



The countryside charity  
North Yorkshire

PO Box 189  
York  
YO7 9BL  
[www.cprenorthyorkshire.co.uk](http://www.cprenorthyorkshire.co.uk)  
Tel: 07983 088120  
Email: [info@cprenorthyorkshire.co.uk](mailto:info@cprenorthyorkshire.co.uk)

Branch President  
The Lord Crathorne KCVO  
Branch Chair  
Mr S White

**Authority:** Richmond District Council

**Type of consultation:** Planning Application

**Full details of application/consultation:** 20/00400/FULL - Full Planning Permission for Change of Use of Land for Proposed Solar Farm

**At land at:** Long Green Farm, Moor Lane, Newsham, Richmond, North Yorkshire, DL11 7EF

**Type of response:** Comment with some concern

**Date of Submission:** 22<sup>nd</sup> July 2020

All responses or queries relating to this submission should be directed to the Secretary for the Trustees at the contact details shown above on this frontispiece.

All CPRE North Yorkshire comments are prepared by the charity using professional planners whose research and recommendations form the basis of this response in line with national CPRE policies.

External planning consultant used in this response:



KVA Planning Consultancy  
Katie Atkinson, BA (Hons), Dip TP, MA  
MRTPI  
[www.kvaplaning.co.uk](http://www.kvaplaning.co.uk)

## Comment

CPRE North Yorkshire (CPRENY) welcomes the opportunity to comment on this application for a new solar farm development at an existing piggery at Long Green Farm, Newsham.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application should be determined in accordance with the development plan unless material planning considerations indicate otherwise. The planning system should contribute to achieving sustainable development. The National Planning Policy Framework (NPPF) (2019) aims to deliver sustainable development through the implementation of its policies. Paragraph 11 states that for decision making this means:

- c) *'approving development proposals that accord with an up-to-date development plan without delay; or*
- d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date<sup>7</sup>, granting permission unless:*
  - I. *The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
  - II. *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'*

Paragraph 213 of the NPPF clarifies that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework. Weight should be given to them according to their consistency with the NPPF. (The closer the policies in the plan to the policies in the Framework, the greater the weight that should be attributed).

The Development Plan relevant to this application consists of:

- The Richmondshire Local Plan 2012-28 Core Strategy (2014); and
- Saved Policy 23 of the Richmondshire Local Plan 1999-2006.

Richmondshire District Council (RDC) have recently commenced a review of the Local Plan in order to update policies for new development. The Issues and Options Consultation was undertaken in 2018 and CPRENY commented at that time. The Preferred Options Consultation was due for consultation in May/June 2020, however, with the current ongoing situation regarding COVID-19, there has been some slippage. Due to the early stage of plan preparation, weight cannot be given to any themes or emerging policies in a new Local Plan at this time. Therefore, CPRENY believe that the proposals should be determined against the provisions of the saved local plan.

The proposed site has an area of 0.1 Ha within the existing farm holding off Moor Lane. The Solar Farm is proposed to consist of panels of 2.5m in height in 5 rows, measuring 50m x 23m and are south facing in position. The panels are blue/black, with silver supports positioned at 3m intervals in concrete plinths. The applicant has proposed the development to enable the piggery units to be self-sufficient.

Long Green Farm lies some 3.9km to the northeast from the border of the Yorkshire Dales National Park (YDNP). Development that occurs outside of a nationally designated landscape can impact the designation, therefore, it is paramount that the Council are satisfied that this proposal will not detrimentally impact the YDNP in terms of its landscape quality; the visual impact of the proposals from the Public Rights of Way (PROW) both within and out with the YDNP; and also the Heritage Assets in the vicinity of the site, if they are minded to approve the proposals. The site itself is elevated in the landscape, therefore, any development

would require sufficient screening to ensure satisfactory assimilation with the surrounding landscape.

CPRENY recognise the value that modest and appropriately sited solar farms can have in the campaign to mitigate the impacts of climate change and reduce carbon emissions, therefore, do not oppose such developments per sé. However, it is important that other planning policies are considered when determining such applications to ensure that the proposal is appropriate for the particular site.

CPRENY welcomes the LVIA submitted in support of the proposals by the applicant. It is noted that within the report, it is stated that views of the solar farm would be restricted to 2km and beyond to the south and south east on elevated areas. This would, therefore, mean that the development would be visible from within the YDNP. As such the Planning Authority would need to ensure that they are satisfied that the visual impact of this would not be detrimental prior to determination.

It is acknowledged that the applicant intends to plant additional trees and extend earth mounding as a visual mitigation to the site and CPRENY welcomes the consideration of mitigation. However, CPRENY would again seek reassurance that the Planning Authority be satisfied with the level of planting and screening provided so as to not impact the YDNP. It is understood that the solar array proposed is designed to absorb sunlight and not reflect outwards so as to produce a glare which would make the array more visible and distracting from different viewpoints.

Furthermore, the applicant proposes the planting of meadow flowers on part of the site to encourage biodiversity and habitat creation. CPRENY welcomes these proposals which are in line with national policy in the NPPF which requires a net gain to biodiversity to be achieved via new developments.

The LVIA states that *'due to the intervening topography, built form and vegetation, it is not anticipated significant visual effects will arise due to the proposed change in land use'* however, CPRENY, are disappointed that no assessment has been presented to determine this, or the exact level of change, as a result of the proposed developments on these assets. The NPPF states clearly at paragraph 189 that when determining applications, *'Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting...'* and that (p.190) *'local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset).'* It goes on at paragraph 193 to state that *'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.'* Without this information, the Council cannot be sufficiently satisfied so as to determine that there would not be any detrimental harm to the heritage asset or their settings and thus should refuse the application or at the very least request this exercise be undertaken by the applicant.

The applicant has assessed the impact of the proposals on 5 nearby PROWs/bridleways within the vicinity of the application site, all of which are noted as having medium-high sensitivity to either the highway or recreational users. Figure 1 of the LVIA appendices shows that there are numerous other PROWs in the area which have not been assessed, presumably because of local topography, however, CPRENY are surprised that the LVIA did not reflect this so that the Council could determine whether this indeed is the case.

The NPPF sets clear guidance that the planning system should support the transition to a low carbon future, setting out that it should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions. The use of solar panels in order to produce renewable energy and help combat climate change is considered to be a benefit of the proposal. However, supporting text to Policy CP2 of the Local Plan sets out that *'... all the plan area is judged to be at least medium landscape and visual sensitivity. It rises to high sensitivity in the upland areas bordering the Yorkshire Dales National Park. Therefore, potential for larger scale technologies and multiple schemes are constrained.'* It is acknowledged that the proposal is not large scale,

however, CPRENY would refer to their earlier comment that the Planning Authority would need to be satisfied that no detrimental harm would be caused to the National Park or its setting as a result of the proposal prior to determination.

### **Conclusion**

In summary, CPRENY do not object to the principle of development of a solar farm for self-sufficiency and in the interests of combating climate change.

However, due to the location of the site on an elevated position within close proximity to the YDNP, CPRENY believe that the Council should be satisfied that the proposed mitigation is sufficient to mitigate any harm to the protected landscape and visual setting of the NP.

Furthermore, CPRENY would like the Council to ensure that any harm experienced by recreational users on adjacent PROWs is satisfactorily mitigated against. Finally, the significance of the heritage assets in the vicinity of the site should be accurately assessed against the development proposals prior to determination, in order to ensure that the assets and their settings are protected prior to determination in line with national policy.

CPRENY reserve the right to comment further should additional information be submitted in support of this application.