

TOWN AND COUNTRY PLANNING ACT 1990

REFUSAL OF PLANNING PERMISSION

(pursuant to an outline or full application)



APPLICATION NO: PA/2015/0114

Applicant:

[REDACTED]
Rochester 005 Limited

Address/Agent:

[REDACTED]
Aardvark EM Limited
Higher Ford
Wiveliscombe
TAUNTON
TA4 2RL

North Lincolnshire Council hereby give notice that the application received on 12/02/2015 to:

install standalone solar photovoltaic modules and associated infrastructure, including underground electric cable connection to the national grid along the A18 and A1029 on storage land, Raventhorpe Lodge access road in Raventhorpe Lodge depot, Holme, DN16 3RJ

has been considered and that permission for this development has been **REFUSED** for the following reasons:

1.

The proposed development, on its own and in combination with the nearby photovoltaic farm, will have an adverse effect on the character and appearance of the area and as such is contrary to saved policies DS1, DS21, RD2 and LC7 of the North Lincolnshire Local Plan 2003, the Planning for Renewable Energy Development Supplementary Planning Document November 2011 and the council's Draft Supplementary Planning Document – Planning for Solar Photovoltaic (PV) Development 2015.

2.

Insufficient evidence has been submitted to demonstrate and justify why the proposal utilises for the most part productive agricultural land contrary to a Ministerial Statement March 2015, the National Planning Policy Framework, Planning Practice Guidance on Renewable Energy and the council's Draft Supplementary Planning Document – Planning for Solar Photovoltaic (PV) Development 2015. The proposal is therefore unacceptable and would result in the loss of land which should be used for agriculture.

Dated: 18 November 2015 Signed:

[REDACTED]

[REDACTED]

Head of Development Management

Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area, however in this case the development cannot be made acceptable.

RIGHTS OF APPEAL ETC

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Planning Inspectorate, in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of the date of this notice*. Appeals must be made on a form which is obtainable from The Planning Inspectorate, Room 304A Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

***Householder Application:** 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.

The Planning Inspectorate has power to 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 Planning Inspectorate is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provision of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him.

2. If permission to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Planning Inspectorate, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the council in whose area the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
3. In certain circumstances a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Planning Inspectorate on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
4. The Planning Inspectorate have introduced an online appeals service that you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal - see www.planningportal.gov.uk/pcs. The Inspectorate will publish details of the appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only supply information, including personal information belonging to you, that you are happy will be made available in this way. If you supply personal information belonging to someone else, please ensure that you have their permission. More detailed information about [data protection and privacy matters](#) is available in the Planning Portal.

When making your appeal, if requesting your forms from the Planning Inspectorate it is important that you ask for the correct appeal form.

Either a:

Planning Appeal Form (full or outline applications)

Householder Planning Appeal Form

Listed Building Consent or Conservation Area Consent Appeal Form

Certificate of Lawful Use or Development Appeal Form

Please note: *only the applicant possesses the right of appeal.*