

Our ref : 11/00913/FUL

Please ask for : Mr Worley

Direct Line : 01664 502359

Date : 30 April 2013

Mr A Smith



Dear Sir

**One wind turbine and associated control kiosk
Stygate Lane Pickwell**

I refer to your complaint dated 2nd April 2013 in respect of the above.

Firstly, may I clarify that application 12/00723/EIA was a 'screening opinion' to establish whether or not a full Environmental Impact Assessment is required for a potential future application. This is determined by assessment against the technical requirements of the relevant Regulations and is not a planning application seeking permission to construct a turbine as you state.

Councillor interests

Cllr Barnes has no direct interest in the application at Pickwell. He is not the landowner, nor will he receive an income from it.

The basis of your complaint is that by supporting the application at Pickwell, the prospect of his own application would be enhanced. I have difficulty with this as a basis of complaint and would ask you to explain how the outcome at Pickwell (regardless of whether approved or refused) can have any bearing on the decision that will be made at Somerby on Cllr Barnes' application.

I ask this because the law requires that every planning application must be determined on its individual merits. The content and location of each application and the considerations that apply differ in each case.

There are fundamental differences between the Pickwell application and Cllr Barnes'. Planning decisions by their nature are discriminatory and there is nothing to suggest that because an application was successful in one location, it will necessarily be in another. With apologies if this analogy is unhelpful, you presumably understand that permission granted for ,say, a house in location 'a' does not mean that all future applications for houses in any locations then have to be approved. This is because the houses concentrated would have different merits, which results in different outcomes. This approach and these factors apply equally to wind turbines. This is clearly demonstrated by the Council's decision making record on single turbines, which you may be aware contains a series of both approvals and refusals reflecting differences in their impacts arising from size, type and location.

Would you agree that there is a strong argument that Cllr Barnes support of the Pickwell proposal is *contrary* to his interests, because if successful, such applications may give rise to objections on the grounds of the cumulative impact from multiple turbines which would not otherwise arise.

Yours faithfully



J Worley
Head of Regulatory Services