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CONCERNS
recommended condition

Karen Hood

From: Susan Scotter
Sent: 22 June 2015 17:16
To: Karen Hood
Cc: IAIN AKHURST; Julia Brewer; D WARING
Subject: Ryedale planning application 15/00377/MFUL Solar farm at Mill Hill Farm, Cornborough, Sheriff Hutton
Attachments: Solar farm SH PC final submission.docx

Dear Karen,

Thank you for your time today. Further to our telephone conversation, I am writing to you to express our concerns about recent developments relating to this major planning application.

As I explained, I am the secretary of Farlington Parish Meeting (FPM), although this planning application is a Ryedale DC issue, the location of the site has most impact upon Cornborough and Farlington Village and not Sheriff Hutton Village and thus, as I understand it from Hambleton District Council (HDC) planners, you are in liaison with them for this reason.

FPM submitted comments on this planning application to Sheriff Hutton Parish Council (SHPC) for discussion at their meeting in May (copy attached). As a result of our and other residents concerns raised at this meeting, SHPC made a decision NOT to support this application (see minutes of their meeting). It now seems that they have changed their mind and now do support it. We believe that due process has not been followed in this matter. A number of extensive documents and an amended application have been resubmitted to Ryedale DC by Lightsource Renewables, the applicant. SHPC then convened another meeting on 12 June to discuss these. This was described as an open meeting yet it seems Cornborough residents (who will be most severely impacted by this proposal if approved) and certainly FPM were not notified that this meeting was even taking place and, in fact, few people were in attendance! Insufficient time has been given to consult the new and extensive submissions by Lightsource Renewables and yet the Parish Council has made a significant U-turn outside of consultation with their own residents. This is in contravention of due process and totally against Government initiatives to take account of local opinion and evidence under the Localism Bill.

Additionally, FPM feel that there is still an issue that has been significantly overlooked in this matter. Legislation states that no solar farm can be placed on land that it is graded 3A or above (high quality agricultural land). No INDEPENDENT assessment, as far as I am aware, has been carried out on this site. It is currently growing a healthy wheat crop so is clearly good quality agricultural land not suited to diversification into solar according to central Government guidelines and Ryedale's own SP18 guidance. We feel that before any more time and money is wasted on pursuing this planning application, the quality of the land must be independently assessed. If it is 3A then the proposal cannot go ahead. We have asked SHPC to reassure us that this would be done, however, they seem to have ignored key facts, circumvented due process and changed tack. This is clearly questionable and demonstrates a disregard not only for correct planning protocol but also for the residents whom they are supposed to represent.

In view of the upcoming meeting tomorrow regarding the planning application in which a site inspection will be recommended, FPM ask you to inform the planning committee of our concerns and ask them to look into this matter more closely and delay any decision to allow a proper consultation on new documents and the amended application to be considered. We also strongly advise that independent land testing using a laboratory nominated by Ryedale DC is carried out as soon as possible.

I will be away in Scotland until Friday, however, if you need to speak with a representative of FPM, please contact our Chairman, Iain Akhurst.

Yours sincerely,

Susan Scotter
Secretary, Farlington Parish Meeting
Blackthorn House, Farlington, York, YO61 1NW

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DEVELOPMENT
MANAGEMENT

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Louise Pink
Clerk, Sheriff Hutton Parish Council

Planning Ref: 15/00377/MFUL
Date: 12th May 2015

FAO Louise Pink, Clerk to Sheriff Hutton Parish Council,

Ref Planning Application 15/00377/MFUL, Solar Farm at Mill Hill Farm, Cornborough, Sheriff Hutton, York.

Farlington Parish Meeting has submitted observations to the Ryedale website with reference to the above Solar Farm planning application by Lightsource Renewables Ltd. (A copy of the observations are embedded in the Appendix to this document if required.)

This letter is to draw your attention to our view of key elements of the planning application in the expectation that you will be able to debate them at your next Parish Council meeting.

Government Policies are highly relevant to this planning application, as instanced by the *Statement by Rt Hon. Eric Pickles MP, (ex) Secretary of State for Communities and Local Government - 25th March 2015 in House of Commons* (full text is provided in an appendix to this document if required)

In summary, through the National Planning Policy Framework the government's comprehensive solar photovoltaic and agricultural strategies underline

- the need for effective use of previously developed (brownfield) land,
- the need for avoiding the unnecessary use of quality agricultural land, and
- where a proposal involves agricultural land, the need to take account of the economic and other benefits of the best and most versatile agricultural land (Classes 1 – 3a).

In the planning application Lightsource identifies the land as agricultural grade 3b. There is no verification of this grading in the report and, were it not 3b or below, then in line with the Government's NPPF, it does not qualify for non-agricultural (solar farm) use.

We would like your support in obtaining independent confirmation that this is the correct land grade before any application is accepted, since it is understood that much of the land surrounding the proposed site is classified above Grade 3b (therefore being best and most versatile).

2. Ryedale DCs SP18 Documentation Policy Statement on "Renewable and Low Carbon Energy", the gist of which is that, amongst other things, it must be shown that a solar installation

- i. Can be satisfactorily assimilated into the landscape or built environment;
- ii. Would not impact adversely on the local community, economy or historical interest unless mitigatable; and

the Government's "Solar PV Strategy part 1: Roadmap to a brighter future" says proposals should give proper weight to environmental considerations such as landscape and visual impact.

Therefore we would ask that you debate the visual aspects/satisfactory assimilation of the proposed development on at least the following basis:

- In our Observations we have asked that suggested lack of visibility from AONB is confirmed with Paul Jackson (of Howardian Hills AONB unit) and would look for your support in achieving this via a relief map with suitable detail.
- We have also requested that the visibility from non AONB areas is reviewed because the planting, as planned, is insufficient in some areas and, where is it proposed, it could take many years to mitigate the visual impact for this project. Greater planting density, greater planting reach, greater mix of deciduous and evergreen and planting of trees of greater age should be requested.
- As there is no guarantee that any existing screening or new planting will be retained for the project lifetime, there should be a consent condition applied to all planting that rightly obscures visibility from AONB for the project lifetime.

Representations have been made by residents of Cornborough to Farlington Parish Meeting so it is only right that we draw your attention to their concerns:

In line with Ryedale DCs SP18 Documentation Policy Statement on "Renewable and Low Carbon Energy it must be shown that a solar installation

- i. Can be satisfactorily assimilated into the landscape or built environment;
- ii. Would not impact adversely on the local community, economy or historical interest unless mitigatable;

Unless mitigatable this proposal will impact on the local community because of its great proximity to local residents in historically interesting Grade 2 Listed buildings namely Cornborough Villa and Cornborough Hall it also boundaries, unscreened, the Foss Walk (an ancient Causeway).

Cornborough residents have also expressed concerns about crime increase. The Council might also wish to consult with North Yorkshire Police to get up to date information on the theft in areas associated with PV cell installation. This is reflected by the placement of extensive CCTV.

Conclusion

We hope this document provides Sheriff Hutton Parish Council useful information for discussion and analysis of the planning application, specifically in its adherence to the relevant Government and District Council guidelines and make an appropriate representation to Ryedale District Council for compliance.

Regards

Iain Akhurst
Chairman Farlington Parish Meeting

Farlington Parish Meeting have made a copy of this communication available to Hambleton District Council for information as we understand that, owing to the proximity to Farlington and the major nature of this proposal, they are in dialogue with Ryedale DC concerning this planning application.

Cc Planning Dept., Hambleton DC
Cllr. C. Cookman, Cottage Farm, High Street, Stillington, York, YO61 1LG

Appendix

Solar energy: protecting the local and global environment

Eric Pickles MP in his statement to The House of Commons on 25th March 2015 commented as follows:

It follows "Last year, the coalition government published a comprehensive solar photovoltaic strategy setting out our ambitions for the technology as an important part of the United Kingdom's energy mix. In doing so, the strategy underlines the importance of focusing growth on domestic and commercial roof space and previously developed land.

My department supported this by consulting on reforms to permitted development rights which will encourage the take up of much larger scale solar power generation (solar photovoltaic) on non-domestic buildings and complement the existing flexibilities for home owners. These reforms allow for a 20-fold increase in the amount of solar that can go onto the roofs of non-domestic buildings such as warehouses and offices without having to submit a full planning application, subject to strict safeguards to protect local amenity. The proposals have been widely welcomed by the solar industry, and the measure will come into force from 15 April 2015.

The National Planning Policy Framework includes strong protections for the natural and historic environment and is quite clear that local councils, when considering development proposals, should take into account the economic and other benefits of the best and most versatile agricultural land. Yet, some local communities have genuine concerns that, when it comes to solar farms, insufficient weight has been given to these protections and the benefits of high quality agricultural land. As the solar strategy noted, public acceptability for solar energy is being eroded by the public response to large-scale solar farms which have sometimes been sited insensitively.

Meeting our energy goals should not be used to justify the wrong development in the wrong location and this includes the unnecessary use of high quality agricultural land. Protecting the global environment is not an excuse to trash the local environment. When we published our new planning guidance in support of the framework, we set out the particular factors relating to large scale ground mounted solar photovoltaic farms that a local council will need to consider. These include making effective use of previously developed land and, where a proposal involves agricultural land, being quite clear this is necessary and that poorer quality land is to be used in preference to land of a higher quality.

We are encouraged by the impact the guidance is having but do appreciate the continuing concerns, not least those raised in this House, about the unjustified use of high quality agricultural land. In light of these concerns, we want it to be clear that any proposal for a solar farm involving the best and most versatile agricultural land would need to be justified by the most compelling evidence. Of course, planning is a quasi-judicial process, and every application needs to be considered on its individual merits, with due process, in light of the relevant material considerations.”

Ryedale DCs SP18 Documentation “Renewable and Low Carbon Energy” states that:

“Developments that generate renewable and and/or low carbon sources of energy will be supported providing that individually and cumulatively the proposal:”

- 2.2.1 “Can be satisfactorily assimilated into the landscape or built environment, especially in respect of the setting of the north York Moors National Park, Howardian Hills AONB (and its setting), the Wolds and the Vale of Pickering;”
- 2.2.2 “Would not impact adversely on the local community, economy or historical interest unless their impacts can be acceptably mitigated;”
- 2.2.3 “Would not have an adverse impact on nature conservation, in particular in relation to any sites of international biodiversity importance, unless their impact can be acceptably mitigated.”

Farlington Parish Meeting Submission Ryedale Planning Portal (PDF)



Ryedale Planning
Comment from Farli