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Hinckley & Bosworth
Borough Council

A Borough to be proud of

PLANNING COMMITTEE - 16 SEPTEMBER 2014

SUPPLEMENTARY AGENDA

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

Schedule of planning applications attached.

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Agenda Item 7

PLANNING COMMITTEE 16 September 2014 LIST OF LATE ITEMS RECEIVED AFTER PREPARATION OF MAIN AGENDA:

ITEM 01 **14/00307/FUL** **Linda Garner**

Consultations:-

One additional neighbour letter received, neither supporting nor objecting to the proposal.

Recommendation:-

The recommendation remains as set out in the committee report.

ITEM 03 **14/00502/FUL** **Miss Louise Moore**

Saved Local Plan Policy NE5 has been evaluated and considered in the report alongside saved Policy RES 5.

Recommendation:-

The recommendation remains as set out in the committee report.

ITEM 04 **14/00532/FUL** **Mr David Wentworth**

Introduction:-

The applicant has undertaken a Coal Mining Risk Assessment. This report concludes that the site lies within a Coal Authority Development Low Risk Area, defined as an area which contains no recorded coal mining legacy risks to the surface.

Within this the following information from the Coal Authority is included

Underground coal mining

Past

The property is in the likely zone of influence from workings in 5 seams of coal at 110m to 160m depth, and last worked in 1967. Any ground movement from these coal workings should have stopped by now.

Present

The property is not in the likely zone of influence of any present underground coal workings.

Future

The property is not in an area for which the Coal Authority is determining whether to grant a licence to remove coal using underground methods.

The property is not in an area for which a licence has been granted to remove or otherwise work coal using underground methods.

The property is not in an area that is likely to be affected at the surface from any planned future workings.

However, reserves of coal exist in the local area which could be worked at some time in the future.

No notice of the risk of the land being affected by subsidence has been given under section 46 of the Coal Mining Subsidence Act 1991.

Appraisal:-

Following submission of the Coal Mining Risk Assessment, which includes a mining report from the Coal Authority, it is not considered that the site is likely to suffer from subsidence from previous mine workings. The site is classed as being within a Coal Authority Development Low Risk Area and as such it is not considered that the presence of former mine workings within the area would pose a risk to the structural stability of the proposed turbine.

Recommendation:-

The recommendation remains as set out in the committee report.

ITEM 05

14/00533/FUL

Mr Adam Preston

Consultations:-

Cllr Mullaney has raised objections on the following grounds:-

Highway implications, concern over the high volume of existing agricultural traffic going through the village.

Five additional letters of neighbour representation have been received raising the following additional issues:-

- a) HGV's already flaunt the weight restrictions in place
- b) other applications 13/00055/FUL have been refused and the recent wind turbine application has been refused citing highway safety concerns
- c) the description of a farm dwelling is a misrepresentation of what actually exists - there is a collection of storage barns and equipment. The intentions of the applicant are obvious in that the applicant wants a permanent dwelling
- d) residents are already subject to high levels of Preston Contractors farm equipment being moved between their existing premises on Leicester Lane and another farm in Kirby Muxloe. Development associated with the planning application will further exacerbate this problem
- e) the site is outside of the residential boundary and will further damage the open countryside at the entrance to the village
- f) there is no logic in approving this scheme when application 13/00055/FUL was refused
- g) letter in support of the application stating that farmers must look to diversify and expand their businesses in order to maintain growth
- h) items on site have previously been subject to theft due to the sites isolated position accommodation on site would help address this issue
- i) there is new development within the vicinity of the site, which would cause the same potential road safety concerns; therefore there is no reason for this application to be turned down.

Appraisal:-

Issues raised within the letters of neighbour representation, not considered in the main body of the report:-

Concerns have been raised that HGV's flaunt the weight restrictions in place. This not a matter for consideration within the determination of the current application.

It has been suggested that other applications within the vicinity of the site have been refused, and some on highway grounds. The current application is to be determined on its specific merits and decisions on surrounding applications will have no bearing on the outcome of the current scheme.

It has been stated that the description of the application is misleading and that the intentions of the applicant are clear. The application is for a temporary farm dwelling, where there is currently none. The applicant's intention is to develop a permanent dwelling following the expiry of the temporary permission (if granted). The temporary nature of the dwelling is to test the functional and financial merits of the enterprise.

It has been suggested that residents are already subject to high levels of Preston Contractors farm equipment being moved between their existing premises on Leicester Lane and another farm in Kirby Muxloe. Development associated with the planning application will further exacerbate this problem. This proposal has no association with the contract hire element of Preston Contractors and has been considered on the basis of the enterprise applied for. There is existing traffic associated with the current buildings on site and the development of a temporary farm dwelling is not considered to have a material impact upon this.

It has been stated that there is no logic in approving this scheme when application 13/00055/FUL was refused. The current application proposes a different scheme to that of application 13/00055/FUL and thus has been considered on its specific merits.

Recommendation:-

The recommendation remains as set out in the committee report.

ITEM 07

14/00648/COU

Mr Ben Moore

Consultations:-

62 additional representations have been received.

24 of which have objected to the application on the nature of the use and are not considered or reported due to their discriminatory nature.

The remaining 38 objections have not raised any new issues to those highlighted in the report.

Recommendation:-

The recommendation remains as set out in the committee report.

PLANNING COMMITTEE
16 SEPTEMBER 2014
SPEAKERS

Item	Application	Speaker(s)	Applicant/ objector
01	14/00307/FUL	Mr Williams	Objector
04	14/00532/FUL	Mr Presbury	Agent
07	14/00648/COU	Dr Butler Mr Osmond	Objector OBO applicant

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