

Agenda Item A8	Committee Date 2 November 2009	Application Number 09/00886/FUL
Application Site Temporary Meteorological Mast Roeburndale Road Roeburndale Lancashire	Proposal Erection of a temporary (3 year) 50m high meteorological mast	
Name of Applicant Community Windpower Ltd	Name of Agent Mrs Gillian Cropper	
Decision Target Date 2 November 2009	Reason For Delay N/A	
Case Officer	Mr Andrew Drummond	
Departure	No	
Summary of Recommendation	Approval	

1.0 The Site and its Surroundings

- 1.1 The 0.01 hectare application site is located on rough grazing land on Claughton Moor, about 650m east of the existing 8 turbine wind farm on Caton Moor.
- 1.2 The surrounding and adjoining land is mainly used for agriculture, comprising open moorland and rough grazing land. The land is classified as Open Access Land under the Countryside Rights of Way Act 2000. The nearest properties fall approximately 1.5km away to the south (Deep Clough and The Bungalow) and south east (Winder). Roeburndale Road runs west-east about 0.85km to the south whilst Quarry Road terminates at a point about 1.15km north west of the site.
- 1.3 The application site is allocated as an Area of Outstanding Natural Beauty (AONB) and a Countryside Area within the Lancaster District Local Plan.

2.0 The Proposal

- 2.1 Community Windfarm Ltd seeks planning permission for a 50m meteorological mast for a temporary period of 3 years. The mast would be constructed from a dark grey, galvanised steel pipe lattice tower, which would be held by high tensile steel guy wires at approximately 8 metre intervals. The guy wires would be set at 30.5 and 33.5m from the base and secured by iron ground anchors, which would be removed at the end of the 3 year period. The triangular tower with sides of 0.35m would be set upon a temporary foundation frame measuring 2m by 2m. The mast would be located 350m above sea level, close to the trig point of Whit Moor (361m).
- 2.2 The purpose of the mast would be to collect information about the conditions on Claughton Moor, such as wind speeds and wind direction. This would allow for accurate projection of the likely performance of the wind turbines proposed for the new windfarm (to be submitted as a separate application) in terms of the energy production in this location. The 3 year period is sought to assess the wind resource over a timescale spanning a few years so any anomalies in the results could be accounted for. Anemometers would be located at about 30m, 39m, 40m, 49m and 50m above ground level.

- 2.3 Access to the application site would be gained via Quarry Road to the disused Claughton Quarry and then by the landowner's private track. This track would fall about 70m short of the application site.
- 2.4 The land form in the immediate vicinity of the application site is generally quite flat and devoid of any trees or hedges. These are conditions required to take decent measurements to provide a baseline. Therefore no landscaping or boundary treatments are proposed.

3.0 Site History

- 3.1 A relevant application relating to a proposed alteration to an access track leading to Claughton Hall was received, and withdrawn, earlier this year (Ref: 09/00222/FUL).

4.0 Consultation Responses

- 4.1 The following responses have been received from statutory and local consultees:

Consultees	Response
Ministry of Defence	No safeguarding objections. However, in the interest of air safety, a light should be installed at the highest possible point on the mast at setting of 25 candelas.
Civil Aviation Authority (CAA)	The mast would not constitute an aviation en-route obstruction though Ministry of Defence and local emergency services air support units should be notified of the proposal.
Environmental Health	No objection.
County Highways	No highway observations.
County Ecology	No comments received within the statutory consultation period.
Natural England	<p>Natural England is of the opinion that the adverse effects on the special qualities of this part of the AONB, including the sense of wildness and remoteness, will not be of sufficient significance for an objection to be made on landscape grounds, given the temporary nature of the development. They recommend that there is a condition requiring removal and restoration as soon as the purpose of the meteorological mast has been achieved, and within the period for which permission is granted.</p> <p>The site is also on Registered Common Land, which is Open Access land under the CROW Act 2000. It is assumed that a separate application has been made for consent under the Commons Act 2006.</p> <p>Natural England does not object to this proposal providing that appropriate bird deflectors are incorporated into the design to avoid bird collision with guy wires.</p>
Forest of Bowland AONB	No comments received within the statutory consultation period.
Claughton Parish Council	It is the opinion of Claughton Parish Council that this would be detrimental to this Area of Outstanding Natural Beauty. The construction of the mast will damage the natural environment, and at 50m in height it will create a visual impact that is unacceptable. It is of great importance both environmentally and economically that the unique natural beauty of this area is maintained and promoted in a sensitive and forward thinking manner. Claughton Parish Council is therefore opposed to this intrusive development.
Hornby with Farleton Parish Council	No objection.
Caton with Littledale Parish Council	No comments received within the statutory consultation period.

5.0 Neighbour Representations

5.1 25 pieces of correspondence objecting to this proposal has been received. The objections raised include the following:

- The mast would be an eyesore and would have a negative impact on the visual aspect of the Lune Valley both day and night (MoD require a light to be attached to the mast);
- The mast would have a devastating effect on the Area of Outstanding Natural Beauty (AONB), industrialising this protected landscape;
- The mast would have a negative impact on the moorland environment, especially the peat bog;
- Need for a stewardship of the landscape, not development of it;
- A wind energy development in this location could have a detrimental impact on the local leisure and tourism businesses;
- Only agriculture and forestry developments should be permitted in the AONB;
- The site is registered as common land;
- The proposal does not provide any amenity for public benefit;
- The mast should be incorporated into, and thereby considered as part of, an application for the proposed wind farm.

6.0 Principal Development Plan Policies

6.1 National Planning Policy Statements (PPS) and Guidance Notes (PPG)

PPS1 (Delivering Sustainable Development) - provides generic advice for all new development. The prudent use of natural resources and assets, and the encouragement of sustainable modes of transport are important components of this advice. A high level of protection should be given to most valued townscapes and landscapes, wildlife habitats and natural resources, conserving and enhancing wildlife species and habitats and the promotion of biodiversity.

PPS7 (Sustainable Development in Rural Areas) - the Government's objectives for rural areas are to raise the quality of life and the environment in rural areas, to promote more sustainable patterns of development, to promote the development of the English regions by improving their economic performance so that all are able to reach their full potential and to promote sustainable, diverse and adaptable agriculture sectors.

PPS22 (Renewable Energy) and its companion guide – renewable energy developments should be capable of being accommodated throughout England in locations where the technology is viable and environmental, economic, and social impacts can be addressed satisfactorily.

6.2 Regional Spatial Strategy - adopted September 2008

Policy **EM15** (A Framework For Sustainable Energy In The North West) – promote sustainable energy production and consumption in accordance with the principles of the energy hierarchy and within the regional sustainable energy strategy.

Policy **EM17** (Renewable Energy) – supports the development of renewable energy schemes. It states that in line with the North West Sustainable Energy Strategy, by 2010 at least 10% (rising to at least 15% by 2015 and at least 20% by 2020) of the electricity supplied in the North West should be provided from renewable energy sources.

6.3 Lancaster District Local Plan - adopted April 2004 (saved policies)

Policy **E3** (Areas of Outstanding Natural Beauty) - development within or adjacent to the Forest of Bowland AONB which would either directly or indirectly have a significant adverse effect upon their character or harm the landscape quality, nature conservation interests or features of geological importance will not be permitted. Any development must be of an appropriate scale and use materials appropriate to the area.

Policy **E4** (Countryside Area) - development will only be permitted where it is in scale and keeping with the character and natural beauty of the landscape, is appropriate to its surroundings in terms of siting, scale, design, materials, external appearance and landscaping, would not result in a significant adverse effect on nature conservation or geological interest, and makes satisfactory arrangements for access, servicing, cycle and car parking.

Policy **E8** (Protection of Groundwater) - development which would have a significant adverse effect on the purity of groundwater supplies will not be permitted in areas of groundwater vulnerability.

Policy **E22** (Wind Farms) – partly superseded by the Core Strategy, states that proposals for the development of wind turbines will be assessed against their impact on the character of the landscape, nature conservation, historical conservation and on nearby dwellings.

6.4 Lancaster District Core Strategy - adopted July 2008

Policy **SC1** (Sustainable Development) - development should be located in an area where it is convenient to walk, cycle or travel by public transport between homes, workplaces, shops and other facilities, must not result in unacceptable flood risk or drainage problems, does not have a significant adverse impact on a site of nature conservation or archaeological importance, uses energy efficient design and construction practices, incorporates renewable energy technologies, creates publicly accessible open space, and is compatible with the character of the surrounding landscape.

Policy **ER7** (Renewable Energy) - to maximise the proportion of energy generated in the District from renewable sources where compatible with other sustainability objectives, including the use of energy efficient design, materials and construction methods.

Policy **E1** (Environmental Capital) - development should protect and enhance nature conservation sites and greenspaces, minimise the use of land and non-renewable energy, properly manage environmental risks such as flooding, make places safer, protect habitats and the diversity of wildlife species, and conserve and enhance landscapes.

7.0 Comment and Analysis

7.1 Visual Impact

The key issue for Members to consider in determining the application is the visual impact on the Countryside Area and the Area of Outstanding Natural Beauty designation, and whether the proposal satisfies the criteria set out in the District Local Plan policies E3 and E4. Though the mast measures 50m in height and is located very close to the highest point in this part of the Lune Valley (the summit of Whit Moor), it is only 0.35m in width and is not of solid construction. Similarly, the guy wires are slim and they will not be visible from a distance. The mast would also be seen in the context of the existing 8 turbine wind farm. Therefore the mast's visual impact is considered to be minimal.

7.2 Ecology

Concerns have been raised about the light required by the Ministry of Defence in the interest of air safety. The light would illuminate the top of the mast for this purpose, but it would only partially illuminate the mast (not the entire structure) and would emit little light to the surrounding area thereby minimising any light pollution. However, though comments have been received from Natural England regarding the protection of birds, a response is awaited from County Ecology as the required light may have an adverse impact on wildlife, particularly protected species such as bats. Any response will be verbally reported.

7.3 Remediation

If approved and implemented, this mast would be erected for a period of up to 3 years and then removed. Upon its removal it is essential that any disturbance created by the development is fully remediated. Such disturbances could be created by the mast's footing, the guy wires' anchor points

and by the additional track required to access the site from the existing landowner's private track about 70m away. Therefore a suitably worded condition in this regard should be attached to the planning permission if Members are minded to approve the mast.

8.0 Conclusions

- 8.1 A 50m high mast in this location will have some visual impact but given the temporary nature and slim dimensions, the mast is unlikely to be a significantly visual intrusion. Furthermore, any remediation work following the 3 year period can be reasonably required by way of condition. Therefore this application is recommended for approval subject to a series of conditions.

Recommendation

That Planning Permission **BE GRANTED** subject to the following conditions:

1. Standard 3 year timescale condition
2. Development to accord to plans
3. Removal of mast and associated elements (footings, anchor points and access tracks) within 3 years of commencement of any work on site, including the provision of access
4. Remediation Method Statement to be submitted, agreed and implemented to ensure all land associated with the mast, including footings, anchor points and access tracks to be fully and appropriately restored
5. Appropriate bird deflectors are incorporated into the design

Human Rights Act

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

Background Papers

None