

Item A. 3 **07/00568/FULMAJ**

Case Officer **Mark Moore**

Ward **Eccleston And Mawdesley**

Proposal **Erection of 3 No. wind turbines**

Location **Cliffs Farm Wood Lane Mawdesley OrmskirkL40 2RL**

Applicant **Damien Culshaw**

Proposal: This application seeks permission for the erection of three wind turbines on land at Cliffs Farm, Mawdesley. The application is a re-submission following the withdrawal of a previous submission in 2006 due to an objection from Natural England which required monitoring in response to issues related to Whooper Swans to be undertaken over the winter period.

The proposed wind turbines would comprise a column 55m in height supporting a three bladed rotor with a radius of 24.1m. The overall height would measure 79.1m from the base to the tip of the rotors at the highest point in their arc with the hub of the rotors connected to a 6.2m wide casement. The columns would be 3.35m in diameter at the base receding to 2.54m at the top and would be constructed in steel finished a matt grey colour supported on a 15m square foundation buried 3.5m below the ground level. Each turbine would be located within a compound area, the largest being approximately 40m x 32m and would necessitate the construction of a hard core pad to allow for the servicing of the proposed turbines.

In addition it is proposed to erect rectangular, metal control sheds adjacent to the base of each turbine measuring 3m x 3m square and 2.5m in height. The control sheds would be of corrugated steel construction finished in matt grey. A further transformer shed is also proposed which would comprise a steel cabinet of the same dimensions as the control sheds finished in a matching colour.

Access to the site would be via an existing track from Cliffs Farm however two new lengths of 4.2m wide track totalling approximately 340m in length would need to be created to enable each of the turbines to be accessed. The existing tracks proposed for access to the site form part of the Mawdesley Jubilee Trail which is a 7 mile circular walk set within the Mawdesley boundaries.

The electrical connections for the turbines would be via 10-20cm cable buried 1-2m underground.

The proposed turbines would be sited in an area of flat, open countryside located on Mawdesley Moss between the settlements of Mawdesley and Croston. Specifically, the site comprises a flat area of farmland with a field area of approximately 10ha and is situated within the Green Belt as

defined by the Chorley Borough Local Plan Review. The site is accessed via a single width road from Wood Lane and via an unmade footpath from Cliffs Farm which is located approximately 520m to the west of the nearest proposed turbine and is owned by a relative of the applicant. To the north of Cliffs Farm there is an additional residential property, Boundary Farm, which is sited approximately 540m from the northernmost proposed turbine and would have an uninterrupted view of all three of the proposed turbines. Further properties at Back House Farm, Hall Lane and Moss House Farm, Gales Lane are located to the south-east and south-west of the application site at a similar distance to Boundary Farm.

Planning History: The site history of Cliffs Farm is as follows:

Ref: 01/00679/FUL
Decision: PERFPP **Decision Date:** 19 December 2001
Description: Erection of boat and bicycle store and archery and air rifle sheds,

Ref: 97/00473/COU
Decision: PERFPP **Decision Date:** 5 November 1997
Description: Conversion of redundant cattle building to agricultural and blacksmith's workshop,

Ref: 99/00584/COU
Decision: PERFPP **Decision Date:** 22 December 1999
Description: Change of use of redundant agricultural building to bunk barn accommodation,

Ref: 99/00585/COU
Decision: PERFPP **Decision Date:** 22 December 1999
Description: Change of use of 1.2ha of agricultural land to leisure and education, including 0.4ha lake,

Ref: 05/00007/INV
Decision: WDN **Decision Date:**
Description: Replacement workshop building for decorative ironwork and general steel fabrication

Ref: 06/01125/FULMAJ
Decision: WDN **Decision Date:** 7 December 2006
Description: Erection of 3 No. wind turbines,

Ref: 07/00482/COU
Decision: PCO **Decision Date:**
Description: Change of use and improvements to existing barn to provide basic shelter and facilities for groups using the activity centre,

Ref: 07/00568/FULMAJ
Decision: PCO **Decision Date:**
Description: Erection of 3 No. wind turbines

Planning Policy: **Local Plan:**

GN5 Building Design and Retaining Existing Landscape Features and Natural Habitats

DC1	Development in the Green Belt
DC9	Landscape Character Areas
EP4	Species Protection
EP10	Landscape Assessment
EP20	Noise
EP23	Energy from Renewable Resources
EP24	Wind Farms
LT10	Public Rights of Way

Structure Plan:

Policy 6	Green Belt
Policy 20	Lancashire's Landscapes
Policy 21	Lancashire's Natural and Manmade Heritage
Policy 25	Renewable Energy

RSS:

EM17	
ER5	Biodiversity and Nature Conservation

National Guidance:

PPG2	Green Belts
PPG24	Planning and Noise
PPS1	Delivering Sustainable Development
PPS9	Biodiversity and Geological Conservation
PPS22	Renewable Energy

The application site lies within Green Belt wherein development is strictly controlled. Development of very particular kinds such as agriculture, forestry or other uses that retain the open character of land, and are not visually detrimental, are considered appropriate within Green Belt. Local Plan Policy DC1 reflects government guidance in the form of PPG2 and expresses a presumption against inappropriate development. Under these policies other considerations must be put forward to provide the very special circumstances to justify an exception. Policy 6 of the Structure Plan Review reiterates policy in respect of Green Belt.

Policy 20 of the Structure Plan and Policy GN5 of the Local Plan seek to ensure development is of satisfactory design and appearance for its surroundings and will not detract from natural or man made heritage.

The Government is keen to encourage the use of all renewable energy resources. PPG22 gives guidance on wind power generation and the factors to be taken into consideration in assessing proposals, including landscape impact, nature conservation and archaeology, neighbour amenity and associated infrastructure requirements.

Policy 25 of the Structure Plan must be considered in conjunction with the Supplementary Planning Document 'Planning for Landscape Change' part 3, 'Landscape Sensitivity to Wind Energy Development in Lancashire'. The policy in its revised form also reflects the Government advice outlined in

PPS22. The policy indicates that wind turbines must be assessed against the need to develop clean, green energy and the need to conserve Lancashire's landscapes and natural and man made heritage. It is acknowledged that the Government has set a target of 10% of electricity supply from renewable energy by 2010 and that there is considerable pressure to increase the number of renewable energy developments of which a significant proportion is expected to come from wind energy. Policy 25 and associated documents state that the development of wind farms, and related development, will be supported in principle within particular areas identified as having commercially viable wind speeds (annual average of 6.5m/s).

Policy EP23 of the Local Plan outlines the Council's commitment to supporting proposals to harness renewable energy subject to; adequate protection of historic and archaeological features with wildlife habitats; the proposal not detracting from the amenity of the surrounding area by virtue of its size, scale, siting, design, noise, emissions or waste production and provided supporting infrastructure is kept to the minimum required.

Policy EP24 of the Local Plan expands on Policy EP23 in relation to developments for wind farms. EP24 states that the Council will support such proposals subject to the following additional criteria;

- They are not located in ridge top/summit locations where they would be prominent against the skyline
- They do not significantly detract from the countryside character of the proposed location, particularly where there is a sense of wilderness and tranquillity
- They do not result in a significant increase in risk or nuisance arising from noise, shadow flicker, or interference
- They do not create an adverse impact on residential amenity
- Connections to the grid system will be underground
- The disturbance of construction is minimised and any ancillary structures or roads do not create an adverse impact on the landscape
- Public rights of access are not reduced by the development
- Provision is made for removing any equipment and re-instating the site should the equipment no longer be required

Other Local Plan Policies outlined above such as EP4, 10 and 20 seek to protect wildlife species, landscape features and heritage and to ensure that developments do not result in adverse impacts upon amenity to local residents for example, arising from noise.

Applicant's Case: The applicant has submitted an environmental report with the application which covers a range of issues including; landscape and visual impact; ecology; impact on bird species; noise; electromagnetic interference and shadow flicker. In support of the proposal the applicant has stated that the main reason for the application is to generate renewable, carbon-free electricity

that would contribute towards the national, regional and local targets for electricity generation from renewable sources in place to help tackle climate change.

The applicant states that the project would generate around 4.2 million kWh units of electricity per year. In detail the turbines would be 'medium sized' of 750kW each (2.25MW total) and would contribute towards Lancashire's 2010 target of 157MW of capacity in 'wind farms and clusters'.

In support of the site selection the applicant has highlighted the following locational advantages to Mawdesley Moss;

- The land is flat and the turbines would be less visible than if they were built on a hill or a ridge
- The land is not in any designated environmental protection area and is an intensively farmed, man-made landscape
- The land has been designated in the LCC document 'Landscape Sensitivity to Wind Energy Development in Lancashire' as being in the lowest category of sensitivity
- The area is sparsely populated with only 5 isolated farmsteads within 1km of the proposed turbines all of which are in excess of 500m away
- Grid connection can be achieved without the need for overhead power lines and all underground wires can be accommodated within the development boundary
- Turbines of the size proposed can be brought to site without the need for additional roads or tracks (though hard core tracks on-site will be needed to facilitate construction)
- The site would allow educational access for school children and public who use the farm and activity centre at Cliffs Farm

Consultations:

Environmental Health: Concluded that the noise report submitted May 2007 was insufficiently detailed to enable an assessment of the potential noise impact of the proposed turbines. Made specific recommendations as to the content required of the noise report. The applicant has been in discussion with Environmental Health to resolve this issue.

At the time of compiling this report Environmental Health have confirmed that noise monitoring of the site is necessary in order that they may provide an informed opinion to the Planning Committee. The applicant has agreed to undertake background measurements to commence on site on 6th August 2007 to be conducted in accordance with the guidance. It is anticipated that the exercise will take a minimum of 14 days to ensure that all data at appropriate wind speeds is obtained. A further report will be submitted to Environmental Health when available.

Environment Agency: No comments to make.

Ministry of Defence: No response at time of compilation of report

Civil Aviation Authority: No objections raised to proposed turbines.

OFCOM: Have identified 3 links at 33m, 303m and 340m from site. The applicant should have clearance from the licensed link operators stating that they are satisfied that the proposed turbines will not affect the operation of the microwave link.

Joint Radio Company: Part of the development is within the protection zone of a microwave radio link owned and operated by United Utilities supporting the integrity of their telecommunication network which underpins the safety and operational effectiveness of the electricity distribution network. JRC object to the proposed development for the following reasons;

- The microwave radio link supports the essential telecommunications infrastructure necessary for the effective monitoring and control of operational electrical plant equipment within United Utilities Electricity plc Electricity Distribution Network.
- United Utilities have been informed by JRC that part of the proposed wind farm development lies within the protection zone of the above microwave link. The infringement into the microwave path protection zone will impact on the integrity and resilience of the microwave link, which in turn may hinder or disrupt the speed at which United Utilities plc can remotely re-route or restore power to its customers should a fault/power outage occur within United Utilities Electricity Distribution Network.

CPRE (Lancs Branch): Have advised response is to follow.

Royal Soc for Protection of Birds: Initially concerned because Mawdesley Moss was used regularly by up to 140 wintering Whooper Swans during the winter of 2005/6. This represented 6% of the Lancashire population and 1% of the British population. Following meetings with the applicants, Wildfowl and Wetlands Trust, Natural England and Lancashire Wildlife Trust, a monitoring programme was agreed to establish the exact whereabouts of Whooper Swans plus the regularity with which they use the area. Monitoring during 2006/7 has provided little evidence that Mawdesley Moss is a significant or regular feeding area for Whooper Swans from the Special Protection Area populations of Martin Mere and the Ribble Estuary. RSPB therefore, does not object.

Strategic Planning & Transport: In response to the original Environmental Report considers that the provision of additional information with regards to ecology and landscape is required to establish a strategic planning policy position.

Policy 25 of the JLSP deals with renewable energy and states that they will be supported where it can be shown that the criteria have been addressed;

- The impact on the character of the surrounding landscape, biodiversity and the natural built heritage; and

- The extent to which any material harm that may be created by the proposal will be minimised to acceptable levels.

Comments in relation to archaeology and ecology appear below.

In relation to landscape there are a number of omissions, weaknesses and inconsistencies in the submitted Environmental Report;

- Study area extends over 10km radius only whereas best practice requires a 30km area. Recommends a study area of 20km.
- Only 7 viewpoints have been chosen none of which are from distant elevated locations or from the villages of Croston, Eccleston, Mawdesley or Rufford. Quality of photographs is poor and make the turbines look much smaller and distant than they would in reality.
- Visual analysis of the photomontages is inadequate.
- No assessment of the impacts on Conservation Areas and historic designated landscapes (9 identified as being relatively close to the site).
- Assessment of the impacts on landscape character of the site and the area is inadequate. Only one type 'mossland' is referred to although turbines would be visible from other areas.
- Report states the wind farm would not be seen from any significant centres of population such as the surrounding villages. This is simply not the case.
- Report refers to screening effects of trees but does not consider reduced screening effect in the winter. Winter photomontage would have been useful.
- Insufficient information provided on the proposed mitigation tree planting and a plan indicating location of the proposed trees is essential.

In relation to the Green Belt LCC note a recent appeal decision where it was concluded that landscapes can retain a sense of openness and therefore be appropriate development. It is also noted that the turbines would contribute to targets for renewable energy/reducing greenhouse gas emissions in Lancashire. LCC also acknowledge that the proposals will contribute towards wider environmental, social and economic benefits. DTI research has indicated that other wind farm proposals provide direct community benefits (typically £1000.MW/per annum over the lifetime of the project) and it is recommended that the Council give consideration to entering into a planning obligation with the applicant.

The applicant has subsequently submitted a further landscape assessment and the following conclusions are made;

Policy

The key policy tests in Lancashire are that development outside urban areas should be of a scale and nature appropriate to its location (Policies 1 and 5) and that development should be appropriate for the landscape character type within which it is located (Policy 20). Policy 25 requires renewable energy development to be assessed against criteria including impact upon

landscape character. The proposed wind farm at Cliffs Farm is not contrary to the tests of these policies.

The proposed location of the wind turbines at Cliffs Farm Wind Farm would make good use of the existing shelterbelt and hedgerow planting in the area. This is consistent with the recommendation in the LHSPG which states that in the Mosslands landscape character type vertical structures should be sited where the "*screening effects of existing shelter belts and buildings minimises their impacts on long distance views*".

PPS 7 requires protection of the countryside for the sake of its intrinsic character and beauty. PPS 22 encourages the development of renewable energy in locations where environmental issues can be addressed satisfactorily and identifies landscape and visual impacts as material considerations. The proposed wind farm at Cliffs Farm is not contrary to these national policies.

Landscape and Visual Impacts

Although the proposed wind farm would lie wholly within the Mosslands landscape the wind turbines could be seen from areas within the nearby Coastal Plain landscape character type. The proposed wind farm would ***not significantly*** affect:

- a) The characteristics and special features of the Mosslands and Coastal Plain landscapes.
- b) The setting of Croston and Rufford Park conservation areas.
- c) The setting of historic designed landscapes in the area.
- d) The recreational value of the area.
- e) The area's landscape fabric and amenity value.

The proposed wind farm would be located in a heavily man-influenced landscape that for centuries has been used to meet the needs of the community. Significantly man has used wind energy in this area for agricultural and engineering purposes.

There would be no cumulative affects with any other existing or consented wind farms.

For all these reasons conclude that the landscape and visual impacts of the proposed wind farm at Cliffs farm would be acceptable.

Possible Further Mitigation

Opportunities for very limited further mitigation planting (native deciduous trees), should be considered to reduce the potential localised moderate impacts on outward distant views from the southern fringe of Croston Conservation area.

Lancashire County Council (Ecology): Ecological concerns of this development include possible impacts on nesting birds, overwintering birds and water voles. The developer submitted an ecological assessment to determine potential impacts on wintering Whooper swans, but does not appear to have addressed concerns relating to other bird species/other sites. I

recommend that the applicant be required to provide further information to deal with any outstanding issues, and to provide a basis for mitigation/compensation if damaging impacts are likely. If adequate mitigation/compensation cannot be guaranteed then Chorley Borough Council should consider a refusal.

Designated sites

The location of the application area is such that the proposals could potentially affect the important population of Whooper Swans wintering at Martin Mere SPA and the Ribble Estuary SPA (and feeding in the wider area). Although the report 'Monitoring Whooper Swans on Mawdesley/ Croston Moss' (DC Associates Ltd, April 2007) concluded that the 'significance' of the threat to Whooper swans from the proposed development is 'negligible', I am concerned that the threat may in fact vary between years depending on the location of feeding grounds (dictated by cropping patterns). If in fact the threat to swans was negligible this year due to the particular pattern of crop growth only, then it would seem reasonable and sensible to defer the planning decision and base it upon longer-term monitoring data, i.e. over several years, in order that impacts can be determined more precisely. I recommend that Natural England be consulted with regard to the need for longer term monitoring of the potential impacts on Whooper Swans associated with the internationally designated sites, and that the RSPB should be consulted with regard to impacts upon these (and other) bird species that may be affected locally.

When Lancashire County Council were consulted with respect to the earlier application 09/06/01125 concerns were raised about potential impacts upon bird populations associated with Croston Moss Biological Heritage Site BHS41NE03, as the application area is several hundred metres only from the BHS. Although the Environmental Report (DC Associates Ltd) does mention the BHS (section 5.5.4), there does not appear to be any further consideration of impacts upon bird species associated with this BHS. The applicant should therefore be requested to submit further information to deal with this issue.

Breeding Birds

Many of the habitats on site have the potential to support breeding birds. If the application is approved then works during the bird breeding season (March to July inclusive) should therefore be avoided where there may be an impact on nesting birds. This should be the subject of a planning condition.

Water Voles

In his comments to the earlier application (08/06/01125) LCC raised concerns about the potential for impacts upon water voles, as follows: "It is unclear from the information provided, whether the proposed works will affect land within 10m of the drains. The ecology section of the environmental report states that the drains adjacent to the proposed development works are unsuitable for water voles. However, in my opinion, the presence of water voles cannot be ruled out on the basis of the information provided. If the proposed development will affect land within 10m of ditches/drains, then I recommend that a water vole survey be undertaken. If water voles are found to be present then the applicant should submit a method statement

detailing how impacts on water voles and their habitat will be avoided. This should be the subject of a planning condition if Chorley Borough Council is minded to approve the application, or any subsequent application."

The applicant has now stated that there will be no works within 10m of the tops of the ditch banks. Therefore there will be no need to undertake a survey for water vole.

Lancashire County Council (Archaeology Service): Comments to be included in addendum.

Lancashire County Council (Highways): No objections to the principle of the proposed development however concerns raised with regard to structural damage of the public highway during the construction phase. S59 of the Highways Act 1980 enables the Highway authority to claim compensation from the site owner for any damage that may arise from their development. A survey will be required prior to any haulage commencing. Recommends a condition be attached to ensure the survey is undertaken prior to the commencement of works.

Director of Streetscene, Neighbourhoods and Environment:
Natural England: Not aware of any nationally designated landscapes or statutorily designated areas of nature conservation importance that would be significantly affected by the proposal. Satisfied that the proposal does not have significant impacts upon Natural England's other interests and are satisfied that the development will not have a significant impact on Whooper Swans or on the landscape.

The Wildlife Trust For Lancashire, Manchester And North Mers: Same comments made as for RSPB above – no objections.

Renewal Energy Agency N.W.: No response at time of compilation of report.

Forward Planning: The proposed development is a resubmission of a previous application. In the interim period two important policy considerations have arisen. Firstly, late last year the Government published a consultation document relating to Climate Change. This sets out clearly the imperative for local authorities to be positive in their approach to renewable energy schemes:

"In particular, planning authorities, working closely with industry and drawing in other appropriate expertise, should: (inter alia)

- Look favourably on proposals for renewable energy, including on sites not identified in development plan documents*
- Not require applicants to demonstrate either the overall need for renewable energy and distribution of for a particular proposal for renewable energy to be sites in a particular location;..."*

In addition, the Panel report relating to the Examination in Public into the Regional Spatial Strategy for the North West has suggested alternative wording to policy EM17. This wording is more positive towards the generation of renewable energy. It

relates to Green Belt however, it is important to note that the criteria should, *“not be used to rule out or place constraints on the development of all, or specific types of renewable energy technology”*.

It is in this context that the application should be determined. Subject to the developer being able to demonstrate that the proposal is able to meet the criteria set out in policy EP24 of the Chorley Borough Local Plan Review I would recommend that the application be approved. However, if for example there is insufficient evidence to determine that there would be no adverse impact (for example in relation to wildlife) then the application should be refused.

The proposed development lies within the Green Belt and as it does not come under the normal appropriate uses such as agriculture and fishery, then special circumstances will have to be set out as to why the proposal is acceptable.

Para 12 of PPS 22 makes this explicit: *“Policy on greenbelt is set out in PPG2. When located in green belt, elements of many renewable energy projects will compromise inappropriate development, which may impact on the openness of the greenbelt. Careful consideration will therefore need to the visual impact of projects, and developers will need to demonstrate very special circumstances that clearly outweigh any harm by reason of inappropriateness and any other harm if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.”*

The proposed development is limited in scale and as can be seen from the Lovejoy study into Landscape Sensitivity is proposed to be in an area of landscape of low sensitivity to wind development. Therefore the impact on the openness of the Green Belt is likely to be minimal.

Given the requirements to increase the amount of energy generated from renewables, **subject to the development satisfying the criteria in Policy EP24** I consider that the proposal would be acceptable in the green belt.

I would draw your attention to the key principles set out in PPS22 in particular, *“Small-scale projects can provide a limited but valuable contribution to overall outputs of renewable energy and to meeting energy needs both locally and nationally. Planning authorities should not therefore reject planning applications simply because the level of output is small.”*, and, *“Regional planning bodies should not make assumptions about the technical and commercial feasibility of renewable energy projects (eg identifying generalised locations for development based on mean wind speeds). Technological change can mean that sites currently excluded as locations for particular types of renewable energy development may in future be suitable.”*

The fact that a proposal falls outside the optimum speed area is not a planning consideration that would warrant the refusal of planning permission.

The development appears to be in accord with policy 25 of the Joint Lancashire Structure Plan and would go towards the targets set out in policy EM17 of the submitted draft Regional Spatial Strategy for the NW (January 2006).

The Ramblers Association: No response at time of compilation of report.

Mawdesley Parish Council: Object to application on the following grounds;

- The application is contrary to Green Belt policy as set out in Policy DC1 of the Local Plan and would not be considered as exempt under the heading of very special circumstances
- Application does not meet the criteria for wind farms and individual generators as set out in clauses b, d and e Policy EP24 of the Local Plan

The Parish Council also noted that the planning application makes reference to Outline Policy SR2 in its support. The Council considers that reference to this policy is inappropriate and should be disregarded as it has not been adopted by Chorley Council and may not be either at all or in its current form of words.

National Air Traffic Services: Does not conflict with safeguarding criteria and therefore no objections are raised.

West Lancs BC – Planning: No response at time of compilation of report.

Martin Mere Wildfowl & Wetland Centre: No response at time of compilation of report

United Utilities: See comments of JRC above.

Representations: 150 letters objecting to the proposals have been received making the following comments;
(comments of objectors will be included in an addendum to this report)

Assessment: This application is a resubmission of a previous application for three wind turbines at the same location which was withdrawn last year (2006). The applicant has addressed various issues raised during the course of the previous application which have been subject to fresh consultation with the various organisations detailed above, the responses to which are outlined in the following report.

The proposals fall within Schedule 2 of the EIA regulations (3i) which states;

‘The likelihood of significant effects will generally depend on the scale of the development and its visual impact, as well as potential noise impacts. EIA is more likely to be required for five turbines or more, or more than 5MW of new generating capacity’.

The EIA regulations advise that the matter of whether an EIA is required turns on the likelihood of significant environmental effects. The Circular suggests three main criteria of significance;

- Major developments which are of more than local importance
- Developments which are proposed for particularly environmentally sensitive or vulnerable locations
- Developments with unusually complex and potentially hazardous environmental effects

In this case, the development is for 3 turbines generating 2.25MW in total and the site is not within or adjoining a SSSI or Ramsar, although a Biological Heritage Site is indicated as being 350m away. Concerns over the proximity of five noise sensitive properties being sited within one 1km of the site where noted and the applicant was made aware of the need for a noise assessment to be provided before the Council could determine the application. However, based upon the appropriate regulations and circular, it was considered that a full EIA was not required under the regulations as part of this application. Nevertheless the Council has specified both the requirement for an Environmental Report and the content of the document in line with the regulations.

Green Belt

The site lies within the Green Belt where there is a presumption against inappropriate development. The proposal does not fall within one of the appropriate uses identified in the Local Plan or PPG2. It is therefore inappropriate development in the Green Belt and there must be very special circumstances that outweigh the policy presumptions against it, if it is to be permitted.

PPS22 advises that many renewable energy projects would constitute inappropriate development, which may impact upon the openness of the Green Belt. For this reason it is necessary to consider carefully the visual impact of projects and the wider environmental benefits that would accrue from increased energy production from renewable sources as these aspects may constitute the special circumstances required by PPG2.

Landscape and Visual Impact

PPS22 requires that the visual impact of the development should be assessed using objective descriptive material and analysis wherever possible and notes that wind turbines have the greatest visual and landscape effects.

Concerns were originally expressed by LCC over the content of the applicants Environmental report which they considered had not addressed key issues to enable them to accept the reports findings that the visual impact of the proposed turbines would be within tolerable limits. The applicant has subsequently addressed this matter by the submission of a further landscape assessment. LCC Specialist Advisor (Landscape) has now concluded that the landscape and visual impact of the turbines at Cliffs Farm would be acceptable.

With regards to the assessment of the landscape above it should be noted that the site is located within an area that has been previously assessed under 'A Landscape Strategy for Lancashire, Landscape Character Assessment' as being of low sensitivity to wind development. Notwithstanding, the LCC advisor notes that the;

'juxtaposition between the flat topography of the Mosslands landscape and the tall vertical wind turbines would accentuate their impact and highlight their size'.

Given the conclusions of the advisor however, it must be accepted that visual impact of the proposals within the context of the wider Green Belt would not be sufficient to justify refusal of planning permission having regard to PPS22.

Environmental Benefits

PPS2 is explicit in its advice regarding the environmental benefits of projects for renewable energy in which it is acknowledged that small scale projects can provide a limited but valuable contribution to overall outputs of renewable energy and to meeting energy needs both locally and nationally. On this basis PPS2 clearly advises that local authorities should not reject planning applications simply because the level of output is small or make assumptions about the technical or commercial feasibility of renewable energy projects. On this basis therefore the output from the proposed wind farm is clearly not a matter for consideration in determining this application and should not be used as a justification for refusal of planning permission.

On this issue it is also necessary to have regard to the targets set out in Policy EM17 of the draft RSS for the NW (2006) and Policy 25 of the Joint Lancashire Structure Plan. These matters are outlined in the LCC consultation response summarised above which expresses support for this aspect of the proposed development.

It must be concluded therefore that the environmental benefits of the proposed turbines would constitute the special circumstances required to overcome the normal presumption against inappropriate development within Green Belt.

Ecological Impacts

The main impacts of the proposed development in ecological terms has been identified by LCC Ecological Advisor as being; possible impacts nesting birds, overwintering birds and water voles. Supplementary information submitted by the applicant has addressed most of the outstanding issues other than in respect of the assessment of the significance to the threat to Whooper Swans which is identified as being 'negligible'. However, the LCC Advisor has raised concerns over this particular issue and considers that the threat to this species may vary between years depending on the location of feeding grounds due to cropping patterns. It is noted that the monitoring report on Whooper Swans is supported by both the RSPB and the Wildlife Trust however the LCC Advisor considers that a longer monitoring period would be prudent in order that the impacts can be determined more precisely. LCC also consider that the submitted Environmental Report has failed to

adequately address the issue of other bird species present at Croston Moss Biological Heritage Site and requests that further information be supplied by the applicant to deal with this issue.

Amenity

Noise – The applicant has undertaken a noise assessment which has been referred to the Councils Environmental Health section. In summary EH have advised that the methodology of the noise assessment is flawed and does not provide sufficient information to enable them to arrive at a conclusion as to whether the potential impact from noise will be within acceptable parameters. Accordingly they have requested that further monitoring on site be undertaken to provide additional information. The applicant has requested that consideration be given to a planning condition requiring that noise levels should not exceed an agreed limit above the background levels. A 1996 report by the Energy Technology Support Unit (ETSU) commissioned by the DTI provides guidance on assessing noise from wind energy development and suggests that such conditions can be imposed however PPG24 at Annex 5 advises that such conditions may be difficult to monitor and subsequently enforce. On the basis that EH have requested further monitoring and do not feel able to make a recommendation at this stage it is considered that it would not be advisable to recommend that planning permission be granted. It would however be reasonable for the members to consider deferring the application to allow time for the detailed monitoring to take place. The applicant has undertaken to conduct further monitoring however the results and assessment required by EH are not likely to be available at the time the application is to be considered by the Planning Committee.

On this basis two options present themselves for consideration, which are;

- To refuse the application on the basis that there is insufficient information available to properly assess the impact from noise; or
- Defer a decision to enable appropriate monitoring to take place and for Environmental Health to undertake an assessment of the results

Shadow Flicker – With regards to the issue of shadow flicker the Environmental Health section, having regard to the companion guide to PPS22, have concluded that flicker effects have been proven to occur only within 10 rotor diameters of a turbine. Based upon the information submitted by the applicant EH conclude that the distance and orientation of the nearest properties are within acceptable parameters and are consequently will not be affected by shadow flicker.

Accordingly, a refusal on the grounds of loss of amenity due to shadow flicker could not be substantiated.

Visual Impact – Notwithstanding the wider visual appraisal outlined earlier in this report the proposed turbines will be located in a position which will be clearly visible from a number of nearby residential properties and also from the Mawdesley Jubilee Trail which utilises part of the footpath network. Objections have been raised by those residents most directly

affected regarding the visual impact and loss of outlook that would arise should the development be allowed. Further objections further afield have also been submitted expressing concerns over the visual impact of the turbines on the wider landscape and from viewpoints further away from the immediate site boundaries.

It is clear that due to the very nature of the turbines there will be a visual impact and that the impact will most directly affect those properties closest to the site. It should also be considered that opinions on the aesthetic qualities of the structures will be divided as will opinion on the degree to which the visual impact will be detrimental to the wider landscape, which is somewhat subjective and open to individual interpretation.

Policy EP24 of the Local Plan provides guidance on how proposals for wind turbines should be assessed and is clear that they should be sited where they do not detract from the countryside character of the location or adversely impact upon residential amenity. In this case it is difficult to argue that the turbines would not detract from the character of the area and, more significantly, that they would not impact upon the outlook of the neighbouring residential properties.

With regards to the first issue, impact upon countryside character, it is considered that the wider landscape assessment would take precedent over any concerns regarding the overall visual impact and that accordingly, a refusal on this basis would be difficult to sustain.

In respect of the impact upon residential amenity, the issue must be how significant the loss of amenity is considered to be against the wider policy arguments outlined above. This is a finely balanced issue as it cannot be argued that the turbines would not result in any loss of residential amenity despite the separation distance. Notwithstanding, it is considered that the wider environmental issues, ecological arguments and the policy support for the principle of wind farm development and more specifically, for development on this site, must outweigh any argument to refuse planning permission on the grounds of visual amenity.

On this basis therefore, it is considered that a refusal of planning permission on amenity grounds could not be sustained.

Comments on Objections (A response to the objections received will be incorporated in an addendum to this report)

Conclusion: The proposed development is in accordance with the broad policy requirements and is likely to be acceptable in principle subject to more detailed planning criteria requiring the submission and assessment of further information in relation to;

- The ecological impacts of the proposed development on Whooper Swans and bird populations associated with Croston Moss Biological Heritage Site

- A detailed noise assessment based upon background noise measurements obtained on site to a specification agreed with the Councils Environmental Health division.

However, in the absence of the above information at the time of the compilation of this report it is not considered that it would be appropriate to grant planning permission.

Recommendation: It is recommended that the Committee give consideration to the following options:

- That planning permission be refused on the grounds of a lack of detailed information being provided to enable a full assessment of the impact of the development on amenity from noise and on bird species at Croston Moss Biological Heritage Site; or
 - That a decision be deferred pending submission of the information outlined above for full consideration by the Council.
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