



# NOTICE OF DECISION

## TOWN AND COUNTRY PLANNING ACT 1990

<b>Decision :</b>	<b>Refuse Permission</b>
<b>Application no :</b>	<b>15/01614/FUL</b>
<b>Site address :</b>	Trimmers Farm, Totters Lane, Hartley Wintney, Hook, Hampshire RG27 8HX
<b>Description of development :</b>	Temporary construction intended to stand for 25 years of a ground mounted solar array having a generating capacity of 10MWp with ancillary equipment including inverter cabinets, transformers and a sub-station.
<b>Date of Notice :</b>	16 November 2015

The Planning Authority **REFUSES** Planning Permission for the following reason(s):

- 1 By virtue of its visual impact and wider landscape views the proposed development would have an unacceptable urbanising impact, harmful to the rural character of the area and to the wider setting of the designated heritage assets of the listed and locally listed buildings within the zone of theoretical visibility and the Odiham Conservation Area. The proposed development would seriously detract from the amenity and consequent recreational value of the nearby public right of ways, especially public rights of way 501 and 729, by reducing their rural character and detracting from significant views. Therefore, the proposal is contrary to the National Planning Policy Framework, National Planning Practice Guidance, Sections 66(1) and 72(1) of the of the Planning (Listed Building and Conservation Areas) Act 1990 and saved policies GEN1, GEN3, GEN10, RUR2, RUR3, CON12, CON13 and CON23 in the adopted Hart District Local Plan (Replacement) 1996-2006.

### INFORMATIVE NOTES

These are advice notes to the applicant:

- 1 The Council works positively and proactively on development proposals to deliver sustainable development in accordance with the NPPF. In this instance the applicant did not seek pre application advice. Furthermore the applicant was advised of the problems with the scheme during the course of this application and decided to

continue with the application to determination. Therefore the proposal is unacceptable for the reasons given above.

## **Rights of Appeal**

Appeals can be made on the Planning Inspectorate's website: [planningportal.gov.uk/pcs](http://planningportal.gov.uk/pcs). For further information or to obtain a paper copy of the form, please contact them on either 0303 444 5000 or the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

For householder and minor commercial applications you are allowed **12 weeks** from the date of this permission in which to lodge an appeal. For all other types of application you have **6 months** in which to appeal.

There is no third party right of appeal for neighbours or objectors.

## **Negotiations**

Before making an appeal, you may wish to contact the case officer who dealt with your application, Mrs Kerri Crutchfield on Tel: 01252 774112 or Email: [kerri.crutchfield@hart.gov.uk](mailto:kerri.crutchfield@hart.gov.uk) who may be able to advise you, how the council's objections to your proposal might be overcome if you amend your scheme. Please note that if negotiations are successful, you will need to submit a new planning application, which may, of course, be refused by committee.

Lodging an appeal will not prejudice your negotiations but you may need to agree with the council to postpone the appeal, to allow negotiations to take place.

## **Purchase Notices**

If either the Local Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner 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. This notice will require the Council to purchase the owner's interest in the land.