

BUCKINGHAMSHIRE COUNCIL

Town and Country Planning Act 1990

23/03875/APP

Ms Kirsty Cassie
4th Floor, 80 Victoria Street
London
SW1E 5JL
United Kingdom

Subsequent to your application that was valid on the **15th December 2023** and in pursuance of their powers under the above mentioned Act and Orders, Buckinghamshire Council as Local Planning Authority **HEREBY REFUSE PERMISSION FOR:-**

Development of a battery energy storage system (BESS), connected directly to the national Grid with associated infrastructure including access, drainage and landscaping (amended plans received).

At: Rookery Farm, Granborough, Buckinghamshire, MK18 3NJ

The reasons for refusing your application are:-

1. The proposal which is a large-scale energy development will be introduced into a strongly agricultural landscape and would be significantly incongruous. It will have, despite the proposed mitigation, significant adverse impact on visual amenity and on the landscape character at the site, local and landscape character area levels. Furthermore, the cumulative effects of the proposal with Tuckey Farm (consented permission) and the existing East Claydon sub-station would lead to cumulative visual and landscape character effects which would be significantly adverse. Together this would change the existing predominantly pastoral landscape to one defined by energy development. The proposal is contrary to Policy C3, BE2 and NE4 of the Vale of Aylesbury Local Plan (VALP) 2021 and RC2 and RC3 of the Granborough Neighbourhood Plan (GNP) 2022 and paragraph 187 of the National Planning Policy Framework (NPPF) 2024.

Your attention is drawn to the attached notes.



Eric Owens
Service Director Planning and Environment

On behalf of the Council
20th December 2024

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'.