

DECISION DATE 14 January 2009	APPLICATION NO. 08/01301/FUL A10	PLANNING COMMITTEE: 12 January 2009
DEVELOPMENT PROPOSED ERECTION OF TWO 10 METRE HIGH DOMESTIC SCALE WIND TURBINES AND PLANT ROOM BUILDING		SITE ADDRESS BORWICK FISHERY KELLET LANE WARTON LANCASHIRE
APPLICANT: Borwick Development Solutions C/O The Old Railway Yard Middleton Via Carnforth Lancashire LA6 2NE		AGENT: The Wright Design Partnership

REASON FOR DELAY

Not applicable.

PARISH NOTIFICATION

This site is in Warton Parish, but as it is close to the junction of three parishes all of them have been notified of the application.

Warton Parish Council - No observations received.

Borwick Parish Meeting - Object to the proposal, on the basis that the siting of the turbines takes no account of the visual impact of the development. Point out the contrast with the fishery on the other side of Kellet Lane which is very well hidden. They have asked for a site meeting with the case officer.

Over Kellet Parish Council - No observations received.

LAND USE ALLOCATION/DEPARTURE

Countryside area.

STATUTORY CONSULTATIONS

County Council Highways - No objections.

Lancashire County Council Ecology - Share the concern of the North Lancashire Bat Group (see below) and support their suggestion that an assessment of the impact of the scheme should be provided, with a monitoring programme.

OTHER OBSERVATIONS RECEIVED

A resident of Bridge House, Borwick objects on the basis that the site boundary should be landscaped and planted, rather than used to site wind turbines.

North Lancashire Bat Group support the development of energy from sustainable sources but are concerned about the possible harmful effects of the turbines on bats and other wildlife. They would like to see an impact assessment carried out, or failing that a requirement that the developer should monitor the installation.

REPORT

This application was originally identified as one which could be dealt with under delegated powers. It has been placed on the Committee's agenda because of the issues associated with the objections raised.

The site lies to the east of the M6 motorway, with an access off Kellet Lane which runs from Over Kellet to Tewitfield. The land has been worked for sand and gravel and the reclamation scheme has resulted in the creation of a group of lakes, which are now used for fishing.

Approval has already been granted for a shelter and a small café serving the fishery. The site owners wish to provide the site with its own energy source. Their proposal is to install two wind turbines which would recharge a battery-based electricity supply. This would be housed in a small building of traditional design, with stone faced walls and a slated roof.

The columns supporting the wind turbines would be 10m high and the turbines would have a wing diameter of 2.8 metres. It should be stressed that this is not a large scale development on the lines of Caton Moor Wind Farm. The installation would be comparable in height to a pair of main road lighting columns so the impact on the landscape would be relatively small. According to the information on the manufacturer's website this type of equipment has been installed and operated successfully in remote locations as far apart as Greece, Australia and Columbia.

The proposal has to be assessed in relation to Policy SC1 of the Core Strategy which states that in order to ensure that development proposals are as sustainable as possible, the Council will require new development to use energy-efficient design and orientation, energy efficiency and renewable energy technologies. The site is within an area identified as Countryside so Policy E4 of the Lancaster District Local Plan is also relevant. This requires that new development should be in scale and keeping with the character and natural beauty of the landscape, appropriate to its surroundings, should not result in a significant adverse effect on nature conservation interests.

Borwick Parish Meeting object to the proposal, and have asked for a site meeting with the Case Officer to put forward their objections. They have also been offered the opportunity to present their arguments to the Committee. The site is not, however in Borwick. It is in the neighbouring parish of Warton, from whose Parish Council no comments had been received at the time this report was prepared.

The concerns of the North Lancashire Bat Group will be noted. However for a small scale scheme of this kind, requiring the developer to employ an outside consultant either to prepare an Environmental Statement or to monitor the installation for bat and bird strikes would be an onerous requirement, disproportionate to the size of the scheme. The comments of the County Council's Ecology Service suggest that the number of bats on the site will increase as the landscaping on the site boundary matures. It can be argued from this that in effect the developers would be penalised for providing a habitat favourable to bats.

Central government advice as set out in PPS9 (Biodiversity) has to be balanced against the objectives of PPS22 (Renewable Energy). Imposing a condition on these lines could be a significant disincentive to the use of innovative technology. Consequently it is not considered appropriate or reasonable to ask the site owners to run a monitoring programme.

Overall, this proposal is to be welcomed as a useful micro-generation initiative.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to two sections of the Human Rights Act: Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). There are no issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATIONS

That **PERMISSION BE GRANTED** subject to conditions as follows:

1. Standard three year condition.
2. Development to be carried out in accordance with the approved plans.
3. If no longer being required for the purposes of electricity generation, turbines to be removed within three months and the land reinstated to the satisfaction of the local planning authority.