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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: 22/02777/STPLF - Installation of a Renewable Energy Park comprising: ground mounted solar panels; access tracks; inverters; transformers; substation and battery energy storage system; customer cabin; underground cables and conduits; perimeter fence; CCTV equipment; temporary construction compound; and associated infrastructure and planting scheme

At land at: Land West Of Old Chalk Pit, West Back Side, Haisthorpe, East Riding Of Yorkshire, YO25 4NW

Type of response: Objection

Date of Submission: 26th May 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 installation of a renewable energy park comprising ground mounted solar panels, battery energy storage system, access tracks and associated infrastructure as set out in the description, at land west of Old Chalk Pit, Haisthorpe, East Yorkshire submitted to East Riding of Yorkshire Council ('the Council') on behalf of Three Oaks Renewable Energy Park Ltd. ('the applicant').

The proposed site is 68.56Ha and is accessed via an existing field access off the A614 Bridlington to Driffield Road. The proposed development would be located approximately 300m to the north/north-west of the village of Haisthorpe. The nearest settlements to the Site include Thornholme, approximately 1km south-west; Burton Agnes, approximately 2km south-west; Carnaby, approximately 2km east; and Rudston, approximately 2.5km north-west. The nearest residential dwellings and farm buildings along West Back Side are located approximately 125m south/ south-east of the proposed Site.

The Site lies across two Parish Councils: Carnaby Parish on the eastern half of the Site, and the Parish of Burton Agnes on the western section.

The eastern boundary of the Site follows the West Back Side road heading north from Haisthorpe. The western boundary of the Site follows a minor road which heads north from Thornholme. Other public highways local to the Site include Rudston Road, approximately 1.4km west, and Church Lane, approximately 1.2km east at the closest point.

There are no public footpaths crossing the Site, however, two restricted byways follow the eastern and western boundaries of the Site, along West Back Side and the unnamed road opposite Dunning Croft, Thornholme. These Public Rights of Way ('PROWs') are bordered by hedgerows on both sides, providing good screening. Other Public Rights of Way are located in the wider area. The Blackpool to Bridlington (Aerospace Way) long distance route follows the Woldgate Roman Road, to the north of the Site

Under the Natural England Agricultural Land Classification (provisional for England) the Site (and surrounding area north of the A614 Main Road) is classed as Grade 2 farmland.

The site is not within a Conservation Area and there are no scheduled monuments on the site itself however to the south west of the site is the Burton Agnes Conservation Area. However, there are several heritage designations found within 2km of the site boundary including six Listed Buildings, comprising Grade I Listed Burton Agnes Hall and Gardens and one Grade II* asset (Church of St John the Baptist, c. 2km east) and four Grade II assets. The nearest listed building to the site is Haisthorpe Hall (Grade II), which is approximately 120m to the south-east of the Site. There are also six Scheduled Monuments: Sands Wood round barrow (c. 1.2km north/north-east); South Side Mount round barrow (c. 1.2km north-west); Earthwork on the Sheepwalk (c. 1.6km north-west); Settlement site at Boynton Hall (c. 1.9km north); Low Caythorpe deserted medieval village, manorial complex and fishponds (c. 1.9km north); and, Rudston Beacon and round barrows (c. 1.9km north-west).

The nearest site of nature conservation interest to the site is the Site of Special Scientific Interest ('SSSI') Boynton Willow Garth, a wet woodland area approximately 1.7km north-east of the site boundary.

The applicant proposes to install an array of ground-mounted solar photovoltaic panels to occupy a maximum area of approximately 163acres (65.8 ha), and have an installed capacity of up to 39MW to operate for circa 40 years. The rows of solar panels will run in an east/west orientation in order for the panels to tilt south. The solar panels will be mounted at a fixed angle of approximately 20 to 25 degrees

and will have maximum height of 3.0m, with a minimum clearance from the ground of 0.9m. The panels are grouped in blocks (or 'tables') of 26 or 13 panels that are arranged in two rows in portrait format.

Approximately six transformer units would be required and each unit would be approximately 6.1m long, 2.4m wide and 2.6m tall. The customer cabin (made from steel) will contain the security and solar farm control systems, equipment for general maintenance and spare parts should they be needed during the operational phase.

Within the Site, existing farm-style tracks are to be laid and upgraded where necessary to allow delivery and access to individual segments of the solar array. Where sections of new, upgraded or widened access track are required, it is proposed that these will have the appearance of typical vernacular farm tracks with a crushed stone running surface grassed over in time. The running surface (4m wide) will be laid over a stone sub-surface which itself is typically constructed upon a geotextile membrane.

A perimeter fence and CCTV system comprising inward-facing cameras would be installed to protect the solar panels and cabling from damage or theft. The security fence would be a stock-proof fence of wooden posts and wire, approximately 2m tall

The Battery Energy Storage System ('BESS') will occupy an area of approximately 1.0ha. The proposed BESS would comprise approximately 22 containerised battery modules. A PCS unit is typically required for each battery container unit. The individual battery module and PCS containers are typically 5.6m long, 2.3m wide and 3.2m tall and 3.7m long, 2.0m wide and 3.0m tall respectively.

The applicant has also proposed a planting plan alongside the technical infrastructure to provide ecological benefit and landscape mitigation.

CPRENEY strongly oppose to the principle of this site being taken out of agricultural usage. Furthermore, CPRENEY are concerned about the detrimental impact the proposals will have on adjacent heritage assets, namely Haisthorpe Hall and Burton Agnes Hall and the adjacent PROW networks.

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 applicant has concluded that the soil at the site is a mixture of grade 2-3b agricultural land in the Best and Most Versatile ('BMV') land classification system according to the submitted detailed survey, whilst Natural England's ALC Map seems to indicate the area as Grade 2. Generally CPRENEY object to large swathes of land on BMV agricultural land being taken out of productive use for such purposes. Whilst the applicant (and many others) indicate that land beneath solar farms can be utilised for grazing by sheep – in our experience across England, it is incredibly rare that this actually occurs. Furthermore, whilst acknowledging reference in the NPPG that solar farms of a 40-year lifespan can be removed so thus classed as temporary, CPRENEY disagree with the applicant that this therefore means that there is therefore no

loss in agricultural land. The site is not in productive usage therefore cannot be considered to be agricultural. It is in effect a temporary change of use. 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 mounter 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.

Section 66 of the Planning (Listed Buildings and Conservation) Act 1990 places a duty on Local Planning Authorities to have special regard to the desirability of preserving the building or their setting or any features of special architectural or historic interest which they possess and to pay special attention to the desirability of preserving or enhancing the character or appearance of any Conservation Area. Paragraph 199 of the NPPF gives great weight to the conservation of assets in making development decisions.

Grade II Listed Haisthorpe Hall lies to the immediate south east of the site and its landscaped setting. The positioning of the solar farm and additional tall infrastructure associated with the proposal and landscaping will alter the setting of the Hall. CPRENEY consider that the proximity and scale of the site in its immediate setting is such that despite existing and proposed planting, there will be an inevitable detrimental impact on the Hall itself.

CPRENEY are concerned that the view from the Grade I Listed Burton Agnes Hall and landscaped gardens will be hugely impacted by the proposal. The landscaped gardens were designed to consider the wider landscape setting as a whole. The height and scale of the proposal will therefore be seen from the Hall and gardens resulting in a detrimental affect altering the significance of the setting of the Listed Building. It is considered that there is insufficient screening proposed to protect this important viewpoint.

Members of the charity have reported daily use of the PROW network and that the adjacent bridleways are 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. 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.

Conclusion

CPRENEY welcomes the opportunity to comment on this detailed planning application for a large new solar farm and associated infrastructure at Haisthorpe.

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 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. Alongside this, the detrimental impact on the adjacent and near by Heritage Assets in the vicinity should weigh heavily against the proposals in the planning balance.

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