



Date: 20 November 2012

Hinckley & Bosworth
Borough Council

A Borough to be proud of

To: **Members of the Planning Committee**

Mr R Mayne (Chairman)	Mrs L Hodgkins
Miss DM Taylor (Vice-Chairman)	Mr MS Hulbert
Mr RG Allen	Mr KWP Lynch
Mr JG Bannister	Mr JS Moore
Mr PR Batty	Mr LJP O'Shea
Mr CW Boothby	Mr BE Sutton
Mrs T Chastney	Mr R Ward
Mr WJ Crooks	Ms BM Witherford
Mrs WA Hall	

Copy to all other Members of the Council

(other recipients for information)

Dear Councillor,

Please see overleaf a Supplementary Agenda for the meeting of the **PLANNING COMMITTEE** on **TUESDAY, 20 NOVEMBER 2012 at 6.30 pm.**

Yours sincerely

Rebecca Owen
Democratic Services Officer

PLANNING COMMITTEE - 20 NOVEMBER 2012

SUPPLEMENTARY AGENDA

7. **TOWN & COUNTRY PLANNING ACT 1990 - APPLICATIONS TO BE DETERMINED**
(Pages 1 - 4)

Schedule of planning applications attached.

14. **MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED**

To consider the passing of a resolution under Section 100A(4) of the Local Government Act 1972 excluding the public from the undermentioned item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 3 and 10 of Schedule 12A of the 1972 Act.

15. **AFFORDABLE HOUSING - SKETCHLEY BROOK DEVELOPMENT** (Pages 5 - 12)

Report of the Deputy Chief Executive (Community Direction) attached.

Agenda Item 7

PLANNING COMMITTEE 20 November 2012 LIST OF LATE ITEMS RECEIVED AFTER PREPARATION OF MAIN AGENDA:

ITEM 02

12/00810/FUL

Mr Henry Egerton

Introduction:-

The applicant has confirmed that the turbine will have a rated capacity of at least 500 kw at any moment.

The applicant has requested that given that the turbine would need to go through a tendering process then that the scale parameters as specified in condition 3 be increased for the blade length from 24 metres, as there are a number of turbines within 27 and 29 bladed turbines.

Following the request of committee members, the height of the telecommunications mast referred to as the 'BT Tower at Twycross' is 54 metres, located approximately 1000 metres from the proposed turbine. The height of the water tower at Hills Farm is not known, the tower is of a lesser height than the nearby BT Tower.

Consultations:-

Seven additional letters of representation have been received raising the following objections:-

- a) obtrusive blot on local unmarked countryside; dominate the skyline and will be visible for miles around; totally out of keeping; the area is renowned for its natural beauty and would be blighted, at odds with the natural beauty; it will neither enhance nor preserve the landscape
- b) must visit the site before making a decision to absorb the local country views
- c) damaging effect on visual amenity for residents and visitors; devastating effect on people's lives, too big and noisy
- d) the application does not fit into the criteria within the landscape strategies
- e) the visual impact of the structure close to the main A444 is liable to cause distraction to drivers and likely to increase road traffic accidents
- f) the farmer has not declared his full intention for use of the power generated for grain drying which is only a short period of the year, so what would the wind turbine be used for the remaining months of the year?
- g) controversy on the cost effectiveness on wind turbines from various turbines why are HBBC even considering this application; no benefit for the community whatsoever and not as efficient as reports suggest
- h) best place is out in the middle of the sea
- i) surely the views and concerns of the public should take precedence over the financial gains of individuals?
- j) de-value property prices.

Twycross Parish Council have requested clarification whether the Highways Agency have raised any concern about the potential for distraction to motorists on the A444.

North Warwickshire Borough Council have confirmed that they took a report to their Planning Board on 12 November recommending no objection, however the Board resolved to object.

In respect of which settlements that objections have come from, the breakdown is as follows:-

Austrey	52	Ashby Parva/Swadlingcote	27
Warton	26	Orton/Little Orton	24
No Mans Heath/Tamworth	14	Norton Juxta/Twycross	12
Atherstone	01	Polesworth	01
Bedworth	01	Warwick	01
MP – London	02	Emails Misc	07

Appraisal:-

The objections raised within the letters of representation have already been addressed within the main report.

There is support and encouragement for sustainable development and the sensitive exploitation of renewable energy sources within the NPPF, specifically through paragraphs 97 and 98. The NPPF states that Local Planning Authorities should approve the application if its impacts are (or can be made) acceptable and for the reasons stated within the report, it is considered that there are no significant impacts.

There is also specific planning policy support for the development of renewable energy projects, regional and local level.

In response to concerns raised by Twycross Parish Council, the Highways Agency have not been consulted on the application as there was no requirement to do so, however the Director of Environment and Transport (Highways) from Leicestershire County Council, the Highways Authority has raised no objections. For the avoidance of doubt paragraph 54 within the companion guide to PPS22 states that drivers are faced with a number of varied and competing distractions during any normal journey, including advertising hoardings, which are deliberately designed to attract attentions and that at all time drivers are required to take reasonable care to ensure their own and other's safety. The guide therefore states that wind turbines should therefore not be treated any differently from other distractions a driver must face and should not be considered particularly hazardous.

Recommendation:-

It is considered that the request to amend condition 3 be denied as the applicant specifically confirmed that the scale parameters of the turbine were maximums and should it be necessary a section 73 would have to be submitted.

ITEM 04**12/00825/FUL****Mr S Goodman****Introduction:-**

Additional plans have been submitted on behalf of the applicant to address the concerns raised in respect of the visibility splays.

Consultations:-

The Director of the Environment and Transport (Highways) has considered the additional information and their objection still stands.

No objection has been received from The Highways Agency who advise that the proposed development is not expected to have a material impact on the closest strategic route, the M1.

Appraisal:-

In response to concerns raised by the Director of Environment and Transport (Highways) the applicant's agent has provided additional plans to demonstrate the visibility splays that can be provided whilst retaining the hedgerow. They advise that, whilst 160 metres can be achieved looking west, only 120 metres can be achieved looking east whilst retaining the hedgerow. They reiterate that the position has not changed since the County's previous comments in 2010 where there were no highway objections.

Following consideration of the additional plans, the Director of Environment and Transport (Highways) advises that, given the nature of Merrylees Road, the left hand splay should be measured to 1 metre out and not to the centre-line. When re-drawn the splay would be in the region of 100 metres. Given the speeds along Merrylees Road, this is substandard and therefore their original comments still apply.

The Director of Environment and Transport (Highways) accepts that they have come to a different view than a colleague who looked at the last application but this is a fresh application and the Highways Authority is quite entitled to take a fresh look at the proposals and come to a considered view. They do not believe that two wrongs make a right and if the Highways Authority has highway safety concerns these should be stated. They also make the point that the Highway Authority continue to be very successful in terms of defending their "Access to road network" policy (IN5) at appeal and these decisions guide them when assessing applications.

ITEM 05

12/00878/CONDIT

Asda Stores Ltd

Consultations:-

A copy of the previously submitted petition has been re-submitted containing 87 signatures objecting on the application on the basis of increase noise pollution, increase light pollution, potential extension of delivery times to match the proposed longer opening hours and the negative affect on local residents quality of life and daily living.

Appraisal:-

The objections raised within the petition have already been addressed within the main report.

ITEM 06

12/00882/CONDIT

Mr Tom Sewell

Consultations:-

The consultation period expires on 22 November 2012 not 16 November 2012 as detailed in the main agenda report.

Recommendation:-

Amend date of expiry of consultation period to 22 November 2012.

PLANNING COMMITTEE
20 NOVEMBER 2012
SPEAKERS

Item	Application	Speaker(s)	Applicant/objector
02	12/00810/FUL	Ms Wilson Mr Spurr	Objector Agent
04	12/00825/FUL	Mr Murphy	Agent
05	12/00878/CONDIT	Mr Crick Ms Clemente	Objector Agent

This page is intentionally left blank

By virtue of paragraph(s) 3, 10 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3, 10 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank