



AGENT: Mr Nick Bowen - DWD
DWD Property + Planning
6 New Bridge Street
London
United Kingdom
EC4V 6AB

APPLICANT: Mr James Nicol - Thorpe Park
Solar Farm Ltd
Oxygen House
Grenadier Road
Exeter Business Park
Exeter
EX1 3LH

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 21/01860/FUL

DATE REGISTERED: 27th October 2021

Proposed Development and Location of Land:

Proposed construction and operation of a solar photovoltaic farm and associated infrastructure, including inverters, substations, security cameras, fencing, access tracks and landscaping.

Thorpe Park Solar Farm Land South of Thorpe-Le-Soken Tendring Essex

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **HEREBY REFUSE PLANNING PERMISSION** in accordance with the application form, supporting documents and plans submitted for the following reason(s)

- 1 The siting proposed predominantly on valley sides would be inappropriate, and, when coupled with the proposal's scale and appearance within the historic pastoral landscape, it would result in harm to landscape character and unacceptable harm to the character and appearance of the area. As a result, the proposal would be contrary to Policy SP1 which seeks to conserve and enhance the natural environment and Policy SP7 which requires proposals preserve and enhance the quality of existing places and their environs. Furthermore, it would be contrary to Policy PPL3 which states that the Council will protect the rural landscape and refuse planning permission for any proposed development which would cause overriding harm to its character or appearance. Further still, there would be conflict with the requirements of Policy SPL3 that development must respect or enhance local landscape character, and it would be at odds with the policies within Section 15 of the National Planning Policy Framework. Conditions would not be capable of mitigating the identified harm. Therefore, it is an unacceptable location for large scale solar farm development.
- 2 By virtue of the proposal's scale, appearance, and siting within the agricultural setting of the Grade II listed Thorpe Park Farmhouse and Ricebridge Cottage, the proposal would result in less than substantial harm to their significance through harm to their setting. As a consequence, the proposal would be contrary to Policy PPL9 which states that proposals for new development affecting a listed building or its setting will only be permitted where they will protect its special architectural or historic interest.

DATED: 1st August 2022**SIGNED:**


Graham Nourse
Assistant Director

IMPORTANT INFORMATION :-

The local planning authority considers that the following policies and proposals in the development plan are relevant to the above decision:

NPPF National Planning Policy Framework July 2021

National Planning Practice Guidance

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 Plan (adopted January 2021)

SP1 Presumption in Favour of Sustainable Development

SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

SPL1 Managing Growth

SPL3 Sustainable Design

PPL1 Development and Flood Risk

PPL3 The Rural Landscape

PPL4 Biodiversity and Geodiversity

PPL5 Water Conservation, Drainage and Sewerage

PPL7 Archaeology

PPL8 Conservation Areas

PPL9 Listed Buildings

PPL10 Renewable Energy Generation

CP1 Sustainable Transport and Accessibility

Local Planning Guidance

Tendring Landscape Character Assessment

Essex County Council Car Parking Standards - Design and Good Practice

Essex County Council Development Management Policies 2011 (the Highways SPD)

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reasons for the refusal, approval has not been possible.

The attached notes explain the rights of appeal.

NOTES FOR GUIDANCE

WHEN PLANNING PERMISSION IS REFUSED OR GRANTED SUBJECT TO CONDITIONS

APPEALS TO THE SECRETARY OF STATE

- 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, then you must do so within the set time frame as outlined below:
 - a. 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. A **Householder Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
 - b. If this is a decision to refuse planning permission for a minor commercial 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. A **Planning Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
 - c. If you want to appeal against your local planning authority's decision on a development which is not caught by a. and b. above then you must do so within **6 months** of the date of this notice. A **Planning Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
- Appeals must be made using the relevant form (as detailed above) which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>. **Please note, only the applicant possesses the right of appeal.**
- The Secretary of State can allow a longer period for giving notice of an appeal, but 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 the Secretary of State that the local planning authority could not have granted permission for the proposed development or could not have granted it without the conditions imposed having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

ENFORCEMENT

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if 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.

- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if 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 service of the enforcement notice, or within 6 months (12 weeks in the case of a householder or minor commercial appeal) of the date of this notice, whichever period expires earlier.