

# MINUTES OF PLANNING COMMITTEE

7TH SEPTEMBER 2011

## PRESENT:

Councillors Gillias (Chairman), Allen, Cranham, Day, Kirby, Roberts, Ms Robbins, Mrs Roodhouse (substituting for Councillor Lewis), Sandison, Spiers, Whistance and D Williams.

## 36. MINUTES

The minutes of the meeting held on 17<sup>th</sup> August 2011 were approved and signed by the Chairman.

## 37. APOLOGIES

An apology for absence from the meeting was received from Councillor Lewis.

## 38. APPLICATIONS FOR CONSIDERATION

The Committee considered the report of the Head of Planning and Culture (Part 1 – agenda item 4).

All the representations received prior to the preparation of the agenda and considered by the Committee were referred to in the individual reports.

Subsequent representations also considered by the Committee related to the following applications.

### (a) Parish Councils

R10/2303 – additional representations received are listed at Annex 1 to the minutes.

### (b) Third Parties

R10/2303 – additional representations received are listed at Annex 1 to the minutes.

**RESOLVED THAT** – the Head of Planning and Culture be authorised to issue decision notices as indicated in relation to the applications below.

- (a) outline planning permission for erection of a dwelling at land south of the Telephone Exchange, Coventry Road, Wolvey (R11/0141) – a decision on the application be deferred pending a site visit to be held prior to the next meeting of the Committee.
- (b) a wind farm comprising 9 wind turbines of up to 126.5m tip height, a single, permanent meteorological mast with a maximum height of 80m, a sub-station compound containing a control building, underground cabling, a new on-site track including a river crossing and drainage, a site entrance, and a temporary construction compound; and at each turbine location a permanent crane hard-standing area for the erection of each turbine, with

each wind turbine having a micro-siting tolerance of up to 50m at land at Cestersover Farm, Lutterworth Road, Churchover CV23 0QP (Bransford Bridge Wind Farm)(R10/2303) – Councillor Cranham moved and Councillor Ms Robbins seconded that the Head of Planning and Culture be authorised to refuse planning permission for the following reasons.

1. The proposed wind farm development containing 9 turbines, by reason of its scale, appearance, extent and positioning, is considered to have a significantly harmful impact on local heritage assets, principally the setting of Holy Trinity Church (Grade 2\*), Churchover and views both from within and towards Churchover Conservation Area which surrounds the village and contributes to its setting within the wider landscape, as well as the setting of Streetfield Farm (Grade 2). This identified harm is not considered to be outweighed by the need to provide additional renewable energy projects. The proposal is therefore considered to be contrary to Saved Rugby Borough Local Plan Policy GP5, Rugby Core Strategy Policy CS16 and national planning guidance contained in PPS1 'Delivering Sustainable Development', PPS5 'Planning & the Historic Environment' and PPS22 'Renewable Energy'

2. The proposed wind farm development containing 9 turbines, by reason of its scale, appearance, extent and positioning, is considered to have a significantly harmful impact on the established landscape character of this part of the River Swift Valley as well as the settlement character of Churchover Village. This identified harm is not considered to be outweighed by the need to provide additional renewable energy projects. The proposal is therefore considered to be contrary to Saved Rugby Borough Local Plan Policy GP5, Rugby Core Strategy Policy CS16 and national planning guidance contained in PPS1 'Delivering Sustainable Development', PPS7 'Sustainable Development in Rural Areas' (as amended) and PPS22 'Renewable Energy'.

3. The location of Turbine 8 and to a lesser extent Turbine 7 by reason of their positioning, size and scale, is considered to have a significantly harmful and overbearing impact on the existing residential amenities of a nearby residential property – Large Barn, Montillo Lane. The proposal is therefore considered to be contrary to Rugby Core Strategy Policy CS 16 which seeks to ensure that the amenities of existing and future neighbouring occupiers are safeguarded in new development proposals.

4. Insufficient information has been supplied by the applicant to demonstrate that the proposal would not cause any detrimental impact upon aviation safety, including the safe operation of ground to air traffic communications systems in the vicinity of the application site.

5. Insufficient information has been supplied by the applicant to demonstrate that the proposal would not cause any detrimental impact on potential archaeological features of regional and national importance that may be present across the development site. The scheme is not supported by an archaeological site evaluation which would have enabled a proper and detailed assessment of the character and extent of any archaeological deposits of regional and national importance likely to be threatened by the proposed development and possibly worthy of preservation in whole or in part or of being fully investigated and recorded. The proposal is therefore contrary to national planning guidance contained in PPS5.

**39. ADVANCE NOTICE OF SITE VISITS FOR PLANNING APPLICATIONS**

The Committee considered advance notice of site visits submitted at the meeting.

**RESOLVED THAT** – site visits be held at the following sites at a time and date to be agreed.

(i) Proposed crematorium site, Willoughby.

(ii) Proposed crematorium site, land off Ashlawn Road, Rugby.

**40. STATISTICS OF PLANNING APPLICATIONS – AUGUST 2010 – JULY 2011**

The Committee considered the report of the Head of Planning and Culture (Part 1 – agenda item 6) concerning statistics of planning applications for the period August 2010 to July 2011.

**RESOLVED THAT** - the report be noted.

**41. DELEGATED DECISIONS – 29<sup>TH</sup> JULY 2011 TO 18<sup>TH</sup> AUGUST 2011**

The Committee considered the report of the Head of Planning and Culture (Part 1- agenda item 6) concerning decisions taken by her during the above period.

**RESOLVED THAT** – the report be noted.

**CHAIRMAN**



## WCC Archaeology

Object on following grounds:

*The proposed development is likely to have a significant direct impact upon known archaeological sites, including the remains of the Cesterover deserted medieval settlement in the west of the site. In addition, there is a potential for the groundworks to impact upon previously unidentified archaeological deposits, including possible burials in the vicinity of turbine 1.*

*It is not possible on the basis of the available information, to appropriately assess the impact that the proposed development may have upon any archaeological deposits across this area. This is acknowledged by para. 11.10.1.2 of Chapter 11 of the ES, which concludes that the value and magnitude of change upon any burials in the vicinity of Turbine 1 is not currently known. There is also a potential for further previously unidentified archaeological deposits to survive across the remainder of the site. These may include archaeological deposits of regional or national importance, which may be worthy of conservation. Any such sites are likely to be destroyed or significantly disturbed by the proposed development of this site.*

*I do not, therefore, consider that there is sufficient information available at this time for the archaeological implications of this proposed development to be adequately assessed at this time.*

***Given the potential for archaeological features of regional and national importance to be present across the development site I would recommend that the applicant be requested to arrange for this further archaeological evaluative fieldwork to be undertaken before any decision on the planning application is taken. This will help to define the character, extent, state of preservation and importance of any archaeological remains present, and will also provide information useful for identifying potential options for minimising or avoiding damage to them.***

*If the applicant is unwilling to undertake further evaluative fieldwork across this area it may be appropriate to consider directing the applicant to supply further information under regulation 4 of the Town and Country Planning (Applications) regulations 1988, or to refuse the application as being inadequately documented.*

## Non-Physical Impacts

*While I do not consider that the widely spaced turbines will have an unacceptable impact upon the historic character of this area, I am concerned that the proposed track and crane bases will have a significant negative impact upon the historic landscape character of this area (for example by disrupting the existing historic field pattern etc). This is acknowledged in para. 11.10.2.6 of Chapter 11 of the Environmental Statement which concludes that the impact will be moderate adverse. While the photomontages show the main turbines from various views, they do not include the associated trackways and cranebases; I would suggest that montages should be produced which show the various development components, not just the turbines, and that this should include views of the site from within the site, and its immediate vicinity (for example, views from the local footpaths etc).*

*As detailed in English Heritage's formal comments on this scheme, the proposed development will also have a significant negative impact upon the setting of the Churchover Conservation area, its various historic buildings including, the Grade II\* Listed church, and its setting in the wider historic landscape. This is acknowledged in section 11.10.2 of the ES, which concludes that the impact upon the Conservation Area, church and the adjacent historic landscape will be moderate adverse. While viewpoint 4 of the photomontages submitted with the application shows the impact of the turbines upon the setting of the Conservation Area from the south, the majority of the photomontages show views of the turbines from a distance. Closer views of Churchover village, such as from Lutterworth Road, suggest that the turbines will dominate the views of the village, church and its surrounding historic landscape.*

*I would therefore recommend that, in addition to the evaluative fieldwork recommended above, the scheme be amended to minimise the impact upon the setting of the Churchover conservation area, its associated historic buildings and its setting in its local historic landscape*

*This recommendation conforms with the approach set out in Planning Policy Statement 5: Planning for the Historic Environment.*

*If your Council is minded to refuse permission for this development on other planning grounds, and the applicants have not carried out an appropriate programme of archaeological evaluation, and provided the results, we recommend that the absence of an evaluation and the possible adverse consequences of the development should be included as a reason for refusal, in order to ensure that the archaeological issues are given adequate consideration in any subsequent appeal. In these circumstances I suggest that the following wording would be appropriate:*

***Having regard to the provisions of PPS 5, the Local Planning Authority in consultation with Archaeological Information and Advice, Warwickshire County Council, raises objection to the proposed development on the grounds that the scheme is not supported by an archaeological site evaluation which would have enabled a proper and detailed assessment of the character and extent of any archaeological deposits of importance likely to be threatened by the proposed development and possibly worthy of preservation in whole or in part or of being fully investigated and recorded.***

*While the proposed development will have a direct impact upon the areas of ridge and furrow which survive across this site, I do not consider that this direct impact is, in itself, sufficient to warrant the refusal of this application. This area of ridge and furrow does, however, contribute to the historic landscape character of this area.*

## **Additional Representations Received.**

### Parish/Town Councils.

Lutterworth	comment	request opportunity to comment should it be appealed by the applicant.
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Pailton                      comment      wish to clarify how decision to support proposal was made – 2 votes to 1 of members of the Parish Council in attendance.

Additional Objections (3)

Grounds:

- dominant and intrusive impact
- will ruin setting of 1000 year church
- will affect use of local footpaths
- cumulative impact along with other wind farms
- majority of local people oppose development
- SSE will ignore noise complaints
- will damage the environment
- wind farms are inefficient
- noise and destruction of villages tranquil atmosphere
- number and size of turbines will out of keeping with local environment

A petition submitted by ASWAR containing 29 signatures of a local Ramblers Club, who walk in the area and object to the proposal on the grounds of a beautiful valley being desecrated by the proposed wind turbines.

Additional Letters/Emails of Support (16). Grounds:

- I am a Clifton resident and believe that we need renewable sources of power, locally produced to ensure future energy for ourselves and our children.
- plans looks well thought out, although it will have a visual impact – we have responsibility to support the provision of sustainable, clean energy with the minimum of environmental impact
- need for renewable energy
- 20% energy target for renewable energy is supported by UK Government
- Gilmorton and Burton Latimer sites demonstrate that wind farms can have positive impact
- Bransford Bridge site crossed by extensive power and telegraph lines, Magna Park and A5/M6
- Most views from within Churchover will be obscured

- ASWAR objection exaggerates heights of turbines
- RBC should follow advice in PPS and PPS22 and support proposal

The applicants (SSE) have submitted a letter to the Borough Council, which has also been copied to all members of the Planning Committee, raising the following issues, and enclosing relevant extracts from the submitted ES:

- involving the local community
- planning application
- community benefits