

Agenda Item A5	Committee Date 15 March 2010	Application Number 10/00075/FUL
Application Site Land adjacent to Longfield Tarn, Biggins Lane, Whittington		Proposal Erection of 60m high guyed meteorological mast for a period of two years
Name of Applicant EON Climate and Renewables, Westwood Business Park, Coventry CV4 8LG		Name of Agent Mr J Mason, Axis, Well House Barns, Chester Road, Bretton, Chester CH4
Decision Target Date 25 March 2010		Reason For Delay Not applicable
Case Officer	Peter Rivet	
Departure	No	
Summary of Recommendation	Approval	

1.0 The Site and its Surroundings

1.1 The site of this proposal is an area of land adjoining the Lancashire/Cumbria border, to the north of the village of Whittington. It is at present generally open in character, with a few small areas of woodland.

2.0 The Proposal

2.1 The current application is for a meteorological mast, to measure wind speeds in the area. It is associated with a proposal for a 9-turbine wind farm which is expected to be submitted later in the year.

3.0 Site History

3.1 There have been no recent planning applications on this site, but there has been a request for a scoping opinion in advance of an Environmental Impact Assessment which will be needed in connection with the wind farm proposal.

Application Number	Proposal	Decision
09/01084/EIO	Request for an Environmental Impact Assessment Scoping Opinion for a 9 no. wind turbine development	Issued

4.0 Consultation Responses

4.1 The proposal will have at least as great an impact on adjacent areas of South Lakeland as on the Lancashire part of the Lune Valley. The parish and neighbour consultations undertaken reflect this. Any comments not received at the time of compiling this report will be verbally reported to Members.

Consultees	Response
Lancashire County Council Planning	Do not wish to comment on this proposal.
Lancashire County Council Highways	No highway objections.
Cumbria County Planning	No comments to make on this proposal.
Lake District National Park Authority	Observations to follow.
South Lakeland District Council	Although the mast is relatively slender it will be highly visible, given its elevated location and the nature of the surrounding landscape. They suggest that consent for a shorter period (such as the 12 months mentioned in PPS 22) might be more appropriate than the two years requested by the applicants.
Civil Aviation Authority	The mast would not technically constitute an aviation obstruction. However the Ministry of Defence should be advised of it. As the proposal is the precursor of a wind farm proposal the developers need to be aware of the need to discuss it with the Department of Trade and Industry.
Ministry of Defence Estates	Observations to follow - they ask that no decision should be reached until they have had an opportunity to comment.
Natural England	No objection to this development. There is relatively little information available on the importance of this area for breeding birds and in the circumstances they recommend a precautionary approach, and that bird deflectors should be attached to the guy wires.
Rambler's Association	The Lancaster Group of the Ramblers' Association object to the proposal, on the basis that it affects an open stretch of land in full view of a public right of way.
Environmental Health	No objections.
Whittington Parish Council	Observations awaited.
Hutton Roof Parish Council	Object, on the grounds that the mast would have an adverse effect on the landscape, could put local wildlife at risk, and would set a precedent for approval of the wind farm. They ask that Members should visit the site before reaching a decision.
Kirkby Lonsdale Town Council	No comments on the meteorological mast. However they are concerned about the possible impact of a wind farm on residents of Biggins and High Biggins (on the County boundary).
Barbon Parish Council	No comments to make on this proposal.
Burton-in-Kendal Parish Council	Thanks the City Council for involving them in the consultation process. They wish to ensure that construction traffic involving this site is not routed through Burton-in-Kendal or along narrow lanes for anything but the shortest possible distance, and are also concerned about the impact of the development on the landscape.
Casterton Parish Council	Observations awaited.
Lupton Parish Council	Observations awaited.
Mansergh Parish Council	Observations awaited.

5.0 Neighbour Representations

- 5.1 At the time this report was prepared, 48 letters and emails objecting to the application had been received from people living in the area. Predominantly the grounds are that the mast is an unacceptable intrusion in the landscape, and secondly that the proposal is to test wind speeds for a future wind farm, to which they are opposed, again primarily because of its impact on the surrounding area. Two of them point out that the people most directly affected by the proposal live outside Lancashire.
- 5.2 A further letter has been received from a property management company based in Chandler's Ford, Hampshire. They consider the development to be detrimental to the tourism industry of the area.
- 5.3 Any further representations received will be reported orally at Committee.

6.0 Principal Development Plan Policies

- 6.1 So far as wind energy generally is concerned, the advice contained in the following Planning Policy Statements is relevant:
- PPS1: Delivering Sustainable Development
 - PPS7: Sustainable Development in Rural Areas
 - PPS22: Renewable Energy (and its companion guide).
- 6.2 Other policy advice is contained in Regional Spatial Strategy Policies **EM15** (a framework for renewable energy in the North West) and **EM17** (Renewable Energy).
- 6.3 At a local level, the proposal has to be considered in relation to the following "saved" policies from the Lancaster District Local Plan:
- **E4**, which requires that development in the countryside should respect its character;
 - **E22** on wind farms (partly superseded by the Core Strategy). This states that proposals for wind farms will be assessed on the basis of their impact on the character of the landscape, nature conservation/historic buildings/archaeological considerations, and their effect on nearby dwellings.
- 6.4 The following policies in the Lancaster District Core Strategy are relevant:
- **SC1** on Sustainable Development;
 - **ER7** on renewable Energy, which seeks to maximise the proportion of energy generated from renewable sources within the District;
 - **E1** on Environmental capital, which requires that development should protect and enhance areas of nature conservation interest.

7.0 Comment and Analysis

- 7.1 The wind farm application, when it is received (this is currently expected to be in July 2010) will inevitably be controversial. It would be visible within a large area of the Lune Valley. It could be expected to have a particularly significant impact on the village of Hutton Roof and the hamlet of Biggins, on the edge of Kirkby Lonsdale. Both of these are on the Cumbrian side of the County boundary.
- 7.2 However this does not of itself provide grounds for objection to the current application for a meteorological mast. The present proposal has to be considered on its own merits.
- 7.3 The site is within an area of attractive landscape, but it is not one of those covered by any special designation. It is not included within an Area of Outstanding Natural Beauty, nor is it within one of those areas such as Leck Fell which are being considered for inclusion within an extension to the Yorkshire Dales National Park. Nor is the site continued to be of any special nature conservation significance. Leaving aside the issue of any future wind farm proposal, this is a tall, slimline mast held by guyed ropes. On a temporary basis, and given the absence of any justifiable protected landscape objections, the mast can be supported in principle, providing that there is no objection from the Ministry of Defence.

- 7.4 Members may wish to look at the option of a shorter period limited period consent, as suggested by South Lakeland District Council. The Companion Guide to PPS 22 advises that anemometer masts are normally required “for at least 12 months”, but the Guide continues by saying that “...the longer measurements are taken the better the predictions will be”. Given that the data collected from this will be used to inform whether the site is suitable for potential wind turbines, it is considered that a temporary 2-year consent is reasonable.

8.0 Conclusions

- 8.1 The mast will enable readings to be taken to establish the viability of a wind farm. Approval of it does not commit the City Council to supporting such a development, and the recommendation is reached purely upon the basis of the acceptability (or otherwise) of the temporary 60m mast being proposed. For the reasons stated in this report, it is recommended that consent should be given for the two year period requested by the applicants. However the recommendation is subject to no objection being received from the Ministry of Defence.

Recommendation

That subject to the receipt of no objections from the Ministry of Defence, Planning Permission **BE GRANTED** subject to the following conditions:

1. Temporary consent to expire 31 March 2012 - at the end of this period mast must be removed and the land reinstated.
2. Development to be carried out in accordance with the approved plans.
3. Bird deflectors to be attached to guy wires.

Human Rights Act

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude 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.

Background Papers

None