

PLANNING APPLICATIONS COMMITTEE

27th March 2013

PRESENT – The Mayor (Councillor Baldwin) (in the Chair); Councillors L. Haszeldine, Johnson, Knowles, Lee, D. A. Lyonette, Macnab, Regan, Stenson and J. Taylor. (10)

APOLOGIES – Councillors Cartwright, Cossins and Long. (3)

OFFICERS – Roy Merrett, Development Manager, Stephen Pollock, Environmental Health Officer, and Andrew Errington, Lawyer (Planning) within the Resources Group.

PA194. DECLARATION OF INTERESTS – There were no declarations of interest reported at the meeting.

PA195. PROCEDURE – The Borough Solicitor's representative gave a short presentation which outlined the procedure to be followed during consideration of the applications for planning permission before this Committee.

RESOLVED – That the procedure be noted.

PA196. APPLICATION FOR PLANNING PERMISSION - (1) Removal of Condition 22 - Deferred

12/00751/FUL - Moor House, Bishopton Lane, Great Burdon. Erection of six wind turbines and ancillary works without complying with condition 22 of planning permission 11/00160/FUL.

Members were advised by the Development Manager that the Environment Management Plan proposed by the Applicant was not legally enforceable, and the Borough Solicitor's representative informed Members that it may not be possible to draft such a plan in a way that would be legally enforceable.

(In reaching its decision, the Committee took into consideration the views of Sadberge Parish Council, Bishopton Parish Council, East and West Newbiggin Parish Meeting, Little Stainton Parish Meeting, Barmpton Parish Meeting, the Seven Parishes Action Group, the Environment Agency, the Highways Agency, Natural England, the Campaign for the Protection of Rural England (CPRE), and the Council's Environmental Health Officer, all of which had been received, and the views of the Applicant who spoke in support of the application, and the views of two residents and two Parish Councillors who objected to the application, whom Members heard).

RESOLVED – That consideration of the application that planning permission be granted with conditions attached as to planning permission 11/00160/FUL, but without condition number 22, be deferred to enable Officers and the Applicant to develop a legally enforceable Environment Management Plan (EMP), in relation to Excess Amplitude Modulation (EAM).