

Application Number:	2020/0172	Application Type:	Full
Proposal:	Installation of 6m high column with solar battery powered CCTV security camera, enclosed in 3m high gated steel palisade fence	Location:	Land off Landgate, Shawforth
Report of:	Planning Unit Manager	Status:	For publication
Report to:	Development Control Committee	Date:	21 July 2020
Applicant:	Partnerships for Renewables Limited	Determination Expiry Date:	24 July 2020
Agent:			

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REASON FOR REPORTING	
Outside Officer Scheme of Delegation	
Member Call-In Name of Member: Reason for Call-In:	
3 or more objections received	YES
Other (please state):	

HUMAN RIGHTS

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:-

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

1. RECOMMENDATION

That Planning Permission be granted, subject to the Conditions set out in Section 10.

2. SITE

The applicant operates the Crook Hill Wind Farm (commissioned in 2015), which is accessed from Market Street (A671) via Landgate.

Landgate ceases to be adopted highway at a crossroads 45metres (m) short of the lockable gate at the wind farm entrance, but continues near to the gate as a wide but not well-surfaced lane.

3. PROPOSAL

The application seeks permission for a 3m x 4m compound to contain the pole-mounted CCTV camera, bounded by a gate/palisade fence with a maximum height of 3m. It will be setback from the entrance gate by approx. 40m, to the side of the private access road constructed by the Applicant and intended for use only by turbine maintenance operatives.

The Applicant advises that:

“...due to the remote location of the access at the end of Landgate in Shawforth, it has been susceptible to antisocial behaviour including repeated fly tipping, unauthorised access by motorbikes and quads, vehicular access and related damage to the natural environment, and repeated destruction of private property including the site gate, signage and fencing.

In order to tackle these antisocial behaviours and increase the observation around the site entrance, a remotely monitored CCTV camera is proposed...on a 6m high pole and protected inside in steel palisade fence with lockable gate. The CCTV camera will be powered by a combination of pole-mounted solar panel and battery.

Locally it is well known that fly-tipping, motorbike & other leisure vehicle access onto the moor is a continued problem, with concerns over damage to the restored peatland habitat around Middle Hill and Crook Hill from these activities. It is hoped that this CCTV camera will not only act as a serious deterrent to such activity taking place via unauthorised access near to the wind farm gate, but will help raise an alarm if any such activity is taking place and help identify perpetrators / vehicle registration numbers.”

4. RELEVANT PLANNING HISTORY

None.

5. POLICY CONTEXT

National

National Planning Policy Framework

Section 2	Achieving Sustainable Development
Section 11	Making Effective Use of Land
Section 12	Achieving Well-Designed Places
Section 15	Conserving & Enhancing the Natural Environment

Development Plan Policies

RBC Core Strategy (2011)

AVP1	Area Vision for Whitworth, Facit & Shawforth
Policy 1	General Development Locations and Principles
Policy 18	Biodiversity, Geodiversity & Landscape Conservation
Policy 23	Promoting High Quality Design and Spaces
Policy 24	Planning Application Requirements

6. CONSULTATION RESPONSES

Whitworth Town Council

Support

This area has been tormented by illegal off road bikers and fly tippers for a long time and any effort to deter this anti-social behaviour would be welcomed by the Town Council.

7. NOTIFICATION RESPONSES

To accord with the General Development Procedure Order neighbours were notified by letter and a site notice posted.

Of the representations received 26 express Support (one is from a Whitworth Town Cllr) and 3 express Objection (one is from a Whitworth Town Cllr).

Reasons for Support

- CCTV at this location would have a limited impact on the environment and could help detect and deter unauthorised access to the wind farm and surrounding moor by 4x4 vehicles, dirt/quad bikes and other unauthorised vehicles.
- Joyriders are putting upland farming at risk, damaging the peatland habitat and the wider moor.
- Anything that would reduce the risk of flytipping (a major problem in this area due to the easy access to the moorland) would be welcome.
- CCTV would help protect the wildlife and livestock, and moorland paths from erosion due to illegal usage.
- Off-road biking and illegal quad biking is plaguing all the Moors in our area - destroying scarce peat moorland , which captures and retains carbon.
- This ancient landscape is a vital green lung for people from all over the region, and beyond, to enjoy for peaceful leisure activities.
- A positive step in the on-going battle to protect the local moorland from further degradation.
- Land owners, West Pennine Commoners Association, local residents, Ramblers and Equestrians (all legitimate moor users) witness the damage and destruction of our stunning local landscape on a daily basis. The local police struggle constantly with the problem due to lack of resources.

Reasons for Objection

- Loss of privacy - monitoring and surveillance of access to people's properties.
- Out of keeping with the character of the area - the structure would be large and very visible.
- No objection to the camera itself but the intended 3m high metal perimeter fence is industrial in character and not in-keeping with the countryside environment.

8. ASSESSMENT

Consistent with the National Planning Policy Framework, Policies 1, 23 and 24 of the Council's adopted Core Strategy seek to maintain Rossendale's distinctive environment - amongst other things, by ensuring that all new developments are of the highest standard of design - whilst Policy 18 seeks to avoid any harmful impacts for biodiversity, geodiversity and landscape assets.

The comments from Whitworth Town Council, and most representations, leave little doubt that there are on-going problems in the vicinity of the entrance to Crook Hill Wind Farm and near the turbines on the moor-top with fly-tipping and off-road motorbikes and quads.

In the determination of this application it is necessary to consider whether what is proposed is an appropriate/proportionate response to these problems, most particularly having regard to any harm caused to Visual Amenity and Neighbour Amenity.

Visual Amenity

The proposed pole-mounted CCTV camera, and the perimeter gate/fence to surround it, will appear an urbanizing feature in the Countryside when viewed by the public at close-quarters. However, the Applicant has agreed to switch its siting from an open area on the N side of their private road to the S side of the road, where there is already a fence-line and it will not form an unduly prominent feature in middle-distance and long-distance public views.

Neighbour Amenity

The Applicant is, understandably, reluctant for full details of the range and resolution of the intended camera to be put in the public realm. However, they have confirmed that it will not have the capacity to provide vehicle number plate recognition/facial recognition for those on the adopted highway. Nor will it have the capacity to give view through the windows of any occupied buildings, or into their immediate grounds.

Conclusion

It is considered that the proposed development is an appropriate/proportionate response to the problems with fly-tipping and off-road motorbikes and quads, and will not cause unacceptable harm to Visual Amenity and Neighbour Amenity.

The Applicant has also been requested to consider extension of the fence to the N site of the entrance gate (to make it more difficult for motorbikes to enter their site) and has agreed to do so.

9. SUMMARY REASON FOR APPROVAL

The proposed development is acceptable in principle and is considered an appropriate/proportionate response to the problems with fly-tipping and off-road motorbikes and quads in the locality. Subject to the conditions, it will not unduly affect visual or neighbour amenity. The development is therefore considered to accord with the National Planning Policy Framework and Policies AVP1 / 1 / 18 / 23 of the Council's adopted Core Strategy (2011).

10. RECOMMENDATION

That Permission be granted, subject to Conditions.

CONDITIONS

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with Section 51 of the Planning and Compulsory Purchase Act 2004.

2) The development shall be carried out in accordance with the following drawings :

Title	Drwg No	Date Recd
Location Plan	-	06 / 07 /20
General Arrangement Plan	Version A	16 / 04 / 20

Reason: For the avoidance of doubt.

3) Prior to first use of the CCTV camera hereby permitted a scheme for extension of the fence to the N site of the entrance gate shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented within 2 months of first use of the CCTV camera hereby permitted and thereafter retained.

Reason: To make it more difficult for motorbikes to enter their site.