

**REPORT OF THE DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION)**  
**RE: APPEALS LODGED AND DETERMINED**



Hinckley & Bosworth  
Borough Council

*A Borough to be proud of*

**Wards affected – Hinckley DeMontfort, Ambion**

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1. **PURPOSE OF REPORT**

To inform Members of appeals lodged and determined since the last report.

2. **RECOMMENDATION**

That the report be noted.

3. **BACKGROUND TO THE REPORT**

Appeals Lodged

3.1 **Appeal by Mr Andy Gilliver against the refusal of planning permission for extensions and alterations at 12 Warwick Gardens Hinckley. 14/00116/HOU.**

Format: Written Representations

Appeals Determined

3.2 **Appeal by Mr Peter Mayne against the refusal of planning permission for a solar panel field and associated infrastructure at The Stables, Pine Close Stoke Golding. 12/00873/FUL.**

3.3 The Inspector identified that the main issue is whether, having regard to national and local policy, the generation of energy from renewable sources would outweigh any harm to the character and appearance of the area.

3.4 The Inspector noted that the site is largely contained visually by built development to the north; by hedgerow trees and a small copse to the west and south-west, though there are glimpsed views through gaps from the adjacent recreation ground and houses beyond to the west; by a shelter belt to the south with rising ground beyond; and by hedgerows and a slight rise in the ground to the east. Furthermore, the Inspector reported that it does not feature the open aspect, expansive feel and panoramic views found in the wider area as noted in the character assessment, and in my judgement it is less sensitive than the character area as a whole.

3.5 The Inspector noted that the landscape features would have on mitigating the visual impact of the development and also noted that additional landscaping as proposed would further supplement and therefore strengthen the mitigation.

3.6 The Inspector noted that the proposed use of this site would not impinge on use of the recreation ground as some had suggested.

3.7 The Inspector considered the issue of noise from the invertors but agreed that this would not result in a significant impact on residential amenity.

3.8 The Inspector concluded that there would be harm to the character and appearance of the area in that there would be some visual intrusion and loss of rural character but, after mitigation, the harm would be limited. The Inspector reported that the benefits from generation of energy from renewable sources, for which there is strong support in national policy, would not be outweighed by the limited harm and conflict with the development plan and that no other considerations raised affect this overall balance.

3.9 APPEAL ALLOWED

#### 4. FINANCIAL IMPLICATIONS [SE]

The Council currently has a total net budget for the administration of appeals for 2014/15 of £105,978, with a specific budget of £28,280 for legal costs. No costs have been awarded for the cases noted above at this time, and so therefore, there are no financial implications arising directly from this report.

#### 5. LEGAL IMPLICATIONS [MR]

None

#### 6. CORPORATE PLAN IMPLICATIONS

This document contributes to Strategic Aim 1 of the Corporate Plan

- Creating a vibrant place to work and live.

#### 7. CONSULTATION

None

#### 8. RISK IMPLICATIONS

It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
None	None	

#### 9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

This report is for information purposes only to draw member's attention to recent appeals lodged with the Authority and appeal decisions issued by the Planning Inspectorate. As this report is not seeking a decision it is envisaged that there are no equality or rural implications arising as a direct result of this report.

10. CORPORATE IMPLICATIONS

By submitting this report, the report author has taken the following into account:

- |                                 |                              |
|---------------------------------|------------------------------|
| - Community Safety implications | None relating to this report |
| - Environmental implications    | None relating to this report |
| - ICT implications              | None relating to this report |
| - Asset Management implications | None relating to this report |
| - Human Resources implications  | None relating to this report |
| - Voluntary Sector              | None relating to this report |

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