



**AGENDA ITEM:**

**PLANNING COMMITTEE:  
10<sup>TH</sup> NOVEMBER 2016**

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**Report of: Director of Development and Regeneration**

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**SUBJECT: LATE INFORMATION**

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**1.0 INTRODUCTION**

The information below has been received since compilation of your Agenda. The following also includes suggested adjustments to the recommendations further to the receipt of late plans and/or information.

**2.0 ITEM 7 – PLANNING APPLICATIONS**

**REPORT NO. 1 – LAND TO THE WEST OF CABIN LANE, GREAT ALT CAR**

**CONSULTATION RESPONSES**

**NATS (01.11.2016)**

Withdraw objection subject to the imposition of conditions relating to the submission of a Primary Radar Mitigation Scheme.

**NATURAL ENGLAND (02.11.2016)**

With regards to Lunt Meadows (LM), table 3 shows that LM is being utilised by SPA species in varying and in some cases significant numbers, and therefore that this is functionally linked land. It is our understanding that LM was created between 2012-2014, therefore any records obtained during this period may be affected by onsite works.

As LM becomes more established, we would expect the numbers of certain SPA species to increase across the whole site. Table 3 confirms that there is already likely to be a significant effect on SPA birds using LM. Thus, for Lunt Meadows, it is now necessary to undertake an appropriate assessment as opposed to an additional survey, which is likely to show an increase in SPA bird numbers in

future years, as that is the aim for management of Lunt Meadows. At this point it is important to note that impacts on SPA birds using LM could be avoided by relocating turbine 12 600m or further from the boundary of LM.

With regards to the proposal site, it is reasonable to assume that some of the birds using LM would also use the proposal site. The data from 2010-2013 shows that the proposal site was used by significant numbers of lapwing and shelduck. Given the operational status of Lunt Meadows post 2014 and the age of the proposal site data, we advise that another winter's survey effort is required. This would help us to understand how the proposal site is being used by SPA species following the establishment of LM and how it may have changed since 2010. This information, combined with the data from 2010-2013, would enable a more accurate determination of the need for appropriate assessment and required mitigation.

## **OTHER REPRESENTATIONS**

I have received an additional objection from a local resident, which refers to impact upon horse riding in the area, impact upon Lunts Meadows and nearby Conservation Areas.

## **FURTHER SUPPORTING INFORMATION**

I have received the following additional information from the applicant:

1. A report providing further analysis of age of baseline data used in the ornithological assessment of the wind farm. This was submitted because consultees had raised concerns that the data used was out of date, particularly since the recent growth of Lunts Meadows. The applicant considers that by using the most up to date WeBS Counts for the Ribble and Alt Estuaries and Lunts Meadows, these show, since the initial surveys were completed, populations of pink footed goose have not changed to any extent which is material to the conclusions of the ES or the HRA. The only substantive change has been in the development of Lunts Meadows, a range of wetland species have increased – particularly Teal. However, the applicant states that despite this, the increased use of this area was already anticipated in the ES and taken into account in the design of the wind farm. As a result, the applicant considers that there would be no likely significant effects and the additional analysis from the WeBS Count adds further support to the conclusion that the ornithological baseline presented in the ES is still representative of current conditions.

2. A review of Green Belt issues has also been provided by the applicant, who states that the same justifications for development in BMV land logically hold equally true for development within green belt land. The applicant considers that there are no alternative technically unconstrained 'gaps' for wind energy development in the Borough outwith green belt (as per BMV land), and there are none of a size comparable with the Lower Alt site (in particular which might be deemed economically viable in the present circumstances).

The applicant goes on to state that in terms of the test for green belt policy, as to whether "*very special circumstances*" can be established, setting aside the substantial weight that has to be put behind the renewable energy generation provision of the proposed development, which both national and local policy

clearly establishes should constitute such special circumstances, if the fact that there are simply no other available alternative sites for such development within the Borough does not in and of itself constitute a “very special circumstance” in this instance, then it is hard to conceive of what else possibly could.

The applicant also makes the point that in the Council’s “Green Belt Study”, it is notable that amongst the criteria that the Council had identified for potentially removing land from green belt designation was in fact included whether there were “*any opportunities for the parcel to delivery low or zero carbon energy initiatives*”. Clearly then the delivery of renewable energy within the green belt has indeed been envisaged by the Council as a positive in and of itself, in other words “very special circumstances”.

The applicant also provides details of consented renewable energy projects located within green belt land both locally and around the UK. Notable local examples include the Scout Moor (26 turbines on open access moorland), Mawdesley Moss and Frodsham Farm wind farms, as well as numerous solar pv projects.

## **OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION**

### *Ecology*

The applicant has submitted further information to try and address ornithology concerns and address the need for further surveys. However, Natural England have confirmed above that this additional information does not satisfactorily address the main issue and advise that another winter’s bird survey effort is required. This would help us to understand how the proposal site is being used by SPA species following the establishment of LM and how it may have changed since 2010. This information, combined with the data from 2010-2013, would enable a more accurate determination of the need for appropriate assessment and required mitigation. Without the additional survey, the Council is unable to clearly identify the impact of the development on ecology, is unable to identify any potential mitigation required and is unable to complete a Habitats Regulations Assessment.

### *Green Belt*

The impact on overall harm to the Green Belt is a subjective matter and the agenda report outlines my view on this issue. Despite the additional information submitted by the applicant I cannot conclude that the harm caused to the openness of this part of the green belt, would be outweighed by the benefits of the scheme, namely the production of renewable energy. Although I acknowledge that many wind farms are constructed within Green Belt land, in this particular case and this specific location I consider the “harm” caused to the openness and visual character of the Green Belt is substantial.

## **REPORT NO. 3 – STORE AND PREMISES, 30A SCARTH HILL LANE, AUGHTON**

Condition number 4 should be amended to read:

Within 9 months from the date when any part of the development hereby approved is first brought into use the approved landscaping scheme shall be carried out. All trees and shrubs planted shall comply with BS. 3936 (Specification of Nursery Stock) and shall be planted in accordance with BS. 4428 (General Landscape Operations). All planting shall be maintained and dead or dying material shall be replaced for a period of seven years from the agreed date of planting.

#### **REPORT NO. 5 – BURSCOUGH AFC, VICTORIA PARK, MART LANE**

This application has been withdrawn from the agenda as further information has been received from the tenant farmer which indicates that there may be some issues in the provision of the mitigation land for pink footed geese and this requires further consideration.

#### **REPORT NO. 7 – MOSS BRIDGE BARN, MOSS BRIDGE LANE, LATHOM**

In reference to condition 2 which would require the removal of the fuel burner and flue the agent has made the following comments:

The adoption of biomass in rural areas is common. There is great potential on farms for cost savings and subsidy income from the commercial Renewable Heat Incentive (RHI). The condition requiring removal of the flue would result in the applicant not being able to use a biomass heat source which would be contrary to policy EN1 which aims to achieve 15% of energy consumption from renewable sources by 2020.

The report provides reasoning for the removal of the renewable heat source “I consider the wood burner and its flue is unnecessary for use as an office / workers mess”. Office buildings are eligible for RHI and many farm buildings also qualify including greenhouses, grain stores, poultry sheds and livestock buildings.

The poultry shed has the benefit of mains electricity so therefore electric storage heaters or an electric boiler could be installed very easily, so I don't believe the reasons given justify the condition and therefore request the same be removed.

The applicant has also advised that the porch referred to in the officer report is no longer in situ.

#### **OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION**

I note the comments of the agent in respect of the removal of the wood burner and flue and given this information, consider that on balance retention of the heating source and associated flue has been justified.

Reference is made in paragraph 6.5 of the report to a porch remaining in situ on the front elevation of the building. The porch has now been removed from the site. Therefore, it is proposed to delete condition 2 from the agenda report.