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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

REFUSAL OF PLANNING PERMISSION

Case No: 13/00800/FUL

Ref No: W22618/03

Grid Ref: 448331 143461

Construction of a wind farm development comprising Winchester City Council (case no.13/00800/FUL) for 7 wind turbines up to 126.5m in height to blade tip and ancillary equipment, site access, external transformers, foundations, crane hardstandings, access tracks, cable trenches, anemometry mast, control building and temporary construction compound, in conjunction with planning applications to Test Valley Borough Council (case no. 13/00753/FULLN) for 3 wind turbines, ancillary equipment, external transformers, foundations, crane hardstandings, access tracks, cable trenches, and Basingstoke and Deane Borough Council (case no. 13/00046/FUL) for 4 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 (IS A MAJOR APPLICATION AND IS ENVIRONMENTAL IMPACT DEVELOPMENT) (THIS APPLICATION MAY AFFECT THE SETTING OF A PUBLIC RIGHT OF WAY) Supplementary Environmental Information received 03/12/13

Proposed Bullington Cross Wind Farm Site, Norton, Sutton Scotney, Hampshire

In pursuance of its powers under the above mentioned Act, the Council, as the Local Planning Authority, hereby REFUSES permission for the above development in accordance with the plans and particulars submitted with your application received on 8 April 2013 .



The reason(s) for the decision of the Local Planning Authority to refuse permission is/are specified hereunder:-

1 Landscape - Impact on Nationally Important Landscapes

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 AONB. 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. 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 policies CP19 & CP20 of the Winchester District Local Plan Part 1 2013. Additionally, as the development has an impact on land outside the district Saved Policies E1, E6 and A6 of the Basingstoke and Deane Local Plan (2006 - 2011) and Test Valley Borough Local Plan policy DES01.

2 Landscape - Impact on the fabric, character and quality of the receiving landscape.

The proposed development would have an adverse impact on the landscape character of the area as due to the scale, prominent skyline location and visually disturbing movement of the turbines they would be incongruous and alien to the acknowledged attractive remote and tranquil downland countryside landscape character of the district in this location which also contributes positively to the setting of a number of designated and undesignated heritage assets. Development as proposed would also adversely impact on the visual amenity of this largely undeveloped area as the turbines would introduce an extremely tall, incongruous and visually dominant industrial presence that would significantly detract from cherished panoramic views from extensive sections of public rights of way and from viewpoints within the South Downs National Park to the detriment of its setting and 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 Policies CP19 & CP20 of the Winchester District Local Plan Part 1 2013. Additionally, as the development has an impact on land outside the district Saved Policies E1, E6 and A6 of the Basingstoke and Deane Local Plan (2006 - 2011) and policy DES01 of the Test Valley Borough Local Plan 2006.

3 Heritage - Inadequacy of Information / weighting to show effects would not be harmful

The proposed development, due to its far reaching visual dominance breaking the skyline and introducing incongruous scale, form and movement as part of the backcloth setting to many heritage assets including Winchester Cathedral, other listed buildings, conservation areas, registered Parks and Gardens would devalue the important contribution that such assets make to the district's character and heritage. In the case of Winchester Cathedral, as viewed from St Catherine's Hill, the impact of the development on the skyline, in an otherwise undamaged view enjoyed for centuries, must be given substantial weight in terms of adverse impact. It is therefore considered that the proposed development will be detrimental to the historic character of the northern part of the district and the contribution it makes to the setting of the city, its cathedral and to the South Downs National Park contrary to NPPF paragraphs 128, 132, 133, 134, 135 and Policy CP20 of the Winchester District Local Plan Part 1 2013.

4 The E S assessment of heritage assets does not sufficiently extend to lower grade assets which make valuable contributions to the district's character, often at some distance from the site. As such, the LPA is unable to make a properly informed decision regarding the impact on the Historic Environment which is contrary to their duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses in accordance with Section 66(1) of the P(LBCA) Act 1990.

5 Ecology - Inadequacy of Information to show effects would not be harmful

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 and Policy CP16 of the Winchester District Local Plan Part 1 2013 and Test Valley Borough Local Plan 2006 policy ENV01 and ENV05.

6 Aviation

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 includes a designated MOD low flying training area where regular low level restricted landing manoeuvres are practiced with Chinook and other rotary wing aircraft. Relocation of such training facilities within the area, so as to avoid the proximity of 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.

7 Chilbolton Observatory

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 national and local planning objectives for the safeguarding of nationally important infrastructure in National Policy Statements EN-1 and EN-3.

8 Lasham

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.

Informatives:

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)

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

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20 June 2014