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Branch Chair
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Authority: East Riding of Yorkshire Council

Type of consultation: Planning Consultation

Full details of application/consultation: 22/03648/STPLF - Construction of 49.9MW Solar Farm comprising of ground mounted solar panels, underground cabling, a temporary construction compound, access tracks, perimeter fencing with CCTV cameras, access gates and associated ancillary grid infrastructure and works

At land at: Carr Farm, Carr Lane, Tickton, East Riding Of Yorkshire HU17 9SD

Type of response: Objection

Date of Submission: 12th February 2023

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 and East 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
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Comment

CPRE North and East Yorkshire ('CPRENEY') welcomes the opportunity to comment on this application for the construction of 49.9MW Solar Farm comprising of ground mounted solar panels, underground cabling, a temporary construction compound, access tracks, perimeter fencing with CCTV cameras, access gates and associated ancillary grid infrastructure and works at land at Carr Farm, Carr Lane, Tickton, submitted to East Riding of Yorkshire Council ('the Council') on behalf of Albanwise Synergy Ltd ('the applicant').

The 101.5ha site, is situated circa 1.6km east of Beverley and circa 0.9km southeast to the village of Tickton, East Riding of Yorkshire. The land is currently in agricultural usage, comprising 7 fields which are bound by a mix of mature hedgerows with individual trees, pockets of woodland and wooden rail fencing. There are no landscape or nature conservation designations on the site.

The Proposed site is located mostly within Flood Zone 3, however, it is acknowledged that this area does benefit from flood defences. The Holderness Drain runs along the eastern boundary of the site. The River Hull is located circa 1km, to the southwest of the site.

There are 4 public footpaths in the immediate vicinity of the site and it is anticipated that access will be taken from the A1035.

Weel is the nearest settlement to the site and the surrounding landscape is mainly agricultural but with other solar arrays and wind turbines in existence. The proposed site would effectively 'fill in' an area of land in the middle of two approved arrays approved under the following references: 22/00824/STPLF and 22/01298/STPLF.

Details of the proposal is set out in full in the applicant's Planning Statement but is summarised below:

- 110,340 modules (1,366 module racks and 8,722 pile driven poles);
- 10 x Transformer substations;
- 2m high security fencing incorporating timber posts and deer fencing;
- 47 x CCTV posts at 2.5m high;
- 1 x Storage container;
- 1 x temporary construction compound;
- Access tracks; 3.5m wide and will involve an average of 300mm depth of soil removed. Local widening at turns for access reasons. Occasionally they will use a geosynthetic reinforcement or soil stability to reduce depth;
- Concrete plinths for transformers;
- Cable trenching and backfilling (circa 1m deep and up to 1m wide); and
- Structural landscape planting and ecological enhancement measures.

The Planning Statement ('PS') goes on to set out that *'During the anticipated nine-month construction period, a total of 701 HGV deliveries will be made to the Application Site [*1402no. 2-way movements]. During the peak construction period there will be an approximate maximum of 15 daily HGV deliveries.'* The PS goes on to set out that there will be an expected 10% increase in expected number of HGV movements at the decommissioning stage totalling circa 1682.

At the end of the proposed 40-year operational period, the applicant proposes to decommission the site and all equipment, removing it all from the site and fully restoring the land to agricultural use to the satisfaction of the local planning authority.

CPRENEY strongly object to the principle of this vast site being taken out of agricultural usage, when

considered independently on its own merits, but also cumulatively alongside previous approvals for the same type of development on adjacent land, which will cumulatively have a footprint of 270.5Ha. Furthermore, CPRENEY are concerned about the impact the proposals will have on the ability of residents to use the public footpaths and bridleways in the vicinity.

Planning Context

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') (2021) 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, 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 219 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:

- Strategy Document (adopted April 2016); and
- Allocations Document (adopted July 2016).

It is understood that the Council are in the process of preparing a new Local Plan which will replace a number of existing adopted planning policy documents with a single policy document, the Regulation 19 version of the draft Local Plan is currently out for public consultation. However, until such time as the Plan has been through examination and is progressing towards adoption, no weight can be attributed to the new Local Plan in the determination process and as such, full weight should be given to the saved Local Plan policies and other material considerations as necessary including the NPPF.

CPRENEY do not object to the generation of renewable energy by solar arrays and consider that the generation and supply of low carbon energy will be core to achieving the UK goal of net zero carbon emissions by 2050 or earlier. This will require a transformation of our energy system over the next 20–30 years. The scale and immediacy of the threat to the climate and our countryside means that change is necessary.

The current model of renewable energy development has resulted in some poor outcomes for landscapes, the environment and rural communities. CPRENEY wants to change this and believes it is possible to achieve the net-zero transition, including the introduction of new solar developments, in harmony with our

wider environmental and social objectives.

This means taking a strategic planning approach to development of renewable energy assets at the local level and ensuring that local communities are empowered to help shape their local energy response. CPRENEY will, therefore, only support solar developments which:

- minimise impacts on landscapes, tranquility and heritage, through appropriately scaled development;
- minimise the impacts on the Best and Most Versatile agricultural land;
- bring net benefits to biodiversity;
- benefit the rural economy; and
- are supported or owned by local communities.

Furthermore, CPRENEY consider that renewable energy generation and climate change mitigation must be maximised within urban areas and priority given to using previously developed land in line with CPREs 'brownfield first' policy.

The proposal subject to consideration is on Grade 3b in the BMV land classification system according to the applicants detailed survey, whilst Natural England's ALC Map seems to show the area as 2/3. Generally CPRENEY object to large swathes of land on BMC agricultural land. Whilst 1-3 is considered to be the better quality of land, section 3 has been split into two parts and 3b has been identified as being suitable for solar farm development, CPRENEY consider that this should be small-scale sites suitable of sustaining a rural business. Grade3b land is still suitable for arable usage and when considered cumulatively with the adjacent 2 sites with an overall footprint of 270.5Ha, CPRENEY consider that this level of land take on greenfield sites which are still used for crop production is wholly inappropriate. The unfortunate events elsewhere in the world currently have seen food shortages resulting in empty shelves. CPRENEY are of the opinion that this large-scale scheme is therefore entirely in the wrong location and that this BMV land should be retained as such. The NPPF directs development away from BMV and CPRENEY consider that developments such as these should be located on brownfield or vacant sites or ideally on rooftops.

CPRENEY understand that this is an unprecedented and challenging period of time for farmers, and the benefits of a solar farm can be attractive, especially over a 40-year period. However, as set out in a recent Welsh planning appeal relating to a solar farm at Blackberry Lane (DNS/3245065) there is no guarantee that even ground moulder solar panels, will actually result in the reclamation of good quality land at the end of their lifespan and can in fact harm the soils rendering it of lesser grade and value.

Notwithstanding the above, CPRENEY are aware that there are four Public Rights of Way ('PROW') in the vicinity of the site. The first (Tickton FP 6) is situated on the northern boundary of the application site, traversing west to east, the second (Tickton FP 7) situated adjacent to the western boundary of the application site travelling east to west and the third (Tickton FP 14) is situated c.0.55km north west of the application site travelling west to east. The fourth Public Footpath (Wawne FP 9) is situated near North Carr Lane to the south of the application site.

There is also a Public Bridleway (Tickton BR 5) approx. c.3.20km in length running along the western periphery of the application site and ending on the southern end of the site near North Carr Lane. It adjoins Tickton FP 7 on the sites western boundary. Members of the charity have reported daily use of the PROW network and that the bridleway is used frequently by residents accessing the countryside in a safe and ready manner. Access to the countryside is essential for physical and mental health and wellbeing and as such is given significant weight in the NPPF. As a result of the recent pandemic, CPRE are aware nationally

as well as locally that more and more members of the public are experiencing and appreciating the countryside for its own sake. As such, any diversion of footpaths and bridleways or development which may attribute to deterring their usage and limiting the public's ability to access the countryside and the benefits of doing so is concerning. CPRENEY therefore have huge concerns about the proximity of the site to the footpaths, particularly during the construction phase. We are aware that children and young families use the bridleway daily to access school and social clubs, and that these routes are used by residents several times a day for convenience as well as exercise and leisure basis. Once constructed, the tall fencing could easily give the open countryside an enclosed and industrial feel, leading to the perception of the route being unsafe.

CPRENEY acknowledge that the applicant has said that animals 'could' graze between and beneath the panels. This appears to be something that all developers state in planning documents. In reality, following consultation with other CPREs across the country, it is very rare that this is the case and CPRENEY are not aware of this actually happening in their area of benefit, therefore, feel this should not be given any weight in the determination process.

Conclusion

CPRENEY welcomes the opportunity to comment on this detailed planning application for a large, 101.5Ha solar array to the southeast of Tickton, East Yorkshire.

CPRENEY recognise the need to transition away from fossil fuels towards a renewable and clean energy generation mix, including solar, to achieve net-zero emissions by 2050 or earlier. In some circumstances it is recognised that ground mounted solar arrays can be well screened and mitigated appropriately. However, CPRENEY do not consider that large-scale solar farms are appropriate in the open countryside on greenfield sites, especially where they utilise some of the best quality BMV land and may impact the amenity of users of public rights of way and bridleways as is the case for this proposal.

CPRENEY reserves the right to comment further should any additional information be submitted in support of the proposal.