

Item 4a **12/00296/FUL**

Case Officer **David Stirzaker**

Ward **Heath Charnock And Rivington**

Proposal **Installation of two 11kW wind turbines (18.3m to hub height and 25m to blade tip)**

Location **Hall O'Th Hill Farm Chorley Road Heath Charnock Chorley Lancashire**

Applicant **Mr R Riley**

Consultation expiry: **20 June 2012**

Application expiry: **11 May 2012**

1. Members will recall that this application was reported to Development Control Committee on 7 August 2012 wherein it was deferred for a site visit. The recommendation, that this application is granted conditional planning approval remains as per the original report.

Proposal

2. This application seeks planning permission for the erection of 2 no. wind turbines. The wind turbines would have hub heights of 18.3m and a height of 25m to the blade tips. The wind turbines are proposed to be located in an agricultural field to the south of Hall O'Th Hill Farm, Chorley Road, Heath Charnock. The application site is in the Green Belt.
3. The wind turbines will have white coloured blades and turbine heads and dull grey galvanised masts. The applicant's agent advises that the farmer will receive a tariff directly for which payment will be made for all electricity generated, not just that exported back to the grid. The farmer is paying for the installation of the turbines and will be the sole owner of the wind turbines.
4. Access to the application site is via the same road adjoining Bolton Road to the east, which serves Chorley Golf Club and Hall O'Th Farm, the applicant's property.
5. The applicant advises that the turbine size has been chosen to help contribute to the current and future energy needs of the client in terms of the considerable electricity consumption of the farm whilst the turbines will benefit from a good unimpeded wind resource, which is in excess of the minimum requirement of 4.5metres per second. The installation of the turbines will also provide the farm with a 20 year income through the Feed In Tariff.

Recommendation

6. It is recommended that this application be granted conditional planning approval.

Main Issues

- The main issues for consideration in respect of this planning application are:
- Principle of the development
- Background information
- Impact on surrounding landscape and Green Belt
- Impact on the neighbours
- Ecology
- Traffic and Transport
- Public Right of Way

Representations

7. Cllr Kim Snape (Borough Councillor for Heath Charnock and Rivington) has objected to the application stating that the turbines will set a terrible precedent for other similar features to appear along the lovely countryside up to Rivington. The noise and visual impact will be impacted massively on local residents and the lack of consultation has not been great for residents.
8. In terms of the point raised on lack of consultation, additional neighbours were consulted on the application, within a week of this matter being brought to the attention of the Planning Department by Cllr Snape, around a wider area in relation to the application site and a total of 110 neighbour notification letters were sent out.
9. To date, 27 no. letters of objections have been received and 2 no. letters of support have been received.
10. The contents of the 27 no. objection letters can be summarised as follows: -
 - The construction of the wind turbines would be an eyesore for miles around and in addition to noise, they do not generate nearly enough electricity to be warranted should be objection enough
 - The wind turbines are located far too close to residential property and will generate noise and these turbines do not actually work if located next to buildings
 - The local bat colony and other local wildlife will be affected and no sort of impact assessment has been submitted
 - Despite multiple objections to the withdrawn application, it seems this one will be approved no matter what local residents say
 - The wind turbines would be a gross intrusion into our enjoyment of our home where we have lived for 40 years and it is causing us great anguish
 - Approximately 20 properties on Chorley Road, The Green and Lower Hill Drive will have a direct view of the turbines from the rear of their homes and a small 4m high tree near the proposed site can quite clearly be seen and the turbines will tower above this
 - To have a constant noise from the wind turbines would be very annoying and when sleeping with windows open for ventilation, even the slightest noises seem amplified so noise would make living here not very nice
 - The area around here is visually stunning and could be seen for miles around
 - The wind turbines would affect property values in the area
 - It will encourage others and before we know it, Rivington will be overrun with wind turbines
 - My house backs onto planned site for turbines and this land is green belt and this sort of land is regularly being lost to various structures/buildings
 - I value natural beauty of areas around my property and emphasise its importance to my 2 young children
 - If farm wishes to generate natural energy then there are other methods which can be used e.g. solar energy
 - The noise of the turbines would also disturb wildlife, residents, walkers and golfers at nearby Chorley Golf Club
 - Surely, the better option would be to put solar panels on the roofs of the large farm buildings
 - Wind turbines are a good source of renewable energy, but should be built in areas away from people's homes and the countryside they enjoy, and preferably, several miles out to sea
 - The application makes no sense economically so one must assume it is simply to set a precedent for the area i.e. a full scale wind farm to follow with numerous turbines over the Adlington and Rivington countryside
 - On the basis of a mere 11Kw per turbine, the applicant would probably need 20 – 30 turbines to cover his operating requirements
 - The whole character of the villages will be changed and not for the good all for the profitability of one farm

- The noise generated by the turbines is often much greater than actually stated
- Due to the elevation of the site, the turbines will be directly visible to surrounding properties to the west, south and east
- The amenity of Chorley Golf Club could be affected
- This whole area is a migration line for geese from west to east and back and also for migratory birds in spring and autumn from north to south and back
- Disfigurement of the Green Belt landscape with hideous 9 storey high structures – no justification so close to the boundary of both Heath Charnock and Adlington
- Producing enough electricity to power 2 domestic electric showers cannot be justified no matter how green this is viewed
- The carbon footprint of manufacturing and installing these structures will take many years, if at all to cancel out
- Turbines are the same height as Darwen tower and would overwhelm/affect the setting of Grade II listed Hall O’Th Hill Farm
- Request application be determined by full Development Control Committee not delegated powers – committee to make a site visit including tour of all far reaching points
- Applicant to elevate 2 helium balloons to 25m height of turbines to assist site visit
- The photomontages and inaccurate and misleading and do not comply with Landscape Institute advice note 01/09
- There needs to be an assessment on the listed building Rawlinson House on Slack Lane
- The turbines would spoil the views to and from Rivington and Anglezarke
- Whilst the power generated from the turbines would no doubt be remunerative to the applicant, as a hugely subsidised and inefficient form of power they would be of no use to the rest of the community and instead provide a permanent and wholly unwelcome blot on the landscape
- The turbines could have an affect on satellite services i.e. TV and internet
- It is widely acknowledged, more so in America, that wind turbines are the least affective way of generating electricity
- Living conditions would be detrimentally harmed by the turbines to varying degrees by noise and visual impact
- The turbines would diminish the fundamental aesthetic appeal of Rivington Pike as they would diminish the moors unique sense of openness and remoteness that visitors come to enjoy
- There is a long established rookery within the vicinity, a roost of bats locally, owls, curlews and kestrels amongst others
- Wind turbines are known to interfere with critical senses of wildlife because of noise and in addition there is a great threat of them flying into the path of the blades
- The ecological benefit of wind turbines has been greatly overstated, they are not the panacea that we have been led to believe and the disadvantages of them far outweigh the perceived benefits

11. The contents of the 2 no. letters of support can be summarised as follows: -

- The turbines would help the farm become more sustainable and will generate a source of income in an increasingly tough business environment
- Instead of being critical, we should support our local businesses to compete against larger multinational concerns
- Surely we should show a commitment towards green energy to help save our fossil fuels for future generations
- The structures are an investment in the future and will create a healthier environment for our children
- Any potential noise will be drowned out by local roads
- It is better to have wind turbines that houses at a later date
- The proposal should be approved, I urge the Council not to be swayed by ‘nimby’ comments and this is for the long term please support it
- The turbines would be visible from Rivington

- I live less than 500 metres from the proposed site and I can find no reasonable grounds for objection
- Further, some of the objections published thus far seem to be rather knee-jerk in nature, especially with regard to noise (far less than is generated by the M62) and visual impact (these turbines are very much smaller than commercial wind-farm turbines)
- Visual impact will not be great as houses on Chorley Road can barely see Rivington because of the lie of the land; if on the hill close to the farm and looking at Rivington the turbines will be either behind or to one side of the viewer and, if on Rivington itself, the turbines will be a) small and b) lost in the semi-industrial background of Chorley which exists
- The suggestion that the turbines will interfere with satellite reception is risible; the only building likely to be thus affected is Hall O'Th Hill Farm itself since it is immediately to the north of the site
- The total operating height of some 30 mtrs (97.50 feet) above the ground is considerably higher than conventional houses in the local area
- When in the operational mode the wind turbines will be plainly visible to all local residents in Heath Charnock
- The 'open mesh' design aspect of the columns will become contaminated with growing foliage, whilst the turning propeller will present a considerable danger to the local bird population
- The proposed siting of the masts at the crest of the hill will result in all local residents and area visitors being constantly aware of their presence as will travellers on all the main and local roads along with M61 traffic
- The wind turbines will do terrible damage to the environment
- Noise pollution from the proposed masts will be a major problem in the area, as will associated problems such as interference with TV and electronic transmissions
- Noise levels will vary from these installations contributing to the interference to residents normal lives
- The idea of a wind farm being located in an area of outstanding natural beauty is completely unacceptable
- When we came to live here and raise our family, the local beauty of the village area together with Rivington Pike and all the beauty of the Pennines was our major consideration
- These proposals will be of little or no benefit to the local population and only create major problems for the area which will affect locals and visitors alike for years to come

12. Since the Development Control committee meeting, additional objection letters have been received from 6 no. residents, the contents of which can be summarised as follows: -

- The wind turbines will be in full view of a number of houses on Chorley Road and Lower Hill Drive
- In addition to the spoiling of the green belt in this area the siting of the turbines is too close to housing.
- Wind turbine companies assert that noise pollution will be 35db at 350 meters but this is best case scenario
- The House of Commons paper, 5th July 2012 ref. SN/SC/522, whilst not setting a limit for the siting of turbines, does note that the pollution at 45db is likely
- Scotland has a recommended 1km 'buffer' from housing and Wales a 500m minimum. Lincolnshire council has an informal 700m buffer.
- Given the current governmental concerns over the economic value of wind turbines (proposed reduction in subsidy) and the questionable value of turbines when compared to solar panels there can be no justification to despoil the green belt and add to noise pollution by approving this proposal when a viable alternative is available
- Surely the site should be visited by all Members of Development Control Committee prior to the recommendation being made
- Whilst understanding the concept of renewable energy and applauding the theory, alternative systems are available and are far more sympathetic to this site and its

surroundings

- The proposed turbines are huge, the noise pollution will affect the surrounding community and their construction are strongly opposed by both myself and others that will be affected by their building, as seen in the opposition during the consultation which appears to have been ignored
- I hope the decision makers take into consideration the damaging impact these wind turbines will have on the surrounding community, and listen to those it will affect
- Would it not be fairer for the turbines to be sited closer to the Applicant's property rather than on the skyline and on rising land which is in full view of the residents of The Green, Chorley Rd, Lower Hill Drive etc.
- Once a precedent has been established, it would make way for the proliferation of the structures into the Anglezarke area
- Recent Government statements on Green Belt land have been to strengthen its preservation and not to use it in such a cavalier way
- In conclusion, as local ratepayers, we feel that the decision by the Planning Department will be biased in favour of the Applicant, the unfairness of which is causing much anxiety and depression
- The effect on neighbouring properties requires careful consideration, especially as alternative methods of environmentally friendly power generation, such as solar panels, could be considered
- They will also affect the light for many householders
- If these two are allowed more will follow
- The farmer could use solar panels for his power supply
- I would not like a wind turbine to spoil my beautiful view
- The worry I have is that two may not be enough power, therefore more wind turbines may be added

Consultations

13. **Lancashire County Council (Ecology)** do not raise any objections to the proposed wind turbines subject to planning conditions stipulating that no vegetation clearance works should take place between March to August inclusive unless the absence of nesting birds has been confirmed by further surveys or inspections. It is also recommended that the stock piling of materials within 100m of a pond should be avoided unless materials are raised off the ground (i.e. on pallets).
14. Additional comments were also made by **LCC (Ecology)** following issues raised by a local resident. In addressing these concerns about sensitive species, the assessment of LCC (Ecology) is that in terms of Kestrels and Owls, although LCC (Ecology) do not have records for kestrel and owl species in the area, it does not necessarily mean that they are not present within the nearby vicinity of the proposed application. If they are present in the area, it is possible that barn owls and raptors such as kestrels could be vulnerable to the proposed turbines (through collision) and would be a valid concern. However the habitat in the nearby vicinity of the turbine does not appear optimum foraging habitat for such species as it appears to be improved grassland. LCC (Ecology) advise that from the limited information provided, the size of the turbines and the sub-optimal habitat within the immediate vicinity, it seems reasonably unlikely that there would be significant impacts on sensitive species.
15. **The Environment Agency**, on the basis that the wind turbines have been moved from the position previously proposed by application no. 12/00047/FUL which was withdrawn, do not now raise any objections to the application as the Environment Agency consider this has overcome their previous objection.
16. **NATS (National Air Traffic Control)** do not raise any objections to the application.
17. The **Civil Aviation Authority** has provided guidance which Local Planning Authorities should follow in determining such an application for wind turbines although no objections are raised but the Council is reminded of its obligation for consultation with National Air Traffic Control and the Ministry of Defence.

18. The **MOD (Ministry of Defence)** does not raise any objections to the application.
19. **English Heritage** do not wish to offer any comments on the application and advise that it should be determined in accordance with national and local policy guidance and on the basis of the Council's own specialist conservation advice.
20. **Chorley's Conservation Officer** advises that the application site is close to two listed buildings, designated heritage assets as defined in Annex 2 to the NPPF. These are Hall O'Th' Hill Farm and Hall O'Th' Hill itself, now Chorley Golf Club. This application is judged with reference to section 12 of the NPPF. In my opinion, given that the nearest of these buildings is around 150metres from the application site and that the farm is surrounded by other farm buildings, the impact of the development upon the significance of these designated heritage assets or their settings is negligible. In my view that significance will be sustained. Consequently I consider the application to be acceptable.
21. **Director People and Places** does not raise any objections to the application.
22. **Lancashire County Council (Archaeology)** advise that on the basis of a check of archaeological records, there are no significant archaeological implications.
23. **Planning Policy** have advised on the pertinent policies in relation to this application.
24. **Lancashire County Council (Highways)** do not raise any objections to the application subject to a condition requiring the submission and written approval of a Construction Traffic Management Method Statement.
25. **Chorley's Waste & Contaminated Land Officer** does not raise any objections to the application.
26. **Manchester Airport (Aerodrome Safeguarding Response)** do not raise any objections to the application.

Assessment

Principle of the development

27. The proposed development should be assessed against the Development Plan which comprises of the Regional Spatial Strategy, the Core Strategy, the Adopted Chorley Borough Local Plan Review, the NPPF and the companion guide to it.
28. The proposal is located in the Green Belt wherein Local Plan Policy DC1, which reflects the NPPF, sets out acceptable developments in the Green Belt. Wind turbines do not fall within the specified categories of acceptable uses, therefore planning permission will only be granted in very special circumstances.
29. Paragraph 91 of the NPPF in section 9 (Protecting Green Belt Land) states that: "*When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to succeed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.*"
30. Paragraph 98 of the NPPF in section 10 (Meeting the challenge of climate change, flooding and coastal change) also states: "*When determining planning applications, local planning authorities should not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions and should approve the application if its impacts are (or can be) made acceptable.*" However, the first issue in policy terms is whether or not the 'principle' of the development is acceptable in the Green Belt, a

matter evaluated from paragraph 30 onwards in this report.

31. Policy 21: Landscape Character Areas of the recently adopted Core Strategy states that *'New Development will be required to be well integrated into existing settlement patterns, appropriate to the landscape character type and designation within which it is situated and contribute positively to its conservation, enhancement or restoration or the creation of appropriate new features.'*
32. The preamble to this policy states that landscape is important in the way that it contributes to an area's distinctiveness and key activities and that all the 'natural' landscapes in Central Lancashire have been shaped by human activity over thousands of years. The preamble also refers to The Landscape Strategy for Lancashire (2000) which was produced by Lancashire County Council in partnership with the former Countryside Agency and the Lancashire Historic Landscape Characterisation. This document identified a broad range of landscape character areas within Central Lancashire worthy of conserving, protecting and enhancing.
33. Policy 28: Renewable and Low Carbon Energy Schemes of the Core Strategy states the following: -
Proposals for renewable and low carbon energy schemes will be supported and planning permission granted where the following criteria are met:
 - (a) *The proposal would not have an unacceptable impact on landscape character and visual appearance of the local area, including the urban environment; (see paragraphs 49 to 62)*
 - (b) *The reason for the designation of a site with statutory protection would not be compromised by the development; (see paragraphs 63 to 67)*
 - (c) *Any noise, odour, traffic or other impact of development is mitigated so as not to cause unacceptable detriment to local amenity; (see paragraphs 39 to 48)*
 - (d) *Any significant adverse effects of the proposal are considered against the wider environmental, social and economic benefits, including scope for appropriate mitigation, adaptation and/or compensatory provisions. (see paragraphs 77 to 78)*
34. As the site is in the Green Belt, it is therefore appropriate to consider any factors in support of the application, which individually or cumulatively could amount to very special circumstances that would outweigh the harm to the Green Belt. Additionally, the impact on the openness of the Green Belt should also be considered.
35. Firstly, in terms of openness, it is acknowledged that the turbines represent an encroachment of development into the countryside (which is one of the purposes for including land within the Green Belt). However, it should also be noted that there often is a requirement for wind turbines to be located within open areas away from built development to function effectively.
36. Turning to the issue of very special circumstances, the applicant has submitted a case in support of the application which covers a number of issues in favour of the application and to address the requirements of the NPPF (see paragraph 24 above).
37. The applicant highlights that the proposed development finds support in national planning policy which was identified in 2006 through the Stern Report. This report demonstrated that climate change must be managed if we are to avoid catastrophic social and environmental effects. The Government's energy policy, including its policy on renewable energy, is set out in the Energy White Paper. This sets the challenging aim for the UK to cut its carbon dioxide emissions by some 60% by 2050, with real progress by 2020, and to maintain reliable and competitive energy supplies. The UK has a more tangible target to incorporate 10% renewable sources by 2010, and at least 20% by 2020.

38. The applicant advises that the proposed turbines would provide a modest but important contribution to addressing climate change and in terms of energy production, the wind turbines will produce around 25,000 kWh of renewable energy per turbine based upon the wind speed available on the site. This gives a potential annual total of 50,000kWh which will have a direct impact on reducing some 25-tonnes of carbon emissions.
39. The applicant asserts that the proposed turbines are small scale in comparison with the turbines found at larger wind farms, and other prominent vertical features in the British countryside such as electricity pylons. The 11kW turbine model has been chosen because the form of this turbine is considered to best suited to this landscape setting and the purpose for which it is intended. The mast design, which tapers towards the top, and the dull grey colour which is proven to blend in with the sky and surrounding landscape, result in reduced visibility over both mid and long-range distances. The nacelle of the turbine is small which reduces the bulk of this section of the turbine and helps again to minimise its impact on the landscape.
40. In terms of the benefits of the turbines to the site, the applicant advises that the turbine installation will greatly assist in the diversification of the farm as farming in general terms is changing; forced in the main by economic and climatic forces. In order to survive, both now and for future farming generations, farmers are having to embrace new technologies and ideas to best utilise their land to generate income. The installation of the turbines will provide the farm with a 20 year income through the Feed In Tariff. They will also help offset the considerable electricity consumption on the farm; another ever growing cost.
41. It is therefore considered that the above factors constitute 'very special circumstances' which outweigh any harm to the Green Belt, by way of inappropriateness. This being the case, the proposal accords with the NPPF in terms of 'principle' which is found to be acceptable.

Impact on neighbours

42. In terms of neighbour amenity and any resultant noise and disturbance, a noise assessment of the wind turbine has been included with the application.
43. In terms of noise pollution objections, the submitted noise report in relation to the turbines concludes that the noise level of the turbines at a distance of 100mtrs will be under 40dB (whispering levels) and only 45dB (quieter than conversational speech) at a distance of 60mtrs. The report advises that in general context, the noise of the wind itself (background noise) will be heard over that of the turbines. The Director of People and Places does not raise any objections to the wind turbines on this basis.
44. With regards to shadow flicker, the turbine blade diameter is 14-metres and therefore the applicant asserts that shadow flicker would only occur within a 140-metre distance from the turbines. The nearest property is in excess of this distance from the turbines.
45. The Council's Director of People and Places has been consulted on the application and provided comments. In response, no objections have been raised to the proposed turbines in relation to noise nor have any been raised with regards to shadow flicker.
46. The nearest residential property (Slacks Farm), other than the applicants, is situated approx. 320m east of the site of the southern wind turbine. There is also another property on Slacks Lane (Rawlinson House) approx. 350m away. Both of these properties will have some views of the turbines. However, at the distances they are away from the site of the turbines, it is not considered that views of the turbines will cause harm to living conditions. There are also established trees between these properties and the site of the turbines that will have a filtering effect on any attainable views of the turbines. Views from properties further east than these will have limited views of the turbines due to the presence of established trees in the intervening landscape.
47. Lonsdale Farm is located to the south of the site approx. 350m away, a distance which is

considered adequate to ensure the amenities of the occupiers of this property are not detrimentally harmed.

48. There is a property located on the road leading to the site and golf course (Noran) which is located approx. 330m away from the site of the turbines. This property sits at a lower level than the site (approx. 20m) so any views of the turbines will encompass the upper parts of the turbines which will be seen against the sky.
49. In terms of the residential properties further away, the dwellings located on Chorley Road (approx.. 480m away), Lower Hill Drive (approx.. 400m away) and Waterford Close (approx. 550m away) also sit below the level of the site of the turbines by at least 15m so again any views of them, which are attainable from properties on these roads will be of the upper parts of the turbines against the sky.
50. Properties further away on Stoneacre Drive to the south are approx. 560m away, properties on Sutton Lane are at least 620m away and properties on Windermere Drive, Thirlmere Close and Stonegate Fold are all 700m or more away from the site of the turbines. After Stonegate Fold, the nearest property on Babylon Lane is approx. 750m away from the site.
51. On the basis of the above and the various distances specified, it is concluded that the turbines will not have a detrimental impact on the living conditions of nearby residents. It is accepted that the wind turbines will be visible to varying degrees from the properties which have a view of the site. However, the turbines would be far enough away not to cause harm to living conditions and as detailed, the noise and shadow flicker generated by the turbines would not result in detrimental harm to the living conditions or nearby residents.

Impact on surrounding landscape and Green Belt

52. Wind turbines, by virtue of their purpose, are often sited on areas of open and exposed landscape, as is the case here, in order to gain the maximum benefit from the wind and in turn generate electricity. It should be noted that the application site is not a designated Area of Outstanding Natural Beauty (AONB).
53. The application includes a Landscape Assessment which includes 5 panorama images taken from various points around the local area. The panorama images show superimposed images of the wind turbines in situ and on the basis of these images and the assessment, it is concluded that the turbines will have a relatively minor visual impact on the landscape.
54. In 2000, a study entitled "A Landscape Strategy for Lancashire" was published by Lancashire County Council. This study provides an understanding of different landscape types and character areas and places different parts of Lancashire in various Landscape Character Areas. This document is referred to in the preamble to Policy 21 of the adopted Core Strategy.
55. The site of the turbines falls within landscape type 6b (West Pennine Foothills). This is described as being a complex transitional landscape of relatively small scale with intensive settlement. This area is also described as having a more gentle landform and vegetation cover than that of nearby higher ground. The main characteristic is the mixture of rural and agricultural land uses. A further study published in 2005 by the Lovejoy consultancy looked specifically at the sensitivity of landscapes in Lancashire to wind energy proposals. The Lovejoy study places the application site as having a moderate sensitivity to wind development. Within this area, the study states that the scale of development potentially acceptable is defined as being small scale development. The study provides a typology for small scale development as comprising of clusters of 2 to 5 1.3MW turbines. These documents therefore provide a useful evidence base for the determination of planning applications.
56. The wind turbines are proposed to be sited on a plateau which sits at a higher point than most of the surrounding land to the east, south and west although to the north, the level of

the land continues to rise towards the applicant's property (Hall O'Th Hill Farm) and the clubhouse for Chorley Golf Course. To the west, the level of the land falls and then rises again up towards from where views are attainable of the site from Babylon Lane.

57. Although the turbines would be higher than anything else found in the landscape in the vicinity of the site they are proposed upon, the turbines are relatively slender structures and would be well spaced with a gap of 45m between them. It is not considered that they would detract from the sense of space and openness of the area surrounding the site of the turbines which is an important attribute of the Green Belt. Also, the dimensions and spacing of the turbines would not significantly interfere with longer views to the extent that views would be blocked or seriously obstructed.
58. In terms of the visual impact of the turbines, it is accepted that given the height of the turbines and the movement of their blades, they will be seen from a number of public vantage points, particularly from the network of public footpaths and tracks near to the site itself, on higher ground to the north and east, the lower ground to the west and south and from the golf course. It is also accepted that that the turbines would be seen from some of dwellings around the site.
59. However, from many of the closest footpaths across the site, the upper parts of the grey coloured masts and their white coloured turning blades would be seen against the sky, whilst from some of the viewpoints from the north, including the golf course, the lower parts of the masts would be seen against and with the backdrop of well-established trees and the landscape to the south, the level of which rises after it falls away from the site. From further afield, particularly from the higher land to the east and north, the turbines would be seen at some distance with the upper parts of the turbines seen against a wide expanse of sky although these vistas will include established trees and the cluster of buildings of Hall O'Th Hill Farm in the vista. The grey finish of the mast and the white finish of the turbine hub and blades will reduce the prominence of the turbines when they are seen against the backdrop of the sky.
60. From the west, when seen from Chorley Road, The Green and Lower Hill Drive, roads which are between 20m and 25m lower than the site, any attainable views would be of the upper parts of the turbines and these will be seen against a backdrop of sky. However, the nearest of the properties to the west with views of the site are approx. 340m away (Noran and The Green). The same can also be said of any views of the turbines from Stoneacre Drive, Sutton Lane and Windermere Drive to the south. In terms of views of the site from Babylon Lane, where it opens up after the Stonegate Fold development, these are direct across to the site although the turbines will be seen with the established trees.
61. As stated, the site has been identified in the Lovejoy study as having a moderate sensitivity to wind development wherein small scale development is deemed as being potentially acceptable (i.e. 2 to 5 1.3MW turbines) in principle. This development of 2 no. 11kW wind turbines does not exceed the typology specified. Notwithstanding this, from both the nearer and more remote public vantage points with attainable views of the turbines, it is not considered that the turbines would have an unacceptable and harmful visual impact on the local landscape character.
62. With regards to Green Belt policy, as set out in the 'Principle of Development' section of this report, the turbines are considered to be an acceptable form of development in the 'in principle'. On Green Belts, the NPPF (Section 9 paragraph 79) states that '*the essential characteristics of Green Belts are their openness and their permanence.*'
63. The turbines do represent an encroachment of development into the countryside/Green Belt, which is one of the reasons for including land in the Green Belt. However, this has to be balanced against the requirement for turbines to be sited in open areas well away from buildings and structures which could impede or divert the flow of wind. Of necessity, this invariably means that a large proportion of turbines are located in areas of countryside away

from settlements.

64. In terms of longer distance views attainable from Rivington, the turbines will be seen at some distance and against a wide expanse of sky and with the established trees adjacent to the site. However, the slender dimensions of turbines and their light colour means that the views from Rivington will not be detrimentally harmed to an extent that the character of the landscape within which the turbines sit would suffer harm. Likewise, the turbines are such that it is not considered that they will result in detrimental harm to the openness of the Green Belt.
65. It is therefore considered that the turbines comply with the objectives of the pertinent planning policies which seek to safeguard the existing landscape character and the openness of the Green Belt as whilst the turbines will be visible from a wide range of vantage points, their presence in the landscape will not cause a detrimental level of harm to it.

Impact on setting of listed buildings

66. As already set out in the consultations section, English Heritage have advised that the application should be determined in accordance with national and local policy guidance and on the basis of the Council's own specialist conservation advice.
67. The Council's Conservation Officer advises that the application site is close to two listed buildings which are designated heritage assets as defined in Annex 2 to the NPPF. These are Hall O'Th' Hill Farm and Hall O'Th' Hill itself, now Chorley Golf Club. The application therefore assessed in accordance with Section 12 of the NPPF.
68. Given that the nearest of these buildings is around 150metres from the application site and that the farm is surrounded by other farm buildings, the impact of the development upon the significance of these designated heritage assets or their settings is considered to be a negligible one.
69. In terms of the comment raised in the objections that an assessment should be done in terms of impact on Rawlinson House, this property is located approx. 350m east of the site of the turbines which is 200m further away than Hall O'Th Hill Farm is from the site and no concerns have been raised in relation to this by the Conservation Officer.
70. On this basis, it is not considered that the turbines will have a harmful impact on the significance of the aforementioned heritage assets.

Ecology

71. The previously submitted application (Ref No. 12/00047/FUL) proposed 2 no. wind turbines located in closer proximity to the field boundary and this resulted in LCC (Ecology) objecting to the application.
72. The turbines are now proposed to be sited (50m) further away from the field boundaries or features which LCC (Ecology) considered as being suitable for bats. LCC (Ecology) state that due to the position of the turbines, based on Natural England Guidance notes (TIN 059 and 051) impacts on bats seem reasonably unlikely.
73. In terms of Great Crested Newts, LCC (Ecology) advise that the application area lies approximately 100m from a pond and several other ponds lie within the nearby area which may have the potential to support Great Crested Newts. However, it appears that the proposed development would affect only intensively managed improved grassland and would be sub-optimal for amphibians. This in combination with the small footprint of the development it would seem reasonably unlikely that the proposed development would have an impact on Great Crested Newts. However as no survey of the pond has been undertaken, a precautionary approach to avoid impacts on Great Crested Newts is advised. A planning condition is therefore recommended. The applicant should be made aware that works should

stop if Great Crested Newts are suspected or found and advice should be sought from Natural England. Any other amphibians should be moved to a safe area of suitable habitat.

74. In terms of breeding birds, LCC (Ecology) advise that the proposed wind turbines do not appear to be located within an area identified as supporting significant bird populations sensitive to wind turbines (RSPB and Lancashire Wildlife Trust, July 2008). However, these areas are not definitive and the need for an ornithological assessment proportionate to the likely impact should be considered on a case by case basis. In this case, Lancashire County Council does not have records of any priority bird species likely to be affected by the proposed development. This combined with the location of the proposed turbines and the small scale of the proposed development suggest that any requirement for a detailed ornithological assessment may be disproportionate to the likely impacts, unless evidence has been provided by another consultee indicates that there is a significant bird population that may be adversely affected. There is not a requirement to consult Natural England on this application and the Environment Agency have not raised any issues in terms of impacts on bird populations.
75. In terms of cable routing, more information is required and this can also be made the subject of a planning condition. On the basis of the comments of LCC (Ecology), there are no concerns that the proposed turbines would detrimentally impact on the various ecological elements specified by LCC (Ecology).

Traffic and Transport

76. Access to the site of the wind turbines would be via the same road which leads to Chorley Golf Club and Hall O' Th Hill Farm. LCC (Highways) have considered the proposals and do not raise any objections to the application on the basis that a planning condition is imposed which requires the applicant to submit to the Council, prior to the commencement of development, a Construction Traffic Management Method Statement including details of construction vehicle routing, junction management, timing of vehicle movements, details of banksmen/escorts for abnormal loads, temporary warning signs, proposed accommodation works and the traffic management on existing highway network.

Public Right of Way

77. A public footpath (Path No. 67) runs adjacent to the site of the wind turbines along the western boundary of the field and the southern boundary of the field (Path No. 59) within which the turbines are proposed. The northern turbine would be located approx. 54m east of path no. 67 at its nearest point whilst the southern turbine would be located 56m east of the path no. 67 at its nearest point.
78. In terms of the footpath which runs to the south of the turbines, (Path No. 59), the southern wind turbine would be approx. 31m from the path whilst the northern turbine would be approx. 73m from the path.
79. In terms of safety, whilst PPS22 has now been superseded by the NPPF, the companion guide to it is not specifically mentioned in Annex 3 (Documents replaced by this Framework) of the NPPF, which lists the documents replaced by the NPPF. The companion guide can still therefore be afforded weight and this document states that the fall over distance for turbines should be the height of the turbine to the tip of the blade, plus 10%. In this case, the required distance for safety purposes would be 27.5m. Both of the turbine locations exceed this distance. As such, it is considered in this case that reasonable steps have been taken to maintain the safety of local residents and other members of the public wishing to use the public footpath which runs adjacent to the site of the turbines.

Overall Conclusion

80. This application turns on whether or not the balance of harm is sufficient to outweigh the significant benefits of carbon reduction and the provision of a source of renewable energy and whether or not 2 no. wind turbines would cause detrimental harm to the landscape character. There are no concerns with the impact of the turbines on the amenities of local

residents which could justify the refusal of the application and could thereafter be substantiated at appeal. In terms of the impact of the wind turbines on local ecology, traffic and transport, the public rights of way and the setting of the nearby listed buildings, there are also no concerns that would form the basis of reasons to refuse planning permission and indeed can be mitigated by planning conditions.

81. With regards to landscape impact, it is accepted that the wind turbines will be visible from various vantage points around the site. However, the landscape character will not be detrimentally harmed as a result of the wind turbines and in terms of Green Belt impact; the wind turbines will not have a significant impact on openness, which is one of the most important attributes of the Green Belt. This being the case, it is not considered that there are sufficient reasons why planning permission should not be granted.

Other Matters

Sustainability

82. As already stated, the turbines comply with the criteria specified in Policy 28 of the Core Strategy. In providing a source of renewable energy, this policy provides support for renewable and low carbon energy schemes subject to compliance with the specified criteria (a to d listed in paragraph 28 of this report). In this case, it is considered that the application complies with the said criteria.

Non-material planning considerations

83. Some of the objections have suggested that the applicant installs solar panels on the existing farm buildings rather than the wind turbines proposed. However, the Council must determine this application for the 2 no. wind turbines in accordance with the development plan.
84. With regards to the issue of interference with TV and electronic transmissions, Ofcom have not raised any issues with the application and the applicants Design and Access Statement also refers to guidance on the BBC website in relation to the impact of wind turbines. This states that the assessment tool on the BBC website is only intended to assess the impact of commercial wind farms on TV reception and does not consider small, domestic installations. It also states *"We are not aware of any problems caused to TV reception by small domestic wind turbine installations."*

Planning Policies

National Planning Policies:

National Planning Policy Framework (NPPF)

Adopted Chorley Borough Local Plan Review

Policies: GN5 / DC1 / EP4 / TR4

Joint Core Strategy

Policy 16: Heritage Assets
Policy 21: Landscape Character Areas
Policy 22: Biodiversity and Geodiversity
Policy 28: Renewable and Low Carbon Energy Schemes

Sites for Chorley Issues and Options Discussion Paper December 2010

Policy BNE6: Heritage Assets

Planning History

12/00047/FUL - Installation of 2 no. 11kW small domestic micro wind turbines (18.3m to hub height and 25m to blade tip) – Withdrawn
09/00747/FUL - Replacement poultry rearing building – Permitted
02/00073/FUL - Replacement chicken house - Permitted
98/00715/FUL - Erection of Poultry Shed – Permitted
98/00714/FUL - Erection of covered silage clamp – Permitted

83/00087/FUL - Poultry House for production of broiler chickens (200 feet by 80 feet) – Permitted
76/00765/FUL - Extension and alterations – Permitted
75/00079/FUL - Covered Treated Water Reservoirs, allowing grazing on completion - Withdrawn

**Recommendation: Permit Full Planning Permission
Conditions**

1. The proposed development must be begun not later than three years from the date of this permission.
Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. If either turbine hereby permitted ceases to operate for a continuous period of 6 months then, the wind turbine(s) and any other ancillary equipment and structures shall be dismantled and removed from the land and the land restored to its original state within 3 months of the cessation period.
Reason: To ensure that the rural landscape is not littered with structures that are no longer needed or have outlived their useful lives and in accordance with the NPPF, Policy 28 of the Core Strategy and Policy DC1 of the Adopted Chorley Borough Local Plan Review.
3. This permission shall expire no later than 25 years from the date that the first turbine is erected. Within 6 months of the expiration of the permission, all elements of the development shall be removed and the land restored to its former condition.
Reason: To ensure that the rural landscape is not littered with structures that are no longer needed or have outlived their useful lives and in accordance with the NPPF, Policy 28 of the Core Strategy and Policy No. DC1 of the Adopted Chorley Borough Local Plan Review.
4. If any materials associated with the development hereby permitted are stockpiled on land which is within 100m of a pond, the materials shall be stored off the ground (e.g. on pallets) for the duration of storage.
Reasons: In the interests of protected species and in accordance with Policy No. EP4 of the Adopted Chorley Borough Local Plan Review and the NPPF (National Planning Policy Framework).
5. No vegetation clearance works or other works that may affect nesting birds shall commence between March and August inclusive, unless the absence of nesting birds has been first confirmed through appropriate surveys and/or inspections carried out by a suitably qualified ecologist which are submitted to an approved in writing by the Local Planning Authority.
Reason: To ensure nesting birds (including ground nesting birds) are not adversely affected by the development in accordance with the NPPF and Policy EP4 of the Adopted Chorley Borough Local Plan Review.
6. The development hereby permitted shall not commence until full details of the colour, form and texture of the colour finish to all external facing elements of the wind turbines (i.e. mast, blade and hub body) (notwithstanding any details shown on the approved plans) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.
Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. DC1 and GN5 of the Adopted Chorley Borough Local Plan Review, Policy 28 of the Core Strategy and the NPPF.
7. The development hereby permitted shall not commence until full details of all cable routing and reinstatement works have been submitted to and approved in writing by the Local Planning Authority. The cable routing works shall only be carried out in

accordance with the approved details and reinstatement works.

Reasons: To ensure that the works do not compromise local ecology and in accordance with Policy No. EP4 of the Adopted Chorley Borough Local plan Review and the NPPF.

8. Before the development hereby approved is first commenced, a Construction Traffic Management Method Statement shall be submitted to and approved in writing by the local planning authority. The turbine construction and traffic management plan shall include:
- construction vehicle routing;
 - the management of junctions with and crossings of the public highway;
 - the timing of delivery vehicle movements including turbine component delivery vehicles;
 - details of banksmen/escorts for abnormal loads;
 - temporary warning signing;
 - proposed accommodation works and where necessary a programme for their subsequent removal and the reinstatement of street furniture, where required along the route;
 - traffic management on the existing highway network.
 - provide bond for full value of reinstatement.
 - approval is secured by the main contractor for the passage of all construction vehicles over all highway structures from the relevant responsible authorities (i.e. canal, railway, highway over-bridge etc.).
 - there is confirmation from the main contractor that access arrangements (ingress, egress and vehicle turning space) at the development site are considered suitable for construction vehicles.

The development shall be carried out and implemented in full in accordance with the approved details thereafter.

Reasons: To ensure there is no unreasonable inconvenience to other road users, to ensure all plant and vehicles are suitably sized to use the access road, to ensure all plant and vehicles are not a danger to themselves or any other road user(s) (i.e. pedestrians / horses / vehicles / cyclists), in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review 2003, and to notify the MOD of certain information which is required so the data can be plotted on flying charts to make sure the military avoid this area.

9. Before the development hereby permitted is first commenced, full details of the position, height and appearance of any fences or walls to be erected around the base of the wind turbines, shall have been submitted to and approved in writing by the Local Planning Authority. Fences and walls erected around the base of the wind turbines shall only be erected in accordance with the approved details and retained and maintained as such at all times thereafter.
- Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of nearby property and in accordance with Policy Nos. DC1 and GN5 and of the Adopted Chorley Borough Local Plan Review and the NPPF.*