

## Planning Committee

01 June 2010

**Reference:**  
**APP/10/00157**

**Area Team:**  
**South Team**

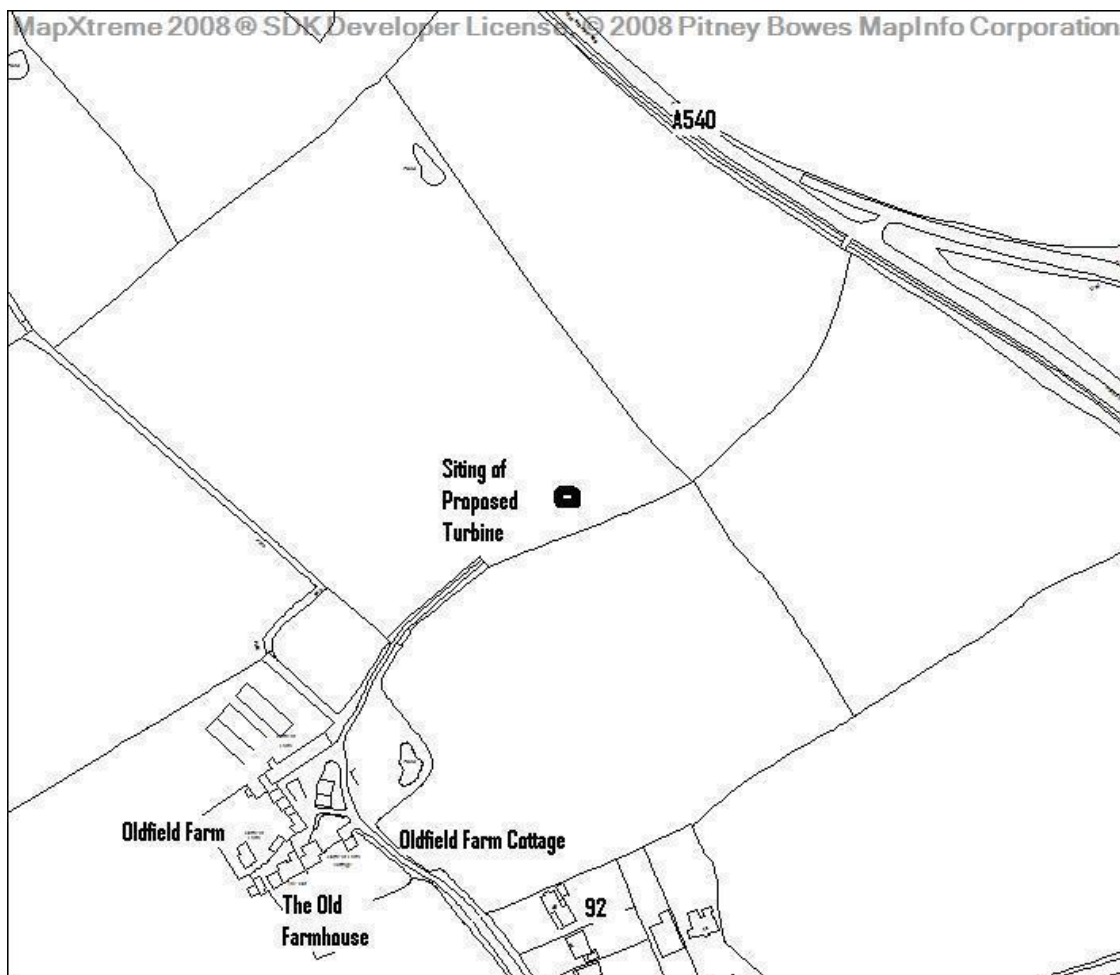
**Case Officer:**  
**Mr K Spilsbury**

**Ward:**  
**Heswall**

**Location:** The Old Farmhouse, OLDFIELD ROAD, HESWALL, CH60 6SG  
**Proposal:** Installation of one 11KW Gaia wind turbine mounted on an 18m free standing base on a 5sqm concrete base. The turbine is twin-bladed and the blades are manufactured as a single composite unit 13m in diameter

**Applicant:** Mr Johnson  
**Agent :** Segen Ltd.

### Site Plan:



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### Development Plan allocation and policies:

Area of Special Landscape Value  
Green Belt

## **Planning History:**

None relevant

## **Summary Of Representations and Consultations Received:**

### **REPRESENTATIONS**

A total of 426 letters of notification have been sent to properties in the area, in addition to a site notice. At the time of writing this report 78 objections have been received listing the following grounds:

- plans are inaccurate
- no noise level information is available on line
- potential noise issues and creation of vibrations
- potential impact upon outlook from neighbouring properties
- not in keeping with the character of the area
- impact upon value, enjoyment of adjacent homes
- fear of precedent being set and more turbines erected.
- impact upon wildlife/birds in area
- owner running a business from home
- discrepancies over the location of the proposed location on plans
- development is too large
- It is an eyesore
- it will set a precedent for others
- danger to children
- danger to wildlife
- it will create obscured views
- the development could disrupt tv/satellite signals
- effect of shadows and strobing
- effect on property values
- the wind turbine is over specked for the farm
- the photo-montage information does not show a view from Oldfield Drive and the A540
- Potential Health impacts of sleep deprivation
- It is proposed on Wirral's second highest point
- No wildlife assessment has been done. Buzzards, Barn Owls and Bats known to nest in area
- Electricity to be sold back to the grid which makes this a commercial venture whereby Mr Johnson will gain financially from the proposal. It is not primarily for private consumption
- Closer to neighbouring dwellings than Mr Johnson's
- Segens Application is misleading
- Other less intrusive environmental power generations methods exist
- Flicker effect will potentially cause more accidents on the A540
- Sited so as not to spoil views from Oldfield farm
- Will diminish numbers of visitors
- Breach of human rights act 2004
- Screening / masking inadequate
- Wind turbines are of dubious value and are noisy eyesores spoiling the area.
- The proposed development makes no environmental sense as the amount of power produced would be tiny.
- In this case the amount of power produced would be tiny and the harm enormous.
- This would completely spoil an outstanding view not just to the estuary but to North Wales also.

Two letters of support were received supporting the environmental benefits proposed by the development.

A qualifying petition of objection containing signatures from 124 separate households has also been received, stating the following reasons for objection:

- Damage to Green Belt
- Adverse impact upon an area of special landscaped value
- unfavourable visual effect of the wind turbine on the open coastal ridge.

## **CONSULTATIONS**

Director of Regeneration (Housing & Environmental Protection) – No objection

Director of Technical Services (Traffic Management Division) - The proposal has no significant traffic management implications and therefore there are no objections to the application

The Environment Agency - No objection in principle to the application

The Heswall Society - object to the application as the development lies within both the Green Belt and an Area of Special Landscaped Value. The development would be located within a prominent location and is visible from a wide panorama across the borough. The evidence provided by the applicant does not amount to the very special circumstance sufficient to outweigh the harm caused by the development and it is therefore contrary to policy LA1, LA2 and GB2 of Wirral's Unitary Development Plan as well as Planning Policy Statement 22: Renewable Energy.

Irby, Thurstaston & Pensby Amenity Society - object to the application as it is inappropriate development, there are no special circumstances, the scheme is incompatible with the farm buildings, the overall size is concerning and potential risks to birds of prey.

NATS - The development does not conflict with our safeguarding criteria. Accordingly NATS Public Limited Company has no safeguarding objection to the proposal.

Wirral Green Belt Council - Strongly object to the proposed scheme, stating that it would be a significant intrusion into the open aspects of Green Belt Land

Natural England - The relative small scale nature of the development and distance away from the SSSI sites ensures that any potential harm is minimised or negligible. However the council should take all aspects of landscape, including landscape character and quality and townscape into consideration when determining planning applications. The proposal may affect statutory protected species (in particular bats and great crested newts). There is insufficient information accompanying the application from which to ascertain the possible impact of the development on protected species.

Wirral Foot Paths and Open Spaces Society - the proposal will be visually intrusive and lies adjacent to a popular, well used footpath. The development will look like a commercial enterprise.

MEAS - Further information is required prior to determination in terms of bats and great crested newts as the remaining ecological matters can be dealt with by condition. Bats could come into contact with the blades of the turbine and as a result a bat survey is required, otherwise the turbine should be moved from its current location. Records also indicate that there are great crested newts within 1km of the application site. A Great crested newt habitat suitability assessment must be undertaken prior to determining the application.

### **Director's Comments:**

This application was deferred from Planning Committee on 22 April 2010 for a site visit.

### **REASON FOR REFERRAL TO PLANNING COMMITTEE**

This application has been referred to planning committee following the receipt of a qualifying petition of objection containing signatures from 124 separate addresses and over 15 individual letters of objection. The applicant is also closely related to an Elected Member of the Council.

### **INTRODUCTION**

The proposed development is for the installation of one 11KW Gaia wind turbine mounted on an 18m high free standing base on a 5sqm concrete base. The turbine has twin-blades and the blades are manufactured as a single composite unit, 13m in diameter.

### **PRINCIPLE OF DEVELOPMENT**

The development will be located to the north east of the Old Farm House. The area is classified as an area of special landscape value and green belt within Wirral's Unitary Development Plan. The Unitary Development Plan allocation maps show the site as LA2/2 - Dee Coast (including Heswall Dales,

Thurstaston Common and Royden Park).

Within the Green Belt there is a general presumption against inappropriate development and such development will not be approved except in very special circumstances. Planning permission will not be granted for development in the Green Belt unless it is for the purposes of:

- (i) agriculture and forestry;
- (ii) essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- (iii) the limited extension, alteration or replacement of existing dwellings, subject to Policy GB4 and Policy GB5;
- (iv) the limited infilling in existing villages, subject to Policy GB6, including limited affordable housing subject to local community needs;
- (v) the limited infilling or redevelopment of major existing developed sites identified under Proposal GB9;

Such appropriate development shall not damage the visual amenities of the Green Belt by virtue of its siting, materials or design.

The development in question does not fall within any of these categories and as such the proposal is a departure from Wirral's Unitary Development Plan.

#### **SITE AND SURROUNDINGS**

The site is accessed via Oldfield Road, with the immediate surroundings comprising an agricultural field surrounded by hedgerows. Oldfield farm is located to the south west of the development site.

The wider locality to the north of the site is predominantly rural in nature with agricultural fields running all the way to the Dee Estuary. To the south of the site lies the residential area of Heswall. The proposed wind turbine is located in a prominent, elevated position and will clearly be seen from a wide panorama as the surrounding agricultural fields have little, if any screening, in terms of buildings or trees to obscure the view of the development from surrounding sites.

#### **POLICY CONTEXT**

It is considered that there are four main issues to consider in determining this planning application. The first is the effect of the proposal on the special character and appearance of the Heswall Dales in accordance with Policy LA1 and LA2. The second is the effect on the openness of the Green Belt in accordance with Policy GB2. The third is the potential benefit of the development in terms of renewable energy generation. The fourth is whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

The site of the proposed wind turbine occupies an elevated position within a large agricultural field. The site is visible right across the estuary towards the Welsh coastline and as proposed would be in a very prominent position. It is considered that it would be conspicuous as a skyline feature from a significant number of surrounding roads, including Telegraph Road, Irby Road and Oldfield Drive and from a vast number of properties within Heswall. It would also be visible from parts of the network of footpaths that cover the area.

Policy LA1 of Wirral's Unitary Development Plan states: The Local Planning Authority will protect the character and appearance of areas designated as Areas of Special Landscape Value from the adverse effects of development and will not permit proposals which would:

- (i) introduce new intrusive development within an otherwise open setting, especially along a prominent skyline or along the undeveloped coast; or
- (ii) result in the loss or erosion of distinctive landscape features, such as woodlands, hedges or trees,

without appropriate replacement provision; and

(iii) other proposals which, in terms of their siting, scale, form and external appearance, would detract from the appearance of the Area or intrude within important views into or out of the Area.

Proposals for public utilities, telecommunications apparatus, the working of minerals or land filling of waste, may be permitted where they would not cause unacceptable impact. Areas of Special Landscaped Value are primarily designated for their scenic importance within the Borough. They represent outstanding landmarks and other characteristic landscapes which make a prominent or positive contribution to the distinctive image and attractiveness of the peninsula. The impact of new development upon their visual quality, therefore, merits careful consideration.

Given the height (18m high mast, which will extend to 25m when the twin blade is vertical) and location of the proposed wind turbine, it is considered that the development would have a significant impact upon the landscape and would represent an alien structure that would be out of place within the locality. As such it would fail to conserve the natural beauty of the Heswall Dales and would be contrary to the aims Policies LA1 and LA2 of Wirral's Unitary Development Plan.

PPS 22 Renewable Energy indicates that 'when located in the green belt, elements of many renewable energy projects will comprise inappropriate development which may impact upon the openness of the Green Belt'. Policy GB2 of Wirral's Unitary Development Plan states: Within the Green Belt there is a general presumption against inappropriate development and such development will not be approved except in very special circumstances. Planning permission will not be granted for development in the Green Belt unless it is for the purposes of:

(i) agriculture and forestry;

(ii) essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

(iii) the limited extension, alteration or replacement of existing dwellings, subject to Policy GB4 and Policy GB5;

(iv) the limited infilling in existing villages, subject to Policy GB6, including limited affordable housing subject to local community needs;

(v) the limited infilling or redevelopment of major existing developed sites identified under Proposal GB9;

Such appropriate development shall not damage the visual amenities of the Green Belt by virtue of its siting, materials or design.

The applicant states within the submitted documentation that the diversification of rural enterprise and the amount of renewable energy that is produced, coupled with the estimated carbon savings are sufficient very special circumstances to justify this installation within the Green Belt. In principle the likely gain of additional electricity from a renewable source would accord with the Government's objectives of reducing carbon dioxide emissions and expanding the renewable sector, the amount produced by this installation would be very small by comparison with the total need for renewable electricity. Government policy as set out in PPS22 Renewable Energy, is clear that planning applications should not be rejected simply because the level of output is small. However following PPG2, 'very special circumstances' to justify development will not exist unless the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations. In this case the 'other harm' is the adverse impact upon the area of special landscape value and any additional harm to the Green Belt.

For the reasons given earlier, it is considered that there would be a clear conflict with the objectives of the Area of Special Landscape Value and would thereby result in an inappropriate development within the Green Belt. The very special circumstances put forward by the applicant are not considered sufficient to warrant overriding Green Belt Policy GB2 in this instance as the overall harm to the open appearance of the landscape would be considerable.

Following consultation with Natural England it has been determined that there is insufficient information submitted with the application to determine the effect upon the local wildlife of the area including protected species such as Bats and Great Crested Newts. A survey of protected species, impact assessment and mitigation strategy are all required to determine the application in full.

### **APPEARANCE AND AMENITY ISSUES**

The proposed development will clearly be visible from a wide area of the Heswall Dales which is an area of special landscape value. The introduction of this alien stand alone feature will create an intrusive development within an otherwise open setting. The siting of the development along the prominent skyline of the Heswall Dales, as well as the scale, form and external appearance of the proposal will detract from the appearance of the area as well as intrude upon the important views into and out of the Area. The proposed development is therefore considered contrary to Policies GB2, LA1 and LA2 of Wirral's Unitary Development Plan

### **SEPARATION DISTANCES**

Separation distances do not apply in this instance, as no residential properties will be affected by the proposed development.

### **HIGHWAY/TRAFFIC IMPLICATIONS**

There are no Highway Implications relating to this proposal.

### **HEALTH ISSUES**

There are no health implications relating to this application.

### **CONCLUSION**

The proposed development will clearly be visible from a wide area of the Heswall Dales which is an area of special landscape value. The introduction of this alien stand alone feature will create an intrusive development within an otherwise open setting. The siting of the development along the prominent skyline of the Heswall Dales, as well as the scale, form and external appearance of the proposal will detract from the appearance of the area as well as intrude upon the important views into and out of the Area. The proposed development is therefore considered contrary to Policies GB2, LA1 and LA2 of Wirral's Unitary Development Plan and is recommended for refusal.

### **Recommended Decision: Refuse**

1. The proposed development will clearly be visible from a wide area of the Heswall Dales which is an area of special landscape value. The introduction of this alien stand alone feature will create an intrusive development within an otherwise open setting. The siting of the development along the prominent skyline of the Heswall Dales, as well as the scale, form and external appearance of the proposal will detract from the appearance of the area and intrude upon the important views into and out of the Area. The proposed development is therefore considered contrary to Policies LA1 and LA2 of Wirral's Unitary Development Plan
2. The very special circumstances put forward by the applicant are not considered sufficient to warrant overriding Green Belt Policy GB2 as the overall harm to the open appearance of the landscape would be considerable. The proposed development is therefore considered contrary to Wirral's Unitary Development Plan Policy GB2 and Planning Policy Guidance Note 2 Green Belt.
3. Insufficient information has been submitted with the application to determine the effect upon the local wildlife of the area, including protected species such as Bats and Greater Crested Newts. The Local Planning Authority is therefore unable to be appropriately

consider the application in full and as a result the development is contrary to policy NC7 –  
Species Protection of Wirral's Unitary Development Plan.

**Last Comments By:** 15/04/2010 09:05:27  
**Expiry Date:** 27/04/2010