

Item No: 22 Between 23/02/2013 and 05/04/2013

Appn Ref No: 12/0378
Applicant: Empirica Investments Limited
Parish: Nicholforest

Date of Receipt: 04/05/2012
Agent: Knight Frank LLP
Ward: Lyne

Location: Low Glendinning Rigg, Penton, Carlisle, Cumbria, CA6 5QB
Grid Reference: 344144 575374

Proposal: Erection Of A 50m High Meteorological Monitoring Mast For A One Year Period

Amendment:

REPORT **Case Officer:** Suzanne Edgar

Decision on Appeals:

Appeal Against: Appeal against refusal of planning perm.

Type of Appeal: Written Representations

Report: The appeal site relates to Low Glendinning Rigg which is located approximately 29.1km north-east of Longtown. Full Planning Permission was sought for the erection of a temporary 50m high meteorological monitoring mast for a one year period on land located to the east of Rigg Wood approximately 560 metres from Low Glendinning Rigg.

The application was determined by the Development Control Planning Committee on the 17th August 2012 when it was refused on the following grounds:

"The mast is a tall, man made intrusion that cannot be deemed protective of the intrinsic character and beauty of its surroundings. Due to the size, scale and position of the proposed meteorological mast, it is considered to be detrimental to the landscape and visual character of the area and that these effects outweigh the potential benefits associated with scheme. The proposal is therefore considered to be contrary to the objectives of Policy CP1, criterion 2 of Policy CP5 together with criteria 1 and 3 of Policy CP8 of the Carlisle District Local Plan 2001-2016."

The Inspector considered the main issues to be:

1. The effect of the siting of a 50m meteorological mast on the landscape and visual character of the area; and
2. Whether any harm is outweighed by other material considerations.

With regard to 1) the Inspector noted that the mast had to be judged on its own merits without the regard to the possibility of wind turbines being located in the area. The Inspector noted that given the absence of other man-made features in the vicinity, the mast would be visually intrusive affecting the landscape and visual character of the area. Thus conflicting with policies CP1 and CP5 of the Carlisle District Local Plan.

In relation to 2) the Inspector noted that due to the topography of the land and height of the mast, views of the mast would be restricted to be from a relatively small area. The Inspector therefore considered that the harm that the mast would cause to the landscape and visual character of the area would be limited to a small area and temporary as planning permission is only sought for one year. The Inspector also considered that the impacts of climate change are a material planning consideration and the landscape in the vicinity of the proposed mast and elsewhere, will not survive, in the future, unless the serious effects of climate change are addressed. The Inspector stated that this consideration outweighs the harm, which is limited in time and in extent by the topography of the area, that the mast would cause.

With regard to other matters the Inspector stated that the proposal would not cause direct harm to the ancient woodland, Rigg Wood. Furthermore the Inspector considered that due to the separation distance of the mast from Glendinning Rigg and its slender form, the mast would unlikely to be visually intrusive from the outlook from Glendinning Rigg. The Inspectorate also stated that the aviation lighting fixed to the mast would be directional and unlikely to be visible at ground level at night.

Overall the Inspector concluded that the proposed mast would cause harm to the landscape and visual character of the area but this harm is outweighed by other material considerations. The appeal was therefore allowed subject to the imposition of 5 planning conditions.

Appeal Decision: Appeal Allowed with Conditions **Date:** 25/02/2013