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Our ref: 85446
Your ref: 3/2013/0357

14 JUN 2013

FOR THE
NATION OF



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Dear Mr Thorpe

Planning consultation: Erection of a 60.7m (to tip) single wind turbine
Location: Land north of Huntroyde Home Farm, Huntroyde West, Whins Lane, Simonstone.

Thank you for your consultation on the above dated 29 April 2013 which was received by Natural England on 30 April 2013¹.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Designated Landscapes

This proposal is approximately 400 metres from the southern boundary of the Forest of Bowland Area of Outstanding Natural Beauty (AONB). It therefore firmly sits within the setting of the AONB protected landscape².

We have a number of concerns about the submitted Landscape and Visual Impact Assessment (LVIA) that are set out below:

- At 3.8 and 3.9 of the LVIA the study area is defined by a 7 km radius from the site, for the assessment of impacts on both landscape character and visual receptors. We note that the methodology acknowledges the SNH guidance; which states for this size of turbine that a 20 km study area should be used; but the consultants concluded that a smaller study area was adequate.

We do not consider adequate information has been provided to support this conclusion, particularly for the assessment of visual impacts, and advise that it would be helpful to you to request ZTV maps for a 20km study area. A larger study area will inevitably include more of the AONB and should help to clarify the conclusion, or not, that potential visibility is limited to the 7km study area. The same approach should also be taken for cumulative assessment.

- In relation to the 7km study area, at 3.9 it states that 'in reality the visual envelope is a lot smaller due to the screening affect of the surrounding settlements, vegetation and infrastructure'. This has resulted in the majority of viewpoints chosen being clustered around the wind turbine to a radius of approximately 2km. We are concerned that this clustering of viewpoints does not adequately capture the true extent of the turbine's visual impact.
- We are not clear why viewpoints have not been chosen further north and upslope of the turbine in the large area of potential visibility shown on the ZTV maps for the hub and tips,

within the AONB.

Viewpoint 2 is the most northerly location but appears to sit outside the areas of potential visibility; consequently the photomontage does not show the hub or blades of the turbine at all. What was the reasoning for using this VP when more appropriate locations appear to have been overlooked? **How much more of the turbine would be seen from viewpoints further upslope?**

- Given the significant historic, cultural and landscape value of Pendle Hill and the views seen from it, we are not clear why a viewpoint was not used in the area of potential visibility closest to the summit. We note that further assessment of Pendle Hill was dismissed at the preliminary review stage (Table B-2) because 'the ZTVs indicate limited visibility from the south-western faces of the hill' but disagree with this conclusion.

Given the lack of any viewpoints falling within the ZTV areas north of the turbine the dismissal of Pendle Hill as a tourist attraction / vantage point becomes more significant. **We advise that it would be beneficial to identify further viewpoints north of the turbine in order to fully understand impacts on bridleway / footpath users within the AONB.**

- Viewpoint 1 could have helpfully been angled slightly differently so that it was clear that the proposed Copthurst turbine (Pendle – 13/13/0135P) would also be viewed at this location, in addition to Viewpoint 3. However, we note that the 'panorama' photograph does pick this up.
- The viewpoint location map and the ZTV maps do not show the AONB boundary; we believe its inclusion would help to better understand the significance of the information illustrated.

In addition, it would be very helpful to illustrate the viewpoint locations and the ZTV information together in order to avoid having to cross-reference the maps.

- Please note that pages 29 and 30 of Volume 1 of the LVIA are missing from the website. These pages will describe the assessment and overall conclusion of significance for Viewpoint 1.
- We disagree with the assessment that the magnitude of change at VP3 is low and consider it to be 'medium' – 'some change in the view that is clearly visible in the view and forms an important but not defining element in the view' (Table A-5).

Consequently the impact significance of the proposal at this location is 'moderate' (Table A-6) for footpath and minor road users, which may be regarded as a significant effect in terms of the Environmental Impact Assessment Regulations 2011³.

- We note that the LVIA concludes 'moderate' significance for visual impact on footpath users at Viewpoint 5, and also cumulatively with the proposed Copthurst turbine, with an overall determination of 'not significant' in terms of the EIA Regulations.

The location of Viewpoint 5 has also been used in the Copthurst turbine's LVIA and we considered, in our response to Pendle Council, that the magnitude of change was high thus making a 'substantial' level of impact significance. We noted that this would be regarded as a significant effect in terms of the Environmental Impact Assessment Regulations 2011³ in our response.

Consequently, we are concerned that the cumulative impact significance of both turbines might be underestimated at this location.

The primary purpose of designating land as an AONB is to conserve and enhance the natural beauty of the landscape. In considering this, and having reviewed the LVIA, we are concerned that the scale and position of the proposal may adversely affect the purpose of the Forest of Bowland designation.

We recommend that further information is provided, in accordance with our advice above, and strongly advise that you seek the view of the AONB Partnership prior to determining this planning application. The Partnership may have more detailed comments to make on the current location and nature of this development and suggestions for mitigation.

Other advice

We would expect you to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

- local sites (biodiversity and geodiversity)
- local landscape character
- local or national biodiversity priority habitats and species.

Natural England does not hold locally specific information relating to the above. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies (which may include the local records centre, your local wildlife trust or other recording society and a local landscape characterisation document in order to ensure the LPA has sufficient information to fully understand the impact of the proposal before it determines the application. A more comprehensive list of local groups can be found at [Wildlife and Countryside link](#).

If the LPA is aware, or representations from other parties highlight the possible presence, of a protected or Biodiversity Action Plan (BAP) species on the site the authority should request survey information from the applicant before determining the application. The Government has provided advice¹ on BAP and protected species and their consideration in the planning system.

Natural England Standing Advice for Protected Species is available on our website to help local planning authorities better understand the impact of development on protected or BAP species should they be identified as an issue at particular developments. This also sets out when, following receipt of survey information, the authority should undertake further consultation with Natural England.

Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the NPPF.

Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that *'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'*. Section 40(3) of the same Act also states that *'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'*.

For any queries relating to the specific advice in this letter only please contact Sally Maguire on 0300 060 2110. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours Sincerely

Sally Maguire

Land use Operations

Email: sally.maguire@naturalengland.org.uk

¹ - This reply comprises our statutory consultation response under the provisions of Article 20 of the Town and Country Planning (Development Management Procedure) (England) Order 2010; Regulation 61 (3) of the Conservation of Habitats and Species Regulations 2010 (as amended); and Section 28(1) of the Wildlife and Countryside Act 1981 (as amended), where applicable.

² – Designated under the 1949 National Parks and Access to the Countryside Act

³ - The Town and Country Planning (Environmental Impact Assessment) Regulations 2011