



**Basingstoke  
and Deane**

**Basingstoke and Deane Borough Council**  
Civic Offices London Road  
Basingstoke Hampshire RG21 4AH  
Telephone 01256 844844  
DX Address DX3008 Basingstoke  
Facsimile 01256 845200  
www.basingstoke.gov.uk

REF:13/00046/FUL

Mr J Newberry  
PMSS  
Broadwater House  
Broadwater Road  
Romsey  
SO51 8GT

## **NOTICE OF REFUSAL**

**Town & Country Planning Act 1990**  
**Town & Country Planning (Development Management Procedure) (England) Order 2010**

In pursuance of its powers under the above mentioned Act, the Council as Local Planning Authority hereby REFUSES planning permission for the:

- Proposal:** Construction of a wind farm development comprising of 4 wind turbines up to 126.5m in height to blade tip, ancillary equipment, external transformers, foundations, crane hardstandings, access tracks, cable trenches, in conjunction with planning applications to Winchester City Council (case no. 13/00800/FUL) for 7 wind turbines, ancillary equipment, site access, external transformers, foundations, crane hardstandings, access tracks, cable trenches, anemometry mast, control building and temporary construction compound, and Test Valley Borough Council (case no. 13/00753/FULLN) for 3 wind turbines, ancillary equipment, external transformers, foundations, crane hardstandings, access tracks, cable trenches, as part of a single wind farm of 14 wind turbines for an operational period of 25 years
- Location** Land At Bullington Cross, Upper Norton Farm, Sutton Scotney, Hants  
SO21 3QF
- Applicant:** EDF Energy Renewables

in accordance with your application, plans and particulars which were received on 12th April 2013 with amendments received on 2nd December 2013, for the following reasons:

1. The proposed development would result in unacceptable harm to the purposes and special qualities of two national landscape designations; the South Downs National Park and the North Wessex Downs Area of Outstanding Natural Beauty. The proposals would not conserve or enhance the particular qualities of these areas and would have a detrimental impact on the landscape setting of these areas and on the views out from these areas. In addition, and for the same reasons, the development would result in an unacceptable cumulative impact when taking into account the wind turbine proposals at Woodmancott.



INVESTOR IN PEOPLE

Chief Executive **Tony Curtis**  
Director of Borough Council Services and Returning Officer **Karen Brimacombe**  
Director of Governance and Commissioning **Laura Taylor**

The development is therefore considered as contrary to the National Planning Policy Framework paragraphs 113 and 115, National Policy Statements EN-1 and EN-3 and Saved Policies E1, E6 and A6 of the Basingstoke and Deane Local Plan (2006 - 2011); 'Countryside Design Summary' (Appendix 14) of the Design and Sustainability Supplementary Planning Document (2008); Landscape Character Assessment Supplementary Planning Guidance (2001). As the development has an impact on land outside the borough Policies CP19 & CP20 of the Winchester District Local Plan Part 1 2013 and Policy DES01 of the Test Valley Borough Local Plan 2006.

2. The proposed development would have an adverse impact on the landscape character of the area as due to the scale, location and movement of the turbines they would be incongruous to the acknowledged unspoilt, undeveloped, rural and remote landscape character of the borough in this location which also contributes positively to the setting of a number of designated and undesignated heritage assets. The proposed development would have an adverse impact on the visual amenity of the area as the turbines would create extremely tall, incongruous and industrial presence that would cause significant harm to views from extensive sections of public rights of way, as well as significant harm to views both to and from the North Wessex Downs Area of Outstanding Natural Beauty. Along with the tall height of the structures, the rotating blades would create visual disturbance into the unspoilt, tranquil and largely undeveloped countryside. Views of the turbines would not respect or improve the scenic quality of the countryside and the Area of Outstanding Natural Beauty, or the unique sense of place.

The development is therefore contrary to Chapter 11 of the National Planning Policy Framework; National Policy Statements EN-1 and EN-3 and Saved Policies E1, E6 and A6 of the Basingstoke and Deane Local Plan (2006 - 2011). 'Countryside Design Summary' (Appendix 14) of the Design and Sustainability Supplementary Planning Document (2008); Landscape Character Assessment Supplementary Planning Guidance (2001). As the development has an impact on land outside the borough Policies CP19 & CP20 of the Winchester District Local Plan Part 1 2013 and Policy DES01 of the Test Valley Borough Local Plan 2006.

3. The proposed development would fail to preserve the architectural, historic and landscape significance of The Bee House (Grade II\* listed building), Hurstbourne Priors Conservation Area and Hurstbourne Park (Grade II Registered Park), which individually would each experience a significant degree of impact to their setting. It would also negatively affect their historic and current architectural and historical relationship with each other, and also with the nearby Grade II\* listed Church of St Andrew. Additional harm would also be caused to the setting of the Conservation Area at the southern end of the boundary where a significant degree of impact would be experienced to the broader landscape context of the village. The degree of visibility of the turbines that would be experienced by each of these designated heritage assets would detract from the appreciation of the intended, designed as well as the fortuitous landscape setting of the assets, which is central or of great importance to their architectural, landscape and historic significance. As such the proposals do not comply with S.66 and S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, or with Policies E2, E3, and E6 of the Basingstoke and Deane Borough Local Plan 1996-2011, and are contrary to the National Planning Policy Framework (Section 12), the local Supplementary Planning Guidance note entitled, "The Historic Environment: Listed Buildings", and the guidance given by Appendix 4 of the Design and Sustainability Supplementary Planning Document, "The Historic Environment: Conservation Areas", and the Hurstbourne Priors Conservation Area Appraisal.

4. The proposed development would fail to preserve the architectural, historic and landscape significance of Laverstoke Park (Grade II Registered Park) and Laverstoke House (Grade II\* listed building), by virtue of the impact that the expected visibility of the proposed turbines would have on the intended historic landscape design of the park and outlook from the house. As such the proposals do not comply with S.66 and S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, or with Saved Policies E2 and E6 of the Basingstoke and Deane Borough Local Plan 1996-2011, and are contrary to the National Planning Policy Framework (Section 12), the local Supplementary Planning Guidance note entitled, "The Historic Environment: Listed Buildings".
5. The proposed development would fail to preserve the architectural and historic significance of the Whitchurch, and Laverstoke and Freefolk Conservation Areas, both individually and together, by virtue of the degree of impact that the turbines would have on the positive landscape views south from the area around London Road, The Gables, and the Lynch. As such the proposals do not comply with section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, or with Saved Policies E1, E3 and E6 of the Basingstoke and Deane Borough Local Plan 1996-2011, and are contrary to the National Planning Policy Framework (Section 12), and to the guidance given by Appendix 4 of the Design and Sustainability Supplementary Planning Document, "The Historic Environment: Conservation Areas" and the adopted Conservation Area Appraisals of the affected areas.
6. It is considered that insufficient survey information has been provided to satisfactorily demonstrate that the development will not have unacceptable adverse impacts on protected species or their habitat. As a result of this lack of information, it cannot be concluded with confidence that the proposal would not cause harm to bats and dormice and their habitats which receive legal protection under UK and European law. As such the proposals are contrary to Chapter 11 (in particular paragraph 118) of the National Planning Policy Framework (March 2012); National Policy Statements EN-1 and EN -3; Saved Policy E7 of the Basingstoke and Deane Local Plan (2006), As the development has an impact on land outside the borough Policy CP16 of the Winchester District Local Plan Part 1 2013 and Policy ENV01 and ENV05 of the Test Valley Borough Local Plan.
7. The proposed development is considered to have an unacceptable impact on the residents of the properties at Tufton Warren Farm for reasons of the number turbines and the width of the view impacted. As such the proposal is considered to be contrary to Saved Policy E1 of the Basingstoke and Deane Local Plan (2006).
8. The proposed wind farm by reason of its location, number and height of turbines would pose an unacceptable additional hazard to military aircraft, particularly helicopters, within an area of relatively congested aviation activity which is a designated MOD low flying training area where regular low level restricted landing manoeuvres are practiced by Chinook and other rotary wing aircraft. Relocation of such training facilities within the area, so as to avoid the wind farm, is not practicable due to other restrictions and the development would thus undesirably prejudice aviation safety or continued use of such operational training facilities contrary to national interests and guidance in National Policy Statements EN-1 and EN-3.

9. The proposed wind farm by reason of its location, number and height of turbines would be likely to adversely impact the operations of the Chilbolton Observatory Advanced Meteorological Radar which supports national meteorological research, including in regard to climate change and extreme weather event prediction. The turbines would partially encroach into the radar scan view leading to data corruption prejudicial to the observatory's provision of data for national academic research. The development would therefore be contrary to the objectives for the safeguarding of nationally important infrastructure in National Policy Statements EN-1 and EN-3 and Saved Policy E1 of the Basingstoke and Deane Borough Local Plan.
10. Insufficient information has been provided to demonstrate that there will be an acceptable impact on the safety of operations at Lasham Airfield from the proposed development or that mitigation can create an acceptable impact. As such the application is considered contrary to National Policy Statements EN-1 and EN-3.

#### **Notes to Applicant**

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF) in dealing with this application, the Councils have worked with the applicant in the following positive and proactive manner:
  - offering a pre-application advice;
  - working collaboratively with colleagues in adjoining authorities;
  - seeking further information following receipt of the application;
  - considering the imposition of conditions and or the completion of a s.106 legal agreement.

In this instance:

- the applicant was updated of any issues through meetings and emails.

In such ways the Councils have demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

2. The Local Planning Authorities have taken account of the following development plan policies and proposals:-

Winchester District Local Plan Part 1 (Adopted 20 March 2013):  
DS1; MTRA4, CP12; CP16; CP19; CP20;

Winchester District Local Plan Review 2006 (Saved Policies):  
DP3; DP4; DP11; T2;

Basingstoke and Deane Borough Local Plan Review 1996-2011 (Saved Policies)

Test Valley Borough Local Plan 2006 (Saved Policies) SET03, HAZ06, ENV17, ESN32,  
ENV01, ENV05, AME04



Planning and Development Manager

Date: 2 July 2014

It is important that you read the notes overleaf

## NOTIFICATION - APPEALS TO THE SECRETARY OF STATE

13/00046/FUL

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

**If you want to appeal against the local planning authority's decision then you must do so within 6 months of the date of this notice.**

**However, if**

(i) this is a decision on a planning application relating to the same or substantially the same land and development and is already the subject of an enforcement notice, and 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; or,

(ii) an enforcement notice is subsequently served relating to the same or substantially the same land and development as in your application and if you want to appeal against the 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 of the date of this notice, whichever period expires earlier; or,

(iii) this is a decision to refuse planning permission for a minor commercial application you must do so within 12 weeks of the date of this notice.

Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).

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

The Secretary of State need not consider an appeal if it seems to him that 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 requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

### **Purchase Notices**

- If either the local planning authority or the Secretary of State/National Assembly for Wales\* refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London or county or county borough in Wales) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.