

Our Ref: W/15/01035/PN

The person dealing with this enquiry is: David Addison

Your ref:

Direct Dial No: 01386 565464

26/08/2015

Mr J Hellowell
Green Switch Solutions
501 Merlin Park
Ringtail Road
Burscough
Lancashire
L40 8JY

Dear Mr Hellowell

Applicant Name: Green Switch Developments Ltd
Proposal: Installation of a solar park with an output of approximately 8.94MW on land adjacent to Rectory Farm (re-submission of application reference W/14/02267/PN).
Location: Rectory Farm, Rectory Lane, Upton Warren, Bromsgrove, B61 7EL

I am writing to let you know the outcome of your Planning application for the proposal detailed above at Rectory Farm, Rectory Lane, Upton Warren, Bromsgrove, B61 7EL.

Unfortunately we have **Refused** your application, for the reason set out in the attached **Refusal Notice**.

If you have any questions about our decision, or reasons for refusal please contact David Addison, Principal Planning Officer, on 01386 565464 or by email to David.Addison@wychavon.gov.uk.

If you are unhappy with the refusal in this case, you can appeal to the relevant Secretary of State. Information on how and when you will need to do this by, can be found on the reverse of the Refusal Notice.

If you decide not to appeal you may find it useful before submitting a new application to contact **David Addison** for **pre-application advice**, please note there maybe a charge for this service.

Yours sincerely



David Addison
Principal Planning Officer
David.Addison@wychavon.gov.uk

PLANNING REFUSAL NOTICE

TOWN AND COUNTRY PLANNING ACT 1990

Refused - Planning

Application No: W/15/01035/PN

Parish: Upton Warren

Agents Address:

Mr J Hellowell
Green Switch Solutions
501 Merlin Park
Ringtail Road
Burscough
Lancashire
L40 8JY

Applicants Address:

Mr M Wierenga
Green Switch Developments
Ltd
501 Merlin Park
Ringtail Road
Burscough
Lancashire
L40 8JY

Part I - PARTICULARS OF APPLICATION

Statutory Start Date: 22/04/2015

Location: Rectory Farm, Rectory Lane, Upton Warren, Bromsgrove, B61 7EL

Proposal: Installation of a solar park with an output of approximately 8.94MW on land adjacent to Rectory Farm (re-submission of application reference W/14/02267/PN).

Part II - PARTICULARS OF DECISION

The Wychavon District Council hereby give notice that in pursuance of the provisions of the Town and Country Planning Act 1990 that **PERMISSION HAS BEEN REFUSED** for the carrying out of the development referred to in Part 1 hereof for the following reasons:-

REASONS

1. The proposed solar farm represents inappropriate development within the Green Belt and is therefore, by definition, harmful. Furthermore, the development would have a significant harmful impact on the openness of the Green Belt. The applicant has failed to demonstrate 'very special circumstances' that outweighs the significant and in principle harm to the Green Belt. The proposal fails to accord with Policy SR7 of the Wychavon District Local Plan (June 2006); and guidance contained in the National Planning Policy Framework (in particular Chapter 9).
2. Paragraph 109 of the Framework states that the planning system should protect and enhanced valued landscapes. In terms of landscape character, the vast majority of the site falls within the Landscape Type (LT) Principal Timbered Farmlands.

The assessment advises 'The pattern of hedgerows is also important, not only in providing the basic fabric for the hedgerow tree populations, but also in emphasising scale and enclosure...with the pattern of hedgerows and winding lanes, contributes

to the overall organic character of this landscape.'

It continues 'It is vital for the retention of landscape character that the organic pattern of enclosure is preserved and that a geometric pattern is not superimposed by subdividing fields or enlarging others and employing straight fence or hedgelines.'

The application site is small in scale, subdivided into varying sized parcels of land in an organic character in the local landscape which can be clearly appreciated in views from the elevated footpath over the motorway. The imposition of a large scale solar park onto a small scale landscape, with straight lines of panels and fencing within an organic landscape, would not be sympathetic to the identified landscape character.

It is accepted that the receptors using public rights of way as being of high sensitivity. The users of public rights of way in relation to this site are considered to experience moderate to very substantial adverse visual impacts.

Notwithstanding the proposed planting it is considered that the growth of existing hedges and new hedge planting parallel with this would place the public rights of way within 'corridors' between high hedging and fencing. This would funnel the views and remove the openness and enjoyment of views across open countryside that is currently experienced.

The proposal would therefore fail to integrate; safeguard or enhance the character of the surrounding natural environment.

The proposal fails to comply with Saved Policy ENV1 of the Wychavon District Local Plan (June 2006); and guidance contained in the National Planning Policy Framework (in particular Chapter 11).

NOTES TO APPLICANT

1. Positive and Proactive Statement

In dealing with this application, the Council has worked with the applicant in the following ways:-

- providing pre-application advice;
- seeking further information following receipt of the application;
- seeking amendments to the proposed development following receipt of the application;
- considering the imposition of conditions and or the completion of a s.106 legal agreement.

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application. This is in accordance with paragraphs 186 and 187 of the NPPF. Despite these efforts, the Council still consider that planning permission should be refused for the reasons set out above.

Signed:



David Hammond

Housing and Planning Services Manager

Date: 26/08/2015

REFUSAL NOTICE

- Note 1.** Refusal of Approval Reserved Matters
Refusal of Outline Planning Permission
Refusal of Planning Permission
Refusal of Listed Building Consent
Refusal of Non-material Amendment following grant of planning permission
- Note 2.** Refusal of Consent to Display Advertisements
- Note 3.** Refusal of Householder
Refusal of Householder - Non-material Amendment following a grant of planning permission
- Note 4.** Refusal of Prior Approval for single storey rear extension

Note 1. If you are aggrieved by the decision of the local planning authority to refuse permission for the proposed development or to grant permission or approval subject to conditions, then he can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990. If you want to appeal against your local authority's decision then you must do so within 6 months of the date of this notice.

Note 2. If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.

Note 3. If this is a decision to refuse planning permission for a householder application if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Note 4. If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision on a planning application relation to the same or substantially the same land development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

The Secretary of State can allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State can not consider an appeal if it seems to the Secretary of State by the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory instruments requirements, to the provisions of any development order and to any directions given under a development order.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol. BS1 6PN. Tel: 0303 444 5000 or online at www.planningportal.gov.uk/pcs