

24th APRIL 2014

REPORT OF HEAD OF REGULATORY SERVICES

12/00454/FUL & 12/00460/FUL: REDETERMINATION OF APPEALS FOR PROPOSED WIND TURBINES AT HALL FARM AND PARK FARM, KLONDYKE LANE, THORPE SATCHVILLE, MELTON MOWBRAY.**1. PURPOSE OF THE REPORT**

- 1.1 This report is intended to invite the Committee to consider whether the grounds of appeal for the above appeals require amendment.

2. RECOMMENDATION

- 2.1 **That the Committee agrees that the attached Supplementary Appeal Statement is submitted as the basis for the Council's revised position on the above appeals.**

3. BACKGROUND

- 3.1 Members will be aware that the above applications were determined in September 2012 and were the subject of an appeal in May 2013. The appeals were subsequently upheld by the Planning Inspectorate but were the subject of a judicial review pursued by local residents aggrieved by the appeal decisions. This resulted in both appeal decisions being quashed.
- 3.2 The decision has now been returned to the Planning Inspectorate for redetermination and they have invited additional comments on the appeals by 13th May 2014. Since the Planning Inspectorate's decision relating to these appeals was made on 23rd May 2013 there have been changes relating to policy (locally, regionally and nationally) along with updated planning guidance relating to onshore wind developments. In addition, further decisions have been made in the Borough which impact upon the sites in question, and it is necessary to consider whether these would materially affect the position presented.
- 3.3 The attached supplementary appeal statement (**Appendix 1**) addresses these changes and applies them to the cases in question. In addition to a general update, the statement argues that recent developments, in the form of recent decisions on other turbines and the photo-voltaic cells for which permission has been granted on the Hall Farm site (12/00460/FUL), give rise to an additional reasons for refusal based on 'cumulative effect' and the combined effect of these on the countryside.

4. CONCLUSION

- 4.1 The redetermination of the appeals introduces the opportunity to update the Council's position on these appeals. In view of the changes in circumstances it is considered that additional grounds of objection to the turbines should be made and these are set out in Appendix A.