

BUCKINGHAMSHIRE COUNCIL**Town and Country Planning Act 1990****23/02077/APP**

Mr Peter Grubb
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Subsequent to your application that was valid on the **10th July 2023** and in pursuance of their powers under the above mentioned Act and Orders, Buckinghamshire Council as Local Planning Authority **HEREBY REFUSE PERMISSION FOR:-**

Installation of a solar farm comprising ground mounted solar PV panels with a generating capacity of up to 40MW(AC), including mounting framework, inverters, underground cabling, stock proof fence, CCTV, internal tracks and associated infrastructure, landscaping, biodiversity net gain and environmental enhancements for a temporary period of 50 years.

AT:-

Land to the South of Bishopstone (Adjoining Plantation) off Kimblewick Road, Dinton, Bucks

The reason for refusing your application is:-

1. The proposed development, due to its scale and visual prominence, particularly from the footpaths surrounding and accessing the site, would cause significant adverse effects on the landscape character and visual amenity, including harm to the setting of the Chilterns National Landscape. The development of the solar farm would lead to the proliferation of energy infrastructure in a largely undeveloped countryside, impacting its intrinsic character and beauty, and thereby introducing an alien and discordant feature within the pastoral setting. Due to the sloping nature of the largest field within the site, the solar arrays would be visually prominent from a wider area, and effective mitigation is unachievable, resulting in an adverse impact on visual amenity. The proposal's visibility from key viewpoints along The Ridgeway (National Trail) within the Chilterns National Landscape, such as Whiteleaf Hill and Beacon Hill, and the sloping nature of the largest field, means that it is readily visible, and proposed mitigation measures will not be sufficient to negate the adverse impacts, thereby resulting in harm to the setting of the Chilterns National Landscape. The visibility of the solar farm, combined with at least four other solar farms in the vicinity, contributes to the changing character of the rural landscape to a landscape character increasingly defined by energy infrastructure, which detracts from the tranquillity and scenic beauty of the countryside in this area. This is contrary to Policies NE3, NE4, and BE2 of the Vale of Aylesbury Local Plan (2021), Policies DM30 and DM32 of the Wycombe District Local Plan (2019), Policy KIM1 of the Great and Little Kimble-Cum-Marsh Neighbourhood Plan (2021), and paragraphs 187 and 189 of the NPPF.

Your attention is drawn to the attached notes.

A handwritten signature in black ink, appearing to be 'EO' followed by a stylized flourish.

Eric Owens

Service Director Planning and Environment

On behalf of the Council

2nd April 2025

NOTES FOR RPP1, AOP2 & ATNR

1. APPEALS

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development, then you can appeal to the Secretary of State for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990. If you want to appeal, you must do so within the appropriate time limit shown below, using a form which you can get from the Secretary of State, Initial Appeals, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN . You can also lodge an appeal via the internet at <https://www.gov.uk/planning-inspectorate>

Appeals against refusal of planning permission for:	Time period for submitting appeals to Planning Inspectorate
Minor commercial (shop front) development	Within 12 weeks of the date of this decision notice
Development where an enforcement notice was previously served for substantially the same land and development	Within 28 days of the date of this decision notice
Development where an enforcement notice is subsequently served for substantially the same land and development	Within 28 days of the date the enforcement notice is served or within 6 months of the date of this notice, whichever period expires earlier
All other development	Within 6 months of the date of this decision notice

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 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.

If either the local planning authority or the Secretary of State for Communities and Local Government 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 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 V1 of the Town and Country Planning Act 1990.

2. BUILDING REGULATIONS

This Refusal under the Town and Country Planning Act **DOES NOT** operate as a refusal under the provisions of the Building regulations. A further application may be required under this legislation. You are advised to seek advice from the Council's Building Control section on this matter, by emailing buildingcontrol@buckinghamshire.gov.uk

3. PROTECTED SPECIES

Certain wild plants and animals are protected under UK and European legislation. Approval under that legislation is required if protected habitats or species are affected by development. If you discover protected species proceeding with the development without seeking advice from Natural England could result in prosecution. For further information or to obtain approval contact Natural England. Further details are contained in our leaflet 'Biodiversity and the Planning process'.

