



The countryside charity
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Branch Chair
Mrs Jan Arger

Authority: North Yorkshire Council (former Hambleton)

Type of consultation: Planning Consultation

Full details of application/consultation: ZB25/01246/FUL - Installation of ground mounted photovoltaic farm with associated access, infrastructure, engineering works and landscaping

At land: Land Adjacent To Lords Lane, Exelby, North Yorkshire, DL8 2ET

Type of response: Objection

Date of Submission: 30th September 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
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Comment

CPRE North and East Yorkshire ('CPRENEY') welcomes the opportunity to comment on a planning application for the installation of ground mounted photovoltaic farm with associated access, infrastructure, engineering works and landscaping at land off Lord Lane, Exelby, North Yorkshire. The request has been submitted to North Yorkshire Council ('The Council') by Stantec UK Limited on behalf of Enviromena ('the Applicant').

CPRENEY previously responded to an EIA screening request submitted to the Council earlier this year by the applicant. At that time, CPRENEY noted that the applicant had not provided enough information about the likely significant impacts of the proposed development to satisfy the local planning authority that the proposal could be screened out of the EIA Regulations. CPRENEY stated that the proposals have the potential for a number of likely significant effects which had not been identified or detailed in any meaningful way in the applicants documents. It was therefore, the charity's opinion that it was not possible for the Council to rule out any significant adverse impact on the environment as a result of the proposals and that the impacts could be avoided, reduced and mitigated against. As such, CPRENEY opined that the Council should not adopt a negative screening opinion on the basis that information will be submitted in the future (in line with case law) and as such EIA should be required at the planning application stage.

The charity is, therefore, disappointed that the applicant has submitted this full application prior to receiving the Council's screening opinion. CPRENEY considers that the applicant should have submitted an EIA in light of their opinion above. This appears to be justified by the lack of detailed technical information submitted alongside this application which would assist the Council in the determination of the proposal, including, for example in relation to flood risk, ecology – including species specific technical surveys, peat, hedgerows, footpaths and bridleways – including use by vulnerable users, highways, surface water run-off from solar panels, noise and landscape. As a result, the Council must request further information in relation to various matters which could have been addressed via an Environmental Statement.

CPRENEY believe that given the lack of detailed information in a number of areas submitted as part of the application, it is not appropriate for the Council to grant planning approval with a condition that the applicant must provide a CEMP in order to provide information and mitigation proposals in this instance. Too much information is lacking or is missing to provide any assurances. This is particularly relevant in terms of the protection of residential amenity for the occupants of Lords Moor Farm and other properties in close proximity to the site.

The proposed site totals 45.96Ha and comprises agricultural fields, circa 1.9km south-east of Bedale. The site is currently shown to consist of number of parcels of land, in the centre of which is Lords Moor Farm (outside of the red line boundary) and is not associated with the proposal in any way. The applicants have stated in supporting documents that the proposed solar farm (to be known as 'Stell Solar Farm'), will have a lifespan of 40 years following a 7month construction period.

The site is bounded to the north by woodland and Firby Beck, Old Stell watercourse to the east, field margins to the west and woodland and field margins to the south – sporadic trees line the field boundaries. Main Cut flows through the eastern part of the site in a north-west direction. The site is currently accessed at the south-west via Hollins Lane, which travels through the centre of the site, becoming Lords lane and leaving the site to the north. Both 'lanes' serve Lords Moor Farm. It is understood that part of Lords Lane is in private ownership and therefore access to all of the proposed site is not straightforward and needs to be clarified.

There are a network of public right of way ('PROW) across the site, including a footpath (ref: 10.11/4/1) which runs east-west through the eastern part of the site along field boundaries to Lords Moor Farm, footpath (ref: 10.11/5/1) which runs north-south through the site following Lords Lane, footpath (ref: 10.11/4/2) which runs north-east to south-west through the western area of the site following Hollins Lane. The applicant has not

proposed any diversion and as such the proposals conflicts with users of the footpath and bridleways across and adjacent to the site, including walkers, dog walkers, horse riders etc. CPRENEY does not consider that the proposal to plant trees surrounding the footpath is suitable mitigation against the impact of the solar farm, given that users currently enjoy wide open vistas – the trees, once mature, would create a tunnel like enclosure which is not safe for horses or particularly appealing to walkers.

For clarity, 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 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, including the retrofitting of existing stock, on land and rooftops of industrial and commercial estates and priority given to using previously developed land in line with CPREs ‘brownfield first’ policy. All new buildings (of any type) should have solar and / or other appropriate energy generation and efficiency measures incorporated into their design and build as standard.

The proposal subject to this application is situated on circa 46Ha of greenfield land currently used for arable farming, therefore, is not in line with the ‘brownfield first’ policy. The applicants commissioned an Agricultural Land Quality Assessment which concluded that 100% of land across the site has been categorised as grade 3 with 30% of the site being 3a on the Best and Most Versatile (‘BMV’) Agricultural Land Classification which is described as good quality agricultural land. The NPPF clearly directs Local Planning Authorities making decisions about the natural and local environment to:

- protect and enhance landscapes, biodiversity, geology and soils
- recognise soils as a natural capital asset that provide important ecosystem services
- consider the economic and other benefits of BMV agricultural land, and try to use areas of poorer quality land instead of higher quality land
- prevent soil, air, water, or noise pollution, or land instability from new and existing development

This concept is replicated in the Council’s Core Strategy Policy CP3 which only supports development which promotes ‘*the protection of the best and most versatile agricultural land*’. Further, ‘A Green Future: Our 25 Year Plan to Improve the Environment’ sets out the government’s 25-year plan to improve the health of the environment by using natural resources more sustainably and efficiently. It plans to: protect the best agricultural land; put a value on soils as part of our natural capital; and manage soils in a sustainable way by

2030 amongst other things.

Whilst information contained within guidance in relation to BMV agricultural land is contained in TAN 6 – Planning for Sustainable Rural Communities (2010), pertains to the Welsh planning system, the evidence is still pertinent in this case. Paragraph 6.2.2 of TAN 6 states *‘that once agricultural land is developed, even for ‘soft’ uses such as golf courses, its return to agriculture as BMV land is seldom practicable’*. The Welsh Department for Climate Change recently objected to an appeal for a similar scheme (DNS/3245065 - Wessex solar energy (WSE Pembrokeshire Limited) land at Blackberry Lane, Nash, Pembrokeshire, SA27 4SJ) located on BMV. The inspector set out in his report (para 163) that the DCC objection amounted to [BMV] *‘land is a finite and nationally significant resource which needs to be protected in order to secure future food supplies. The Department is concerned that the development could, through matters such as compaction, waterlogging and the mixing of top and sub-soils, cause structural damage to the soil and in doing so reduce its flexibility, productivity and efficiency to such an extent that it would no longer be BMV agricultural land.’*

The Government has provided additional guidance to planning authorities which calls for a *“strong presumption”* against solar farms on the best and most versatile (BMV) land – land that is classified in law as Grade 1, Grade 2 or Grade 3a. However, where a planning authority is considering a development on 3b land, there is also a need for them to consider whether there is any land that is classified as grade 4 or below as an alternative as grade 3b remains of good quality for arable purposes.

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.

Conclusion

CPRENEY welcomes the opportunity to comment on the proposed solar farm at land off Lords Lane, Exelby, North Yorkshire.

Given the lack of detailed information in relation to the proposed Stell Solar Farm, CPRENEY consider that it is not possible for the Council to determine that the proposals will not have a significant detrimental impact on residential amenity, ecology and the environment of the site and wider surroundings, nor that proposed mitigation (which is vague in detail) will be sufficient to minimise this impact, ergo the proposal should be refused in its current form.

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