

DECISION DATE 29 December 2008	APPLICATION NO. 08/01270/CCC A13	PLANNING COMMITTEE: 12 January 2009
DEVELOPMENT PROPOSED TEMPORARY TIMBER RECYCLING FOR A PERIOD OF 1 YEAR FOR BIOMASS ENERGY		SITE ADDRESS NIGHTINGALE HALL FARM QUERNMORE ROAD LANCASTER LANCASHIRE
APPLICANT: John Dainty Nans Nook Bay Horse Lancaster LA2 9DF		AGENT: M L Planning Services Ltd

REASON FOR DELAY

Awaiting Consultation responses.

PARISH NOTIFICATION

N/A.

LAND USE ALLOCATION/DEPARTURE

There are no 'saved policies' relating to this site.

STATUTORY CONSULTATIONS

Environmental Health- Any views will be reported verbally at committee.

OTHER OBSERVATIONS RECEIVED

Tree Protection Officer- The operation of this use does not affect any of the protected trees at this site.

Objections have been received from Councillors M and J Whitelegg, and one local resident on the grounds of increased HGV traffic to and from the site, inappropriate relationship to schools and residential development for new industrial activity, increased danger and nuisance on local roads, increased noise and pollution.

REPORT

This proposal is a full application to Lancashire County Council to regularise the existing use of the site for the recycling of waste timber for biomass energy for a temporary period of one year. This item is therefore brought before the Committee as a consultation from the County Planning Authority.

The Site and its Surroundings

The site is located on a large area of hard standing in the bottom of a large hallow, surrounded by concrete retaining walls and woodland, at the site of the former Nightingale Hall Farm animal rendering plant, off Quernmore Road, Lancaster.

Beyond the site boundaries the land rises steeply to the north, east, south and south west. It is surrounded by school playing fields to the north and west, and by open fields and a cemetery to the east and south. There is a small group of four terraced houses which occupy an isolated pastier within the hallow, to the south of the operational site. These are well screened from the operational site by woodland planting and all share a private access road which is separate from the access to Nightingale Hall. To the west of the junction of the site access with Quernmore Road, lies a small group of detached properties which are set well back from these roads behind substantial boundary walls. There are no other residential properties in the immediate vicinity of the site, the nearest being Derwent Road, Lancaster near Ridge Lea Hospital, all about equidistant.

Site History

The long established use of this site as an animal rendering plant came to an abrupt end in October 2005 following a substantial fire at the plant. The site has been largely unused since that time but little work to dismantle the plant or clear the site has been undertaken.

An outline application to redevelop the site for residential purposes was approved by committee on 21 August 2006. No Reserved Matters approval has been forthcoming.

The Proposal

The application is to regularise the existing use of the site for a temporary period of 1 year, as a specialist waste transfer station for the collection of timber for Biomass energy use. This involves the shredding and screening of waste timber by two mobile units, prior to being bulked up onto larger vehicles for despatch to the Biomass site at Lockerbie.

This use involves 20-30 small tipper wagons depositing inert timber per day and this is converted into two 22 ton loads of shredded timber per day going to the Biomass Plant. The plant and machinery are all mobile, grouped together externally and move to the different areas of the site as necessary on a day to day basis. The applicant is the current temporary tenant of the site and is also undertaking the demolition, screening and crushing of the inert waste from the fire damaged buildings remaining from the former rendering use by Fats and Proteins.

Assessment

This proposal involves the continued use of an existing industrial site which has for many years generated significant levels of severely nauseous olfactory pollution and HGV traffic. However this proposed use is for a very limited period only, and it involves inert materials with no chemical or other processes except sorting shredding, it recycles waste material and feeds a renewable energy Biomass Plant and in the process will rid this site of all remaining buildings from the previous rendering use.

It is not anticipated that this temporary use will have an undue impact on the amenities of nearby residential occupiers or upon the local highway network and road safety, particularly given its limited duration and the ultimate community benefits it should deliver.

Under these circumstances therefore it is considered that this application can be supported.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to

the principles of proportionality, it has been concluded that 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 the City Council offers **No Objections** to the proposal, subject to the following conditions:

1. Limitations regarding the duration of consent (12 months).
2. All buildings and structures and their materials of construction that remain from the previous animal rendering use to be removed from the site before the end of the 12-month permission.
3. No goods vehicles above transit size to access or egress the site entrance from or to the west along Quernmore Road, in the direction of the city centre.