

<b>Application Number:</b>	2014/0021	<b>Application Type:</b>	Temporary
<b>Proposal:</b>	Erection of 80m met mast for a period of 36 months	<b>Location:</b>	Land north of Scout Moor Wind Farm / south of Cowpe Lowe, off Sand Beds Lane, Edenfield
<b>Report of:</b>	Planning Unit Manager	<b>Status:</b>	For publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	25 March 2014
<b>Applicant:</b>	Scout Moor Wind Farm Expansion	<b>Determination Expiry Date:</b>	26 March 2014
<b>Agent:</b>	Turley Associates		

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<b>REASON FOR REPORTING</b>	
<b>Outside Officer Scheme of Delegation</b>	
<b>Member Call-In</b> Name of Member: Reason for Call-In:	
<b>3 or more objections received</b>	
<b>Other (please state):</b>	<b>At the request of the Chair</b>

## 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 Permission be granted subject to the Conditions set out in Section 10.

## 2. SITE

From Gincroft Lane, in Edenfield, Sand Beds Lane extends eastwards (as Public Footpath No 147) as far as Black Hill, other footpaths then extending over to Cowpe.

The application relates to land to the south side of Public Footpath No 147 at a point where the land to the north rises quite steeply to a height of 440m as Cowpe Lowe. To the south of the application site runs Scout Moor Brook, the land then again rising up to a height of

467m as Scout Moor, which is topped by a series of Wind Turbines of 100m to blade-tip. The Rossendale Way runs on a N-S axis through Black Hill.

This isolated area of moorland is owned by United Utilities and is designated as Countryside in the Core Strategy.

**3. RELEVANT PLANNING HISTORY**

None.

**4. PROPOSAL**

Permission is sought by Scout Moor Wind Farm Expansion Ltd to erect an 80m high mast upon which to mount equipment to monitor wind speed and direction. The mast will comprise of galvanised steel tube of approx 200-250mm diameter, supported by a series of guy-wires extending to each side by approx 50m from the base of the mast.

The applicant advises that erection of the mast will take a couple of days, requiring a trench of 0.5m x 2.4m x 2m in depth to be dug at each anchor position, into which a timber anchor is fixed. When the mast is removed the anchors are removed the holes in-filled and the turf re-stated, enabling all the land to revert to agricultural use.

The applicant advises that the mast is required to collect the wind speed data over a maximum of 36 months and is necessary to assess the viability of building a wind farm on the site and surrounding area.

In documentation accompanying the application, the Agent states :

- The existing Scout Moor Windfarm is located on open moorland between Edenfield, Rawtenstall and Rochdale. The development comprises 26 turbines with a total installed capacity of 65MW. The windfarm opened in September 2008 and is now operated by Scout Moor Wind Farm Limited, owned by MunichRe.
- In the autumn 2011 Peel Wind Farms (Scout Moor) Limited announced its intention to investigate the potential to expand the existing wind farm through the erection of additional turbines and, if considered to be feasible, to make an application for a Development Consent Order to the Planning Inspectorate. A preliminary round of community consultation and stakeholder consultation has been completed by Peel in respect of the expansion proposals and an Environmental Statement Scoping Opinion has been issued by the Infrastructure Planning Commission.
- In order to further inform the assessment of prevailing environmental conditions and the iterative design process, a met mast is required to be erected on land within the potential development area for the expansion proposals.

- The equipment installed onto the mast will include wind vanes, atmospheric temperature and pressure monitors, wind speed gauges and data loggers. These will collect data in relation to wind speed and shear at varying heights, the prevailing wind direction and average annual temperature. The data collected will enable refinement of energy yield estimates and inform the design process for the expansion of the wind farm.
- The mast will inevitably be visible from some locations in the surrounding area. However, it is considered that its slender nature (maximum of 25.4 cm in diameter) and colouration would not unduly draw the eye. Furthermore, it is material to the determination of the application that the mast will be viewed within the context of the existing turbines on the adjacent Scout Moor Windfarm site as an ancillary structure. Proposed for a temporary period of 36 months, there will be no long term visual impacts.
- The location of the met mast supports semi-improved acid grassland with scattered soft rush. The short term damage and disturbance to this habitat by the assembly and construction of the met mast is not considered to affect the integrity of the grassland, due to its limited sensitivity, the small areas to be affected, its abundance in the locality and reinstatement following the works. Measures are included in the Construction Method Statement to minimise this further.
- These habitats have limited potential to support protected species which may be affected by the installation, operational and / or decommissioning works. Precautionary measures are included in the Construction Method Statement to minimise any risk of harm. Badgers are known within the windfarm site; however, no setts have been recorded within the working areas. The met mast is not in close proximity to watercourses (>100m) and no direct effects on aquatic or riparian species are anticipated. While reptiles may be present within the site, the habitats around the met mast are generally sub-optimal due to the short nature of the sward and provide limited cover and prey sources. Bats have been recorded on the site, with common pipistrelle most frequent. However, due to the static nature of the mast, they are not considered to present a risk

to bats; the mast is also located within open exposed habitats, which provide no roost potential and sub-optimal foraging areas for bat species.

- Extensive bird surveys have been carried out across the site, which included the proposed met mast location. Birds may be affected during the installation if it takes place during the breeding season, or in flight throughout the year through collision with the mast or guy wires. Measures to minimise these potential effects to birds via timing of the works and a precautionary measure of fitting bird deflectors to the outer guy lines of the mast at 5m intervals are included in the accompanying Construction Method Statement.
- Peat is a valuable natural resource supporting key habitats and represents an important store of sequestered carbon. The siting of the proposed met mast has been carefully selected in order to avoid areas of peat deeper than 0.5m. The installation, operation and subsequent removal of the mast will not, therefore, have any direct impact on deep peat. To avoid any indirect impacts, a range of mitigation measures are proposed eg to minimize the number of machine traverses across the site during the construction and decommissioning, laying down of plywood boarding where movement of vehicles over wet ground is unavoidable , etc.
- There are no World Heritage Sites, Scheduled Monuments, Registered Battlefields or Listed Buildings within the boundary of the planning application. The closest designated heritage asset is White Jones Farmhouse on New Barn Lane (Grade II listed), over 1km from the proposed met mast site.
- Advice on the requirement for aviation lighting to be fitted to the mast has been sought from Wind Power Aviation Consultants Ltd (WPAC). WPAC has confirmed that neither the Ministry of Defence (MoD) nor the CAA is likely to request aviation lighting to be fitted as:
  - the mast is located within the MoD-designated Bolton Southport Transit area which restricts military aircraft to a minimum of 2,000ft, heavy helicopters to 1,000ft and light helicopters and light aircraft to 500ft above ground level.
  - the CAA only specify lighting on structures greater than 500 ft (152m) above ground level.
  - Police and Air Ambulance (HEMS) helicopters operate at safe altitudes at night that will be well above the height of the met mast especially in hilly terrain.

## 5. **POLICY CONTEXT**

### **National Planning Policy Framework (2012)**

Section 1 Building a strong, competitive economy

Section 3 Supporting a prosperous rural economy

Section 10 Meeting the challenges of climate change, flooding & coastal change

Section 11 Conserving and enhancing the natural environment  
Section 12 Conserving and enhancing the historic environment

### **Development Plan Policies**

#### **Rossendale Core Strategy DPD (2011)**

AVP3	Waterfoot, Lumb, Cowpe & Water
Policy 1	General Development Locations and Principles
Policy 16	Preserving & Enhancing the Built Environment
Policy 18	Biodiversity and Landscape Conservation
Policy 19	Climate Change & Low & Zero Carbon Sources of Energy
Policy 20	Wind Energy
Policy 21	Supporting the Rural Economy and its Communities
Policy 24	Planning Application Requirements

### **Other Material Planning Considerations**

LCC 'Landscape Strategy for Lancashire' (2006)

Julie Martin Associates 'Landscape Capacity Study for Wind Energy Developments in the South Pennines' (2010)

Julie Martin Associates 'Landscape Guidance for Wind Turbines up to 60m High in the South and West Pennines' (2012)

DCLG 'Planning Practice Guidance for Renewable and Low Carbon Energy' (July 2013)

## **6. CONSULTATION RESPONSES**

### **LCC Highways**

No objection.

The main concern with a proposal such as this is how the mast would be transported to site. The proposal here is that it is transported in small sections, meaning that there will not be any large vehicle movements associated with the works.

Deliveries will take place on the adopted highway and not create any significant increase in traffic.

## **7. NOTIFICATION RESPONSES**

To accord with the General Development Procedure Order, site notices were posted on 27/2/14 and neighbours were notified by letter on 30/1/14.

No comments have been received.

## **8. ASSESSMENT**

The application site is located within an isolated and exposed area of Countryside, the essentially open and rural character of which should be protected. However, NPPF and Development Plan policies are supportive of development of renewable energy resources.

The proposed development is not as such appropriate to a rural area. However, it is intended for a temporary period and suitable re-instatement of the land is proposed.

In light of the case advanced by the Applicant for this development, and as it is not likely to result in significant harm to the amenities of occupiers of any buildings, the landscape as viewed from the site or its surroundings, ecology and heritage assets, safety of users of public rights of way and air safety, I do not consider there reason to refuse permission.

**9. SUMMARY REASON FOR APPROVAL**

The proposed development is not as such appropriate to the Countryside. However, the National Planning Policy Framework and Development Plan policies are supportive of development of renewable energy resources, it is intended for a temporary period and suitable re-instatement of the land is proposed. In light of the case advanced by the Applicant for this development, and as it is not likely to result in significant harm to the occupiers of any buildings, the landscape as viewed from the site or its surroundings, ecology and heritage assets, safety of users of public rights of way and air safety, it is considered appropriate to grant a temporary permission. The proposal has been considered with particular regard for, Section 10 of the NPPF (2012) and Policies AVP3 / 1 / 16 / 18 / 19 / 20 / 21 / 24 of the Council's adopted Core Strategy DPD (2011).

**10. RECOMMENDATION**

That Permission be granted subject to the Conditions below.

**Conditions**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason : Required by Section 51 of the Planning and Compulsory Purchase 2004 Act.
2. The Local Planning Authority shall be notified of the date on which erection of the met mast hereby permitted is completed within 28 days of this event. The met mast shall be removed from the site and the land reinstated to its former condition no later than 3 years from the date its erection is completed.  
Reason : To protect the essentially open and rural character of the Countryside, in accordance with in accordance with Policies 1, 18, 19, 20 and 24 of the Council's adopted Core Strategy DPD.
3. The development shall be carried out in accordance with the approved drawings and supporting information dated 29 January 2014, unless otherwise required by the conditions below or otherwise first agreed in writing by the Local Planning Authority.  
Reason : To ensure the development complies with the approved plans and for the avoidance of doubt.
4. Vegetation clearance works, site preparation, vehicle movements associated with the development, development work or other works that may affect ground nesting birds shall not be carried out between March and August inclusive, unless the absence of nesting birds has been confirmed by further survey or inspections.  
Reason : In the interests of ecology/biodiversity, in accordance with Policies 1 / 18 / 20 / 24 of the Council's adopted Core Strategy DPD.
5. Any excavations required in connection with the met mast hereby permitted should not be left open overnight.  
Reason : In the interests of ecology/biodiversity and public safety, in accordance with Policies 1 / 18 / 20 / 24 of the Council's adopted Core Strategy DPD.