contents of PPS22. It is the latter Statement, together with its companion guide *Planning for Renewable Energy* which provides the Government's most comprehensive advice at the local and regional levels.
64. In the general context of renewable energy schemes, I have referred above to the most directly relevant planning policies. Most of these are of relatively recent origin – they coincide with the recognition of the threat associated with climate change. In relation to the impact of development, they are complemented by a range of, sometimes long-established policies, the purpose of which is the protection and enhancement of the landscape. They are inevitably more general in their construction and application.
65. RS Policy ENV10 (Landscape) seeks to safeguard and enhance the landscapes which contribute to the distinctive character of the region. Amongst other areas, specific reference is made under paragraph B to the coastal landscapes. In more detail, paragraph C1 of Policy C1 (Coast sub-area policy) provides protection for the unique character and heritage of the undeveloped coast and coastal waters. Attention is drawn in paragraph 8.15 of the plan to the potential for off-shore wind farms off the Holderness coast and to the need to take account of important environmental and amenity factors. Similarly, Policy ENV9 (Historic environment) seeks to protect the historic environment, although there is no specific reference to the locations which were central to the inquiry.
66. The *Joint Structure Plan for Kingston Upon Hull and the East Riding of Yorkshire* was adopted in June 2005. It too includes a number of relevant policies. The purpose of Policy SP4 is to protect the distinctive character of, amongst other areas, Holderness. At a more local level, Policy SP1 protects the character and distinctiveness of settlements and their settings. At a still more geographically limited level, Policy ENV6 protects the setting, character and appearance of listed buildings and conservation areas. In the local plan, Policies G3, G5 and G6 provide equivalent protection to the landscape, while Policies Env22, Env24 and Env25 seek to safeguard listed buildings and conservation areas and their settings.
67. My attention has been drawn by the appellant to the distinction between the regional targets referred to in paragraphs 2-5 of PPS22 and those used in the RS. I acknowledge that there is no requirement in the Statement for anything other than regional targets, but it nevertheless remains the case that sub-regional and indicative local targets are included in the RS. In the circumstances I am not surprised that my attention was drawn by the council to the 2010 target for ERYC having been surpassed. I understand sufficient capacity has also been permitted to ensure the 2021 target will also be met. Notwithstanding this apparent success, I have no reason to doubt the appellant's assessment that the regional targets have not been or will not be met – even before the establishment of the revised 30% target cited above.



68. I recognise that the monitoring of regional targets presents substantial current difficulties, but in any event, I agree with the appellant that the targets should not be regarded as a ceiling or cap. The content and thrust of paragraph 3 of PPS22 is clear – targets should be reviewed on a regular basis and revised upwards if they are met, and if a target is reached this should not be used in itself as a reason for refusing planning permission for further projects. If, on the other hand, targets are not being attained, this adds weight in favour of the scheme. In the same context, I do not agree with the council’s apparent contention that attainment of the local target is a precursor to a more stringent or demanding assessment of the environmental, economic and social impacts of schemes. It is an inevitable consequence of the first of the key principles of PPS22 that such an assessment is completed in each case. The requirement is reinforced by the reference in paragraph 19 of the Statement that the landscape and visual effects of schemes will vary on a case by case basis.
69. This approach is further reinforced by the content and structure of development plan policy. It is such as to facilitate the development and installation of renewable energy schemes. The purpose of local plan Policy U16 is to encourage the generation of power from renewable energy sources, and RS Policy ENV5 seeks the maximisation of renewable energy capacity – its requirements are expressed as minimum targets. The impetus is therefore in favour of such schemes, but in each case an assessment of impacts is necessary. Indeed, at the national level, paragraph 21 of PPS22 makes it clear that account should be taken of the cumulative effects of wind generation projects in particular areas with assessments being undertaken at the planning application stage. Such cumulative assessments may therefore be regarded as a means of regulating the overall landscape and visual impacts of the growth of the industry. Local plan Policy U18 translates this form of regulation directly into development plan policy.

#### Planning balance

70. In its representations on the case the HTRA has expressed the view, amongst other matters, that the scheme is unacceptable on landscape and visual impact grounds in its own right. In considering the cumulative impact of the proposed development in association with the three permitted schemes, I have inevitably taken account of this possibility. I do not disagree with the council’s landscape character assessment to which I have already referred, that the overall quality of the landscape type is ordinary. It was acknowledged that the landscape would have the capacity to accept wind farms set back from the coast and located to respect the settlement and landscape pattern.
71. Although the appeal site is very close to the coast, the size of the proposed development – in terms of numbers of turbines – would be modest. As far as the settlement pattern is concerned, the site avoids the local centres of population. As with all commercial wind farms in rural locations the scheme would inevitably superimpose a defining quality on the surrounding landscape. My attention was drawn to Policy CZ8 of the Integrated Coastal Zone Management Plan which includes a restriction on the siting of turbines within 400m of the cliff top. The plan is not a statutory document however and I have been able to allocate it only limited weight. I acknowledge that the existence of such management plans is cited in paragraph G1 of RS Policy C1, but the purpose of this policy is such that it cannot be elevated above that of

- Policy ENV5. I have concluded that, considered on its own, the landscape and visual effect of the proposed development would be manageable.
72. However, in the terms of the main issue I have identified this is not the appropriate baseline against which to assess the case. Both PPS22 and local plan Policy U18 render the cumulative effects of multiple schemes a matter of critical importance. Although there would be only three turbines erected in this case, it must be assumed these would be in addition to the 15 (in three wind farms) already permitted in the same area. I have referred to the possibility established in *Planning for Renewable Energy* that cumulative effects may be experienced over relatively extensive areas where the multiple sites may not be visible from each other. I am led inevitably to the conclusion that in more limited areas where sites are relatively close to each other, a critical cumulative impact level may be reached more readily. This would certainly be the case in this part of Holderness.
73. I have sought in the preceding parts of this decision to explain how I feel the cumulative impact of the four schemes would both affect the character of the landscape and the visual experience of receptors. Although I recognise there are different views about the appearance of wind turbines, there is no dispute between the parties that their scale is such that they define the surrounding landscape. The speed or their rotation and their aerodynamic simplicity results in them having a certain attraction in design terms, but they are indisputably large. In addition, the greater the numbers of turbines, the greater the opportunity becomes for the utility of the design to become intrusive to the point of visual clutter.
74. I do not seek in this case to attach significant weight to the experience of recreational receptors in the surrounding area, and none of the landscapes enjoy any form of national designation. The settlement pattern of the area is characterised by a traditional mixture of villages with a scatter of more isolated dwellings. Although my visits to the area were confined to November, I am in little doubt that the landscape is generally that experienced from a car or other vehicle. In such circumstances the experience of the landscape is constantly changing, and although the photomontages prepared by the parties were useful, I fear they could not adequately represent the serial experience of a receptor passing through the landscape. It is essentially this experience which I believe would be compromised by the addition of a fourth wind farm.
75. In the terms of the ES there is a degree of agreement between the parties concerning the significant effects of the proposed development. Perhaps the debate about valency or the predisposition of receptors is expressed in paragraph 19 of PPS22. Under the heading of landscape and visual effects it records, amongst other matters, that development should be assessed using objective descriptive material and analysis wherever possible even though the final decision on the effects will be, so some extent, one made by professional judgement. I have concluded in this case that, although this would be insufficient to result in an overbearing or overwhelming effect on living conditions at individual properties, hamlets, villages or settlements, the cumulative effects would be sufficiently serious to constitute a harmful impact on the landscape and visual amenity of the area.

76. I therefore further conclude the proposed development would conflict with RS Policy ENV10 and structure plan Policies SP1 and SP4. It follows that the scheme must also be considered to be in conflict with the relevant parts of local plan Policies G3, G5 and G6. As far as the effect of the scheme on the setting of All Saints Church, Tunstall is concerned, I conclude the project would result in limited conflict with structure plan Policy ENV6 and local plan Policy Env22.
77. Pulling in the opposite direction are the policies which contribute to the presumption in favour of renewable energy schemes. The project complies with the contents and general thrust of RS Policies YH2 and ENV5. The renewable energy (Policy U16) and wind turbine policies (U18 and U19) of the local plan are generally encouraging and permissive, but they are tempered by the need to take account of the visual qualities of the surrounding area and the cumulative effects of projects.
78. The policies of the development plan therefore reiterate much of the approach adopted in PPS22 at the national level, and the outcome of the case depends on the weight to be attached to its various competing components. I have taken account of the arguments which support the provision of additional renewable energy schemes, but the cumulative impact of such proposals is an important part of PPS22. By its nature the identification of a cumulative effect requires the pre-existence of a similar but lesser effect. For the cumulative effect to be assessed as harmful it is necessary that the effect passes a threshold which can only be judged perhaps on a case by case basis. In this case I have concluded for the reasons I have given that the proposal would increase the numbers of turbines and windfarms in the area to an extent where the resultant harm would outweigh the presumption in favour of such schemes. Not only would the scheme result in the formation of a sub-type blurring the distinction between landscape character types, but it would also extend the visual influence of the turbines to a greater extent and in a new direction than would result from either the development of Tedder Hill (in relation to Burton Pidsea), or Roos (in relation to Burton Pidsea and Tedder Hill). I consider the resultant harm would be sufficient to outweigh the benefits of the scheme. I therefore further conclude the proposed development would also conflict with the relevant parts and purposes of local plan Policies U18 and U19.
79. It is for the reasons given above that I have concluded the appeal should be dismissed.

*Andrew Pykett*

**INSPECTOR**

## **APPEARANCES**

### **FOR THE LOCAL PLANNING AUTHORITY:**

Miss Megan Thomas of Counsel, instructed by Matthew Buckley, Head of Legal and Democratic Services

She called:

Mr Nigel Rockliff BA DipLD CMLI	Senior Project Manager, Golder Associates (UK) Ltd
Mr Robert Beal DipTP MRTPI	Senior Planner, Golder Associates (UK) Ltd

### **FOR THE APPELLANT:**

Mr David Harvey	Partner, Cobbetts LLP
He called:	
Mr Jeffrey Stevenson MA MPhil DipEconDev CMLI MRTPI MinstEnvSci FRGS	Principal, JSA Ltd
Mr Andrew Brown BArch MSc MRTPI RIBA IHBC	Principal, Woodhall Planning and Conservation
Mr John Tipper MEng	Director, Alpha Aviation Ltd
Mr David Stewart MA (Cantab) DipTP MRTPI	Principal, David Stewart Associates

### **FOR THE HILSTON AND TUNSTALL RESIDENTS ASSOCIATION:**

Dr Brian Wells & Mr Stephen Midgley

They called:

Dr Brian Wells	
Mr Michael Smales	
Mr Willis Ainley	
Ms Hazel Armstrong	
Prof Gerry Bantin	
Mr Stuart Woodruff	
Mr Colin Wilson	Evidence read by Brian Wells

### **INTERESTED PERSONS:**

Mr John Parsons	Ward County Councillor
Ms Susan Jones	Local resident
Ms Christine Midgley	Local resident
Ms Jackie Cracknel	On behalf of Margaret Cockbill, Chairman CPRE
Ms Christine Dobson-Youngman	Warden of All Saints Church, Tunstall
Ms Toni Cherie Blenkin	Local resident
Ms Julie Jowett	Local resident
Ms Diane Richardson	Local resident
Mr Tony Simpson	Local resident

Ms Tina Danvy	Local resident
Mr John McWatt	Chairman, Rimswell Parish Council
Ms M Tayler	Local resident
Mr Dave Craggs	Local resident
Mr Williamson	Local resident
Mr Bernard Jull	Local resident

## **DOCUMENTS SUBMITTED AT AND AFTER THE INQUIRY**

- 1 Council's notice of inquiry
- 2 Section 106 Undertaking
- 3 Section 106 Undertaking
- 4 Section 106 Undertaking
- 5 Section 106 Undertaking
- 6 Statement on Energy Policy, DECC, 18 October 2010
- 7 The Government's Response to the Consultation on the Draft National Policy Statement for Energy Infrastructure, DECC
- 8 Commentary on the government's response
- 9 Appeal Decision, 15 October 2010 (APP/A2525/A/10/2125075)
- 10 Opening submissions on behalf of the appellant
- 11 Opening on behalf of East Riding of Yorkshire Council
- 12 Hilston & Tunstall Residents' Association Opening Statement
- 13 Written submission by Graham Stuart MP, 2 November 2010
- 14 Written submission by Tony Simpson
- 15 Written submission by Margaret Cockbill, Chairman, East Riding CPRE
- 16 Written submission by Christine Dobson-Youngman
- 17 Written submission by Christine Midgley
- 18 Written submission by Cherie Blenkin
- 19 Written submission by John McWatt, Chairman, Rimswell Parish Council
- 20 Letter dated 8 September 2009 from English Heritage
- 21 Roos Parish Plan
- 22 Appeal Decision, 8 March 2010 (APP/C2708/A/09/2107843)
- 23 Appeal Decisions, 22 April 2010 (APP/R1038/A/09/2107667 & APP/P1045/A/09/2108037)
- 24 Monkwith: Draft Conditions – initial and final drafts
- 25 Report to Committee dated 11 December 2008, Burton Pidsea Wind Farm
- 26 Monkwith Wind Farm, Revised Viewpoint Analysis VP4
- 27 Page 24, *Siting and Designing Windfarms in the Landscape*
- 28 Written submission and map by Ms C M Danby
- 29 Written submission and enclosures by Mr Jull
- 30 Closing submissions by HTRA
- 31 Closing submissions by the council
- 32 Closing submissions by the appellant
- 33 Re-instatement of the RSS, by HTRA
- 34 Supplementary Statement, by David Stewart Associates
- 35 Email and attachment by Tina Danby
- 36 Additional Statement and plan extracts, by ERYC