



The countryside charity
North and East Yorkshire

PO Box 189
York
YO7 9BL

www.cpreney.org.uk

Tel: 07983 088120
Email: info@cpreney.org.uk

Branch Chair
Mrs Jan Arger

Authority: North Yorkshire Council

Type of consultation: Planning Consultation

Full details of application/consultation: ZD25/00038/FULL – Full Planning Permission for a solar farm including associated infrastructure, underground cabling, landscaping and access

At land at: Land North of Brompton on Swale, Nr Richmond, North Yorkshire

Type of response: Objection

Date of Submission: 5th April 2025

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
Katie Atkinson, BA (Hons), Dip TP, MA
MRTPI
www.kvaplaning.co.uk

Comment

CPRE North and East Yorkshire ('CPRENEY') welcomes the opportunity to comment on this application for Full Planning Permission for a solar farm including associated infrastructure, underground cabling, landscaping and access, at land North of Brompton on Swale, Nr Richmond, North Yorkshire, submitted to North Yorkshire Council ('the Council') on behalf of Three Oaks Renewable Energy Park Ltd. ('the applicant').

The Applicant has confirmed that the site extends over a total area of approximately 82Ha but the solar farm itself is split across two parcels of land either side of the A1(M), herein referred to as the 'western parcel' and the 'eastern parcel' (the western parcel is approximately 26Ha and the eastern parcel is approximately 32Ha). The remaining area of land within the site boundary will accommodate underground cable connections and accesses. Only 58Ha is to be developed as the solar farm with the remaining site area accommodating an underground cable, access routes and landscaping.

The western parcel will be accessed via the A6055 and the eastern parcel via Gatherley Road. The A1(M) motorway run through the site and is approximately 3.5km to the south of Scotch Corner. New internal access roads/tracks within each parcel of the solar farm will also be created.

The site is surrounded by agricultural land on all sides, bounded by trees and hedgerows. The land has been classified as Grade 3a and 3b Best and Most Versatile Agricultural Land ('BMV').

There are a number of Public Rights of Way ('PROW') and bridleways which pass through and adjacent to the site.

The Site lies wholly within the Brompton on Swale Parish boundary. The nearest residential properties to the site are Gatherley House Farm and High Gatherley Farm, both of which are within 70m of the boundary of the eastern parcel. The next nearest residential properties are located on Gatherley Road approximately 200 to 500m from the boundary of the eastern parcel. The nearest residential property to the western parcel is located on Parkgate Lane, approximately 200m of the site boundary.

The Grade II Listed Oak Grange (List Ref: 1131588) dated c.1700 and is located approximately 670m to the north of the site on the west side of the A1(M). The Grade II Listed Brompton Bridge ('on the Richmond Road') (List Ref: 1131590) is circa 830m to the south-west of the site and was built to enable travel over Skeeby Beck. The Brompton on Swale Conservation Area covers the majority of the settlement.

The applicant proposes to install an array of ground-mounted solar photovoltaic panels to occupy a maximum area of approximately 58Ha, and have an installed capacity of up to 39MW to operate for circa 40 years. The rows of solar panels will be angled to the south. The solar panels will be ground mounted with a maximum height of 2.9m above ground level.

A total of 9no. MV Power Stations (measuring: height - 3.1m, width - 2.4m, length - 6.0m) are to be located at points around the site. 3no. customer substations and 3no. spare part containers (both measuring: height - 2.9m, width - 2.4m, length - 6.0m) are to be within the site boundaries. It is proposed that both parcels will be surrounded with a perimeter fence, 2.4m in height. For security reasons, 109 pole mounted CCTV cameras would be provided around the site, each with a maximum height of 3m. 7no. pole mounted satellite dishes would also be provided around the site at a maximum height of 3.89m each.

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 proposed development will have on the open countryside landscape at this location, noted as a 'Gateway' to the Yorkshire Dales National Park and on users of the PROW networks which pass through and adjacent to the site.

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') (2024) 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 strong 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination'*

Paragraph 232 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.

Since becoming a unitary Local Authority, the Council has committed to commencing a new single Local Plan, for which a Call for Sites has recently been issued. As such, due to the early stages of plan preparation, the previous Richmondshire District Council ('RDC') Local Plan ('LP') documents must be afforded full weight in the determination of this application, alongside the saved Policy mentioned above and other material considerations as necessary, including the most up-to-date 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 on two parcels of arable land are not, therefore, in line with a brownfield first approach. Indeed, the site is located in the open countryside immediately adjacent to the medieval settlement of Brompton Swale.

LP Policy CP2 supports renewable energy developments stating that they '*must address landscape and visual impact on the local community.*' Policy CP3 takes this approach further requiring development to '*promote the character and quality of the local landscape [...] and the distinctive character of townscape and setting of settlements.*' Policy CP4 sets out that development should be of '*an appropriate scale and nature and not impact adversely on the character of a settlement or landscape*' and Policy CP8 sets out that development must not conflict with '*landscape character, amenity and development.*'

CPRENEY are concerned about the detrimental impact on the landscape as a result of this split site development. Particularly the impact that the site will have on the tranquillity of the immediate and surrounding landscape. As this is a predominantly rural area, the proposed development will constitute a detrimental impact on the rural landscape and as such CPRENEY strongly object to the proposal.

The topography within the study area is gently undulating, varying between approximately 60m AOD along the River Swale valley to the south of the site, and rising to 115m AOD near the village of Skeeby to the northwest of the site. The topography of the land at this location, does not aid the visual screening of the site and it is considered that more detail should be submitted (prior to determination) in relation to the proposed heights of proposed new and extensions to hedgerows. PROW 20.9/17/1 runs close to the eastern and south sides of the western parcel. Bridleways 20.9/12/1 and 20.9/18/1 run close to the western parcel to the north. Bridleways 20.9/11/1 and 20.47/1/2 pass directly through the eastern parcel north-east to south-west direction. Bridleway 20.9/10/1 also runs close to the boundaries of this parcel.

The PROWs in this area are reported to be popular routes with residents and visitors to the area alike using them frequently as a means to access the countryside particularly the bridleway which provides direct access to the Scorton Lakes Nature Reserve from Brompton. The applicant has confirmed that the PROWs will not be diverted or permanently closed as a result of the development. However, CPRENEY are especially concerned about the impact on amenity for users of several of the routes as a result of the proposed 3m high perimeter fencing along the boundaries of the PROWs which are routed through the western array which will in effect create a sense of enclosure which is incongruous in the open countryside currently experienced. – It is widely known that users of PROWs can be deterred from using such paths as a result of feeling unsafe without open views and as such, CPRENEY oppose the development.

CPRENEY consider insufficient screening has currently been proposed along the eastern side of the western field parcel particularly where the PROW has open views across the proposed site. From the proposed landscape masterplan submitted in support of the proposals, there appears to be little or no mitigation being proposed to the south eastern boundary.

Furthermore, whilst mentioned in application documents, there are no illustrations provided by the applicant to clarify where the 31m of existing hedgerow to be removed to construct new internal access roads are located on the site.

The applicant has proposed to utilise 20Ha of Grade 3a Best and Most Versatile ('BMV') Land for the siting of the solar panels, justifying the action with the fact that the majority of the site is 'Grade 3b' and that the proposal is 'temporary' for a period of 40 years stating that the site will then be returned to agricultural food production. Whilst the Government has confirmed that 3b land is suitable for solar farms, it remains a fact that 3b is actually still considered to be BMV land and perfectly suitable for arable production. Furthermore, and especially considering the unfortunate events elsewhere in the world currently, CPRENEY are of the opinion that this large-scale scheme is entirely in the wrong location and that BMV land should be retained for sustainable food production.

This concern seems to be recognised and shared via The DEFRA UK Food Security Report 2024 sets out clearly that *"the impacts of climate change, biodiversity loss and water insecurity both at home and abroad remain pressing risks to food security. They drive volatility in the present and put sustainability and resilience of food production at risk over the longer term. These risks are also now interacting with heightened geopolitical tensions. Labour shortages in key sectors at home are also a continuing stress factor affecting domestic food production."*

Maintaining agricultural capacity to deliver significant levels of domestic food production is critical. This must be achieved in the context of addressing and adapting to climate change, reversing the loss of nature and meeting increasing demands on land for other social goods — not least affordable housing and renewable energy. CPRENEY believe that with enough previously developed 'brownfield' land to provide 1.2 million homes, and south-facing rooftops that could meet much of our energy needs, we have a chance to tackle the climate, housing and cost-of-living crises without sacrificing our farmland. The proposed solar farm should therefore be located on existing industrial land or a brownfield location.

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.

Finally, whilst the applicants have proposed a significant Biodiversity Net Gain over the site, it is a concern of CPRENEY that at the end of the site's '40-year' lifespan – this biodiversity will be lost once the site is restored. New and emerging habitats and settle species will again be disrupted and potentially destroyed.

Conclusion

CPRENEY welcomes the opportunity to comment on this detailed planning application for a large, split site solar development at Brompton on Swale in the Richmond district of North 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 detract from the important landscape character and rural setting of a settlement. In this case, CPRENEY object to the substantial solar arrays promoted by the applicant and consider that the proposed development is contrary to local and national planning policies for the reasons set out above.

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