

# Land north and south of Camela Lane, Camblesforth, North Yorkshire

## Planning, Design and Access Statement

June 2021



## Issue Sheet

Report Prepared for: Camblesforth Solar Farm Ltd.,  
a subsidiary of Island Green Power and P3P Partners (P3P).

Land north and south of Camela Lane, Camblesforth, North Yorkshire

Planning, Design and Access Statement

June 2021

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## Contents

<b>1</b>	<b>INTRODUCTION</b>	<b>2</b>
<b>2</b>	<b>SITE CONTEXT AND EXISTING USE</b>	<b>4</b>
2.1	THE SITE	4
2.2	STATUTORY AND NON-STATUTORY DESIGNATIONS	4
2.3	SURROUNDING AREA	4
2.4	PLANNING HISTORY	5
<b>3</b>	<b>THE DEVELOPMENT PROPOSAL</b>	<b>8</b>
3.1	OVERVIEW	8
3.2	BUILT DEVELOPMENT	8
3.3	CONSTRUCTION AND OPERATION	9
3.4	ECOLOGY AND LANDSCAPING	10
3.5	PUBLIC CONSULTATION	11
<b>4</b>	<b>PLANNING POLICY CONTEXT</b>	<b>12</b>
4.1	PRIMARY LEGISLATION	12
4.2	NATIONAL PLANNING POLICY	12
4.3	LOCAL PLANNING POLICY CONTEXT	14
<b>5</b>	<b>PLANNING ASSESSMENT</b>	<b>16</b>
5.1	DETERMINATION	16
5.2	PRINCIPLE AND NEED FOR DEVELOPMENT	16
5.3	LANDSCAPE	19
5.4	HERITAGE ASSETS	21
5.5	BIODIVERSITY	21
5.6	HIGHWAYS AND TRAFFIC	22
5.7	PUBLIC ACCESS	23
5.8	DRAINAGE AND FLOODING	24
<b>6</b>	<b>CONCLUSION</b>	<b>25</b>
	<b>APPENDIX 1: ENVIRONMENTAL IMPACT ASSESSMENT SCREENING OPINION</b>	<b>26</b>
	<b>APPENDIX 2: PRE-APPLICATION ADVICE LETTER</b>	<b>27</b>

# 1 Introduction

- 1.1.1 This statement supports a full planning application for the proposed development of a ground-mounted solar farm including associated infrastructure, comprising inverters, transformers, a DNO substation, battery storage and grid connection, which will cover an area of 112.73 ha on land north and south of Camela Lane, Camblesforth. The solar farm will have an export capacity of 50MW, which equates to the annual energy consumption of approximately 15,000 homes.
- 1.1.2 This statement should be read in conjunction with the following documents submitted as part of the planning application:
- Application form and certificates;
  - Site Location Plan;
  - Proposed Site Layout Plan;
  - Proposed Skylark Plot Plan;
  - Proposed technical drawings:
    - Camblesforth Battery Container Details
    - Camblesforth CCTV Pole Details
    - Camblesforth Conversion Unit Details
    - Camblesforth Fence Details
    - Camblesforth Mounting Structure Details
    - Camblesforth Sub Station and Control Room Details
  - Statement of Community Involvement;
  - Heritage Statement;
  - Archaeology Assessment;
  - Ecology Report;
  - Flood Risk Assessment and Drainage Strategy;
  - Glint and Glare Assessment;
  - Desk Based Archaeology, Geo-physical Survey and Heritage Assessment;
  - Landscape Appraisal (Chapter 7 of the Environmental Statement (ES))
  - Landscape Strategy Plan (Appendix 7.3 of the ES, Volume 2);
  - Verified View Montages (Appendix 7.6 of the ES, Volume 2);
  - Draft Outline Landscape Management Plan;
  - Transport Assessment and Access Plans;
  - Soils and Agricultural Report;
  - Noise Assessment; and
  - Environmental Statement (Volumes 1, 2 and 3).
- 1.1.3 This planning statement addresses the Development Plan and material planning considerations.
- 1.1.4 The applicant has obtained an Environmental Impact Assessment (EIA) screening opinion in accordance with Schedule 2 3 (a) Energy Industry of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (ref: 2020/0784/SCN) please refer to **Appendix 1** for a copy). This confirmed that the development is considered to

constitute EIA development, therefore an Environmental Statement is submitted alongside this application.

- 1.1.5 The development has been subject to pre-application discussions with Selby District Council (see **Appendix 2** for pre-application advice).

## **2 Site Context and Existing Use**

### **2.1 The Site**

- 2.1.1 The full planning application site covers ('the site') an area of 112.73 hectares (please refer to Site Location Plan).
- 2.1.2 The Site is located within the administrative area of Selby District Council located north and south of Camela Lane and south west of the Drax Power station. The site is located north of the village of Camblesforth and falls within the parishes of Long Drax and Camblesforth.
- 2.1.3 The site comprises of a number of agricultural fields. The site is bounded to the west south and north by further agricultural fields. Camela Lane/Clay Lane runs in a south east to north west direction through the site. Barlow Lane runs along the western part of the site. The A1041 is located to the south of the site which connects Snaith to Selby.
- 2.1.4 There are a number of Public Rights of Way (PRoW) which run through the site and adjacent to it. There is a PRoW which runs in a north/south direction from Clay Lane to a PRoW which links Camblesforth and the A1041 (refs:35.17 3/1 and 35.17 2/2 and 35.17 2/3). Public footpath 35.17 3/1 is the section running through the site, which currently is an access track for the fields.
- 2.1.5 There is another PRoW to the north of the site which runs in a north/south direction from Camela Lane, and links into a further network of PRoW's which run northwards to Barlow and east around Drax Power Station (35.17 4/1).
- 2.1.6 The only built development on site comprises two cabinets close to the proposed connection point at the far eastern extent of the site. These are used for existing infrastructure not related to the proposed development.

### **2.2 Statutory and Non-statutory Designations**

- 2.2.1 The site is within flood zone 3 as identified on the Environment Agency's Flood Risk maps but the area does benefit from defences.
- 2.2.2 The site does not accommodate any listed buildings or Scheduled Monuments (SAM). There are a number of listed buildings within 500m south of the site. These are the Grade I listed Camblesforth Hall and the Grade II listed Dovecote at the Hall. Barlow Church is Grade II listed and is located 1.2km north of the site's northern boundary.
- 2.2.3 The nearest Scheduled Monument (SAM) is located north of Barlow and is a 'Medieval settlement and early post-medieval garden earthworks around Barlow Hall' and is located approximately 1km north of the site.
- 2.2.4 The nearest Conservation Area is within the village of Hemingbrough which is located approximately 7 km north east from the site.
- 2.2.5 The nearest Site of Special Scientific Interest (SSSI) is the River Derwent which is located 6km north east of the site.

### **2.3 Surrounding Area**

- 2.3.1 The site is located around 300 metres north of the village of Camblesforth.
- 2.3.2 Drax Power Station is located north east of the site and supplies 6% of the country's electricity need, including 15% of the country's renewable energy. It is a large biomass and coal fired power station and is the highest generating power station in the country by providing 3,906 MW of power. It has been operational since 1973 and is the newest coal fired power station in England. The power station has been converting so that its primary fuel is now biomass and focusing on enabling a zero carbon, low cost energy future. To the north of the site and to the south of the power station is the railway line which is used to bring in coal and biomass material to the site and taking away any by-products of the processes that take place on site.

2.3.3 The existing P3P Food Technology Park to the south-east of the site includes circa 14.5ha of glasshouses, where farming takes place, a 10MW CHP Energy Centre (which provides power for the glasshouses) and associated development. There is a live planning application for redevelopment of part of the site. This is described below.

2.3.4 The emerging Local Plan identifies a preferred site allocation for residential development to the north-west of Camblesforth, adjacent to Camblesforth Hall (Local Plan ref: 'CAMB-C'). This land north of Beech Grove is 4.73 hectares and is expected to accommodate 121 dwellings.

## **2.4 Planning History**

2.4.1 The relevant planning history for the site and surrounding set out in the table below:

Ref	Proposal	Decision
<b>THE SITE</b>		
2020/0784/SCN	EIA screening request for a proposed development of a ground mounted solar farm and associated infrastructure on land north and south of Camela Lane	EIA Required
CO/2000/0448	Proposed erection of a general purpose agricultural building	Permitted

Ref	Proposal	Decision
<b>DRAX POWER STATION</b>		
There are more than 50 planning history files for Drax Power Station available on Selby District Council's website. The most relevant planning history is included below.		
<b>Drax Development Consent Order:</b>		
Development Consent Order (2019)  Gov ref: EN010091	Development consent for the construction and operation of two gas-fired generating units each with an electrical generating capacity of up to 1,800MW and two battery storage generating units situated within and adjacent to the boundary of the existing Drax Power Station.	Order made in 2019, amended 2020 following dismissed High Court challenge by Client Earth (right to appeal exits).  Drax have confirmed they will not be implementing the development.
<b>Drax Biomass:</b>		
2007/1420/FUL	Expand the use of cofiring with biomass fuels, by the installation of new biomass reception handling, processing, storage and direct injection/firing facilities, incorporating a drive through offloading facilities for HGVs with pneumatic train off loading arrangements from a modified existing rail siding	Granted

2009/0694/GOV section 36 application under the Electricity Act 1989	Develop a 290 mw biomass fuelled electricity generating station	Granted
2011/0801/FUL	Development of biomass rail receipt, handling and storage facility within current external storage and handling of coal area, including associated conveyors to the power station and distribution to the fuel bunkers	Granted
2020/0595/SCN	Screening Opinion to vary 2011/0801/FUL	EIA not required
<b>Drax Demolition:</b>		
2020/0994/FULM	Demolition of Flue Gas Desulphurisation (FGD) Plant and associated restoration works	Granted 22.02.2021

Ref	Proposal	Decision
<b>P3P FOOD TECHNOLOGY PLANT</b>		
2021/0120/FULM	Development of an existing horticultural facility for indoor farming and agri-tech, including the construction of 3 No halls with associated process, service and administration buildings, landscaping, access improvements and additional car park access and associated infrastructure following partial demolition of existing buildings	Granted 07.06.2021
2019/0399/FULM	Extension of existing building for the purpose of redeveloping the building for vertical farming and agri-tech, installation of new loading bay and construction of new access road	Granted 03.04.2020
2018/0613/FULM	Section 73A application to continue a development without complying with Conditions 5 (noise), 06 (hours of operation) and 7 (NO2 emissions) of approval 2017/0822/FULM for proposed construction of new energy centre comprising of new main energy centre building and ancillary tanks, containers and services buildings	Granted 21.08.2018
2018/0104/FUL	Proposed construction of a new heat store tank to service an energy centre	Granted 04.06.2018
2018/0058/MAN	Non material amendment to planning permission 2017/0822/FULM for resisting of building, including size and form, car park and ancillary plant units (amended plans/documents received 10th April)	Granted 03.05.2018
2017/0822/FULM	Proposed construction of new energy centre comprising of new main energy centre building	23.11.2017

	and ancillary tanks, containers and services buildings	
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## **3 The Development Proposal**

### **3.1 Overview**

- 3.1.1 This section sets out the proposed development, and the design and access elements of the scheme.
- 3.1.2 Given the vast number of renewable energy technologies available today, solar technology is one of the most favourable and is highly suited to the proposed site. Solar PV technology is relatively unobtrusive, sympathetic to the surrounding area, easy to deploy, commercially proven and reliable whilst making best use of the land.
- 3.1.3 The proposed development consists of a number of different elements which are detailed below.

### **3.2 Built Development**

#### **Solar Panels**

- 3.2.1 The solar panels are constructed of Bifacial Monocrystalline mounted on a metal tracking system aligned in North-South rows with panels rotating East-West (+/- 120°). The central axis is 2.48 m high and each panel when rotated to the maximum angle reaches 4.3 m high. The rows are located 7.02m apart when panels are positioned horizontally.
- 3.2.2 The mounting structure for the panels is a metal frame securely fixed to the ground. The mounting posts will be pile-driven approximately 1.5 metres into the ground for support, dependent on ground conditions and will be retrieved using similar hydraulic equipment when the solar farm is decommissioned.

#### **Cabinets**

- 3.2.3 The conversion units accommodate the inverters, transformer and associated equipment to convert DC energy produced by the arrays, into AC energy required by the national grid. There are proposed to be 13 conversion units within the site. The locations of these are shown on the proposed site layout plan. The cabinets measure 2.9 metres high, 3.04 metres wide and 6.66 metres long. They are of metal panel construction and sit upon a concrete base.

#### **Substation**

- 3.2.4 A new substation is proposed to be located to the south-east of the panels as shown on the proposed layout plan, approximately 250 metres from the nearest house. The Substation would be located within a compound measuring 40 metres long by 25 metres wide. The compound would comprise a 2.4m high galvanised security palisade fence and enclose the substation gear which would extend to approximately 3.85 metres above ground level. Details of the design are shown on proposed plan 'Substation and Control room details' drawing number '7'.
- 3.2.5 A control room would be located just outside the entrance to the compound, as shown on proposed plan 'Substation and Control room details' drawing number '7'. The control room would measure 7 metres wide, 5.6 metres deep by 8.85 metres tall. Materials

#### **Battery Storage**

- 3.2.6 Battery storage is included as part of the proposals. The batteries would be located at the north-eastern extent of the site close to Drax power station. The area is indicated on the proposed site plan. The infrastructure would be located within storage cabinets.

#### **Perimeter Fencing**

- 3.2.7 The site perimeter will be made secure by the construction of 2-metre high deer fencing as indicated on the site plan. This will be constructed using wooden posts and wire mesh. Details of this and an illustration of it in use on another site are included on proposed plan 'Security Fence details' drawing number '5'. Additional planting will be introduced for screening purposes as shown on the proposed landscaping plan.

### **CCTV Cameras**

- 3.2.8 The installation of CCTV is required onsite for insurance purposes. The CCTV will be capable of viewing the solar pv farm only (without panning angles beyond). No floodlighting will be used as the CCTV cameras detect movement and have night vision capability in accordance with insurer's requirements. These will allow for constant monitoring, but will be positioned in such a way to prevent areas outside the site being monitored. The CCTV camera poles will be constructed in galvanised steel painted green to blend into the landscape. The poles will extend 2.5 metres above ground level as shown on proposed plan 'CCTV system details' drawing number '6'. The location of the poles is shown on the proposed plan 'layout'.

### **Grid Connection**

- 3.2.9 The grid connection is shown on proposed plan 'layout'. The cable route would run from the new substation in the south-east of the site, north along the eastern field boundary, east across P3P land adjacent to Drax Power Station and south alongside the P3P Food Technology Park to connect to the Electricity Distribution Site situated adjacent to the A645 and railway line.

### **Site Access**

- 3.2.10 Existing farm accesses from Camela Lane and the A1041 will be retained. New access points across Camela/Clay lane will be introduced for construction and maintenance.
- 3.2.11 The main traffic generation would be during the construction period which would be 6-9 months, and a Construction Management Plan can be prepared to provide routing and details.
- 3.2.12 During the construction period, vehicles would access the site via the existing access on the A1041. The Transport Statement outlines that all construction vehicles will be able to enter and exit the site in forward gear via dedicated turning and parking areas provided within the site. This 'primary access' will then serve as an operational access for maintenance vehicles at the end of the construction phase.
- 3.2.13 The Transport Statement describes how the relevant visibility spays are achieved from the primary access.
- 3.2.14 Once operational, traffic movements would be minimal with only occasional maintenance access required.

## **3.3 Construction and Operation**

### **Construction Environmental Management Plan (CEMP)**

- 3.3.1 To ensure the potential construction impacts are minimised, the preparation of a Construction Environment Management Plan (CEMP) is proposed prior to construction to ensure any potential impacts are minimised. The CEMP would outline the allocated responsibilities, procedures and requirements for site environmental management. It would include relevant site specific method statements, operating practices, and arrangements for monitoring and liaison with local authorities and stakeholders.
- 3.3.2 The Main Contractors undertaking the construction of the development would need to adopt and comply with the CEMP, allocate environmental management responsibilities to a site manager and ensure that all sub-contractors activities are effectively managed in accordance with the CEMP.

### **Operation & Maintenance**

- 3.3.3 Once the solar farm is operational, traffic generated by it will be limited to that associated with occasional maintenance work.
- 3.3.4 Movement within the site will be by way of quad bike or small, farm utility vehicle. The Electricity Board will visit the site from time to time to check the apparatus. No on-site staff will be required to operate the solar farm and no staff offices or maintenance buildings

needed within or near to the site. Some permanent equipment for monitoring the site will be held in one of the transformer enclosures and/or grid connection cabinet. Whilst this would typically be accessed remotely, it would be available for occasional physical access during routine visits.

3.3.5 The land between each row of cells and on the fringes of the site will be seeded with a grass mix.

3.3.6 Noise impact is limited to the construction phase of the development, there would be minor impacts generated by the vehicle movements across the site coupled with the installation of equipment.

3.3.7 Once operational, the inverters and batteries may generate additional background noise levels, however, noise will be mitigated as any operational plant is enclosed. This is assessed as part of the noise report submitted with the planning application.

#### **Decommissioning**

3.3.8 The scheme has been designed to have the lightest possible impact on the land in terms of structural loading. At the end of the 40-year period, the structure, including all ancillary equipment and cabling, would be carefully dismantled and removed from the site. Materials would be reused or taken to an appropriate location for recycling or disposal. The site would be reinstated for full agriculture use.

### **3.4 Ecology and Landscaping**

#### **Ecological Mitigation and Enhancement**

3.4.1 The site is comprised of arable and pastoral fields which are considered to be of low ecological value.

3.4.2 New habitat will be provided for skylarks within the land adjacent to the site as shown on the Skylark plot plan, and as described in the ecology report.

3.4.3 As per the recommendations of the ecology report, the following enhancements are proposed to the site as part of the proposals:

- Gaps within existing hedgerows will be filled with additional native species to increase diversity, and hedgerows will be managed on a rotational basis to enable wildlife to benefit from them year-round;
- Appropriate vegetated buffers will be maintained to the SINC's comprising native grasses or scrub planting (these are included on the proposed site plan); and
- Installation of bird nest and bat boxes on trees will be retained around the Site to provide opportunities for a range of species recorded within the local area, such as tree sparrow and soprano pipistrelle.

#### **Landscaping**

3.4.4 Given the scale of the development, the impact that the solar farm will have on the landscape context and the visual impact was a prime consideration. At the feasibility stage, the site was assessed to establish where the key viewpoints were into and out of the site to identify where potential mitigation planting would be needed. This established that the site is well contained and has a good level of screening from trees and hedges from most viewpoints however additional planting was required.

3.4.5 New planting has been designed to help integrate the development into the character of the landscape through the creation of new woodland blocks and belts as well as the planting of section of new hedgerow or for the reinforcement of the boundary hedgerows and new tree planting. The landscape strategy also includes for internal hedgerows to be enhanced and strengthened where necessary. Once established the landscape strategy would help to further enclose this area of landscape and limit appreciation of the solar array from all but locations within immediate proximity of the development.

- 3.4.6 The proposals include for the introduction of the new grassland beneath the array and Skylark habitat areas. These are positive new land uses which will both bring forward beneficial ecological enhancements. As well as these wider benefits, a large new woodland is proposed along the route of footpath 37.17 3/1 through the centre of the array. This would be an attractive enhancement to the setting of this section of footpath whilst providing ecological and biodiversity benefits. This new woodland block would also help to break up the array and provide screening and separation of the wider infrastructure.
- 3.4.7 The landscape strategy also increases the green infrastructure across the countryside to the north of Camblesforth. New woodland blocks, such as the large one alongside Public Footpath 35.17 and woodland belts help connect existing woodlands on the edge of the Site whilst providing effective screening of the array. The new blocks and belts have been arranged to stagger together to visually break up and screen the array, particularly from the adjacent residential edge of Camblesforth.
- 3.4.8 Within the middle of the Site, a new central woodland block has been proposed alongside Public Footpath 35.17, essentially splitting the array into two separate parcels. This new woodland block would enhance the green infrastructure across the Site, providing new habitats and biodiversity benefits. Immediately alongside the footpath, new grassland would help provide an attractive publicly accessible space. The new woodland and hedgerow alongside the footpath is sufficient to not result in walkers feeling overly enclosed between the proposed vegetation and the array. Additionally, informal paths would be made throughout the woodland with public access encouraged.
- 3.4.9 A new permissive footpath alongside Camela Lane provides local walkers with a safe circular off-road route. By connecting back along the southern edge of the Site to Public Footpath 35.17 the route provides a useful loop through the new woodland block and back to Camblesforth.
- 3.4.10 Specialised landscape planting has been discussed with local residents who live closest to the site. The proposals for both hard and soft landscaping, including fences and planting are included within the landscape plan.

### **3.5 Public Consultation**

- 3.5.1 A public consultation exercise was carried out by the applicants prior to the submission of this application and full details are included within the accompanying Statement of Community Involvement.
- 3.5.2 In addition, on-going discussions have been taking place with the Parish Council. One aspect of these discussions has been the potential for the applicant to make contributions to improving local playground space / equipment, in the locality.

## 4 Planning Policy Context

### 4.1 Primary Legislation

4.1.1 Under Section 38 of The Planning and Compulsory Purchase Act 2004 ('The 2004 Act'), the determination of planning applications must be in accordance with the approved development plan unless material considerations indicate otherwise. This chapter identifies the national and local planning policies that provide the framework in which this application has been made. This chapter also summaries the relevant Government legislation, energy policies and targets which support development of renewable energy proposals.

### 4.2 National Planning Policy

4.2.1 National planning policy is set out in the National Planning Policy Framework (NPPF) which was published in March 2012. The NPPF has since undergone consultation and subsequently a revised submission was published in February 2019. There has also been a subsequent consultation on proposed changes to the NPPF. This provides a framework within which regional and local policy is set.

4.2.2 The NPPF sets out that the purpose of the planning system is to contribute to the achievement of sustainable development, identifying that sustainable development consists of economic, social and environmental roles.

4.2.3 Paragraph 11 advised that plans and decision should apply a presumption in favour of sustainable development. For decision making this means approving development which accords with the local development plan without delay. Where there are no relevant policies of the policies are out of date, permission should be granted unless:

- The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusal; or
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

4.2.4 Whilst there is no specific policy for solar energy development contained in the NPPF, paragraph 148 states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change.

*"The planning system should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings, and support renewable and low carbon energy and associated infrastructure"*

4.2.5 Paragraph 150 in relation to Planning for Climate Change states that new development should be planned in ways that:

*"a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and*

*b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards."*

4.2.6 Paragraph 151 states that to help increase the use and supply of renewable and low carbon energy and heat, plans should:

*"a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts);*

*b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and*

*c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers."*

4.2.7 At paragraph 154 the NPPF states that when determining planning applications for renewable and low carbon development, local planning authorities should:

*"a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and*

*b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas."*

4.2.8 Paragraphs 170 through 173 of the NPPF highlight the need for planning policy to work to protect and enhance the natural environment. It is especially important that great care is taken to ensure that landscape value is retained and that as little damage as possible is done to any existing site of interest.

4.2.9 Paragraphs 174 to 177 emphasise on the role of the planning system to protect and enhance habitats and biodiversity. If a significant harm to biodiversity, habitats, SSSIs, SPAs and SASs resulting from a development cannot be avoided or adequately mitigated, or compensated for, then planning permission will not be supported. Development which conserves or enhances biodiversity will be encouraged.

4.2.10 Paragraphs 189-198 set out the approach to proposals affecting heritage assets, and how the impacts of development should be considered and justified.

4.2.11 Section 16 of the NPPF, 'Conserving and enhancing the historic environment' provides guidance for planning authorities, property owners, developers and others on the conservation and investigation of heritage assets. Section 16 of the NPPF recognises that intelligently managed change may sometimes be necessary if heritage assets are to be maintained for the long term. Paragraph 189 states that planning decisions should be based on the significance of the heritage asset, and that the level of detail supplied by an applicant should be proportionate to the importance of the asset and should be no more than sufficient to review the potential impact of the proposal upon the significance of that asset. This is supported by paragraph 190 which states that LPAs should take this into account when considering applications.

4.2.12 Paragraphs 193 to 202 concern the conservation and enhancement of the historic environment. Proposals that are likely to affect heritage assets should be subject to appropriate assessments. Development that is likely to result in a substantial harm to or total loss of significance of a designated heritage asset will not be permitted, unless it is demonstrated that the benefits of the development outweigh the harm or loss.

4.2.13 Paragraph 193 states that where a development is proposed that would affect the significance of a designated heritage asset, great weight should be given to the asset's conservation and that the greater an asset's significance, the greater this weight should be. Paragraph 195 emphasises that where a proposed development will lead to less than substantial harm to the significance of a designated heritage asset, this should be weighed against the public benefits of the scheme, bearing in mind the great weight highlighted in Paragraph 193.

4.2.14 The Governments Planning Practice Guidance (PPG) which was published in March 2014 and further updated in March 2015, provides further guidance on renewable energy and in particular on large scale ground mounted solar farms. Paragraph ID 5-013 states that:

*"The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-*

*planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively."*

- 4.2.15 It acknowledges that the site selection of any large scale solar farms should be carefully considered *"where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays."*
- 4.2.16 It states that *"in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography the area of a zone of visual influence could be zero"*.

### **4.3 Local Planning Policy Context**

#### **The Development Plan**

- 4.3.1 The Selby District Core Strategy (2013) and Selby District Local Plan (2005) constitute the relevant Development Plan for the District.
- 4.3.2 The NPPF (Annex 1) is clear that local plans must be revised to reflect the policy changes the Framework has made. However, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given) (paragraph 2013 of the NPPF).

#### **Core Strategy 2013**

- 4.3.3 The Adopted Core Strategy covers the period up to 2027 and is the strategic element of the Local Plan.
- 4.3.4 It sets the long-term vision, objectives and strategy for the spatial development of Selby. The plan sets the amount of housing and employment development required within the District over the plan period, allocates strategic housing and employment sites and contains policies used in the determination of planning applications.
- 4.3.5 The Core Strategy replaces some of the policies in the Local Plan (2005).
- 4.3.6 The policies which are relevant to this proposal are:
- Policy SP1 Presumption in favour of sustainable development
  - Policy SP2 Spatial Development Strategy
  - Policy SP12 Access to Services, Community Facilities and Infrastructure
  - Policy SP13 Scale and Distribution of Economic Growth
  - Policy SP15 Sustainable Development and Climate Change
  - Policy SP17 Low-Carbon and Renewable Energy
  - Policy SP18 Protecting and Enhancing the Environment
  - Policy SP19 Design Quality

#### **Local Plan 2005**

- 4.3.7 The saved policies of this Local Plan which are relevant to the proposal are:
- Policy ENV1 Control of Development
  - Policy ENV9 Sites of Importance of Nature Conservation
  - Policy ENV28 Other Archaeological Remains
  - Policy T1 Development in relation to the Highway Network

- Policy T2 Access to Roads
- Policy T8 Public Rights of Way

## 5 Planning Assessment

### 5.1 Determination

- 5.1.1 Under Section 38 of The Planning and Compulsory Purchase Act 2004 ('The 2004 Act'), the determination of planning applications must be in accordance with the approved development plan unless material considerations indicate otherwise.
- 5.1.2 Through consideration of the Development Plan and other planning policy documents, the following matters are considered relevant:
- The principle and need for the development; and
  - Environmental considerations (including transport and access, landscape and visual amenity, environment, heritage, ecology and biodiversity).

### 5.2 Principle and need for Development

#### Principle

- 5.2.1 The NPPF states that the planning system should support the transition to a low carbon future under paragraph 148. Core Strategy policy SP17 is supportive of renewable energy and states that proposals will be encouraged subject to meeting criteria which includes assessment of the landscape and visual impacts; provision for mitigation and compensation, such as habitat enhancement or relocation (where necessary); the impact of off-site and on-site power generation infrastructure (including achieving underground connections to the electricity grid system); and soil quality not being adversely impacted.
- 5.2.2 The site is located outside of any settlement boundary and is therefore considered to be within the open countryside.
- 5.2.3 Planning Policy Guidance (PPG) paragraph 13 ID 5-013 requires local planning authorities to consider the following:
- 5.2.4 *"encouraging the effective use of land by focussing large scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value;*
- 5.2.5 *"where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays."*
- 5.2.6 Solar farms require a relatively large land area as well as a grid connection point. This inevitably means that solar farms are more suited to countryside rather than urban locations, where large areas of land, or brownfield sites are typically earmarked for residential or commercial expansion.
- 5.2.7 A review of Selby District Council's brownfield register is contained with the Environmental Statement (ES) submitted with this planning application, as part of the discussion on alternatives. The review concludes that there are no brownfield sites within the district available that would be large enough to accommodate the proposed development.
- 5.2.8 The site selection process is also set out within the accompanying ES. This describes how lower quality agricultural land has been selected, and that there are no sites which could be considered more sequentially preferable, within the district. This process has included ruling out land within the applicant's control further to soil testing. The Agricultural Land Grade Report describes that the highest quality land within the site has been ruled out following investigation. The resulting area for the proposed solar farm comprises mostly lower grades of agricultural land. Approximately 52 hectares of the site comprises Best and Most Versatile Land. This represents less than half the site. The temporary use of the site as a solar farm (for 40 years) will not necessarily remove the land from agricultural use, as it is common practice to use sheep to graze the grassland under the panels. The

temporary use would also have the added agricultural benefit of resting the soil which is a common practice used by farmers to enhance their quality. There would be no permanent loss of agricultural land. The temporary use of around 52ha of BMV land would not compromise the production of arable farmed crops.

- 5.2.9 The following sections of this planning assessment demonstrate that the relevant criteria are met by the proposal and it therefore complies with local planning policies and NPPF policy supporting the UK's transition to a low carbon future. Whilst the site is in the countryside, it is considered that the principle of the development in this location is acceptable.
- 5.2.10 The Council recognise the need for renewable energy. Core Strategy Policy SP17, 'Low-Carbon and Renewable Energy' references the local and sub-regional targets for renewable energy generation and describes that new schemes will help meet and exceed those targets.
- 5.2.11 Core Strategy Policy SP2 (c) defines certain types of development that will be allowed in the countryside and development where special circumstances apply. Renewable energy proposals can be considered to be such a circumstance given that this is not specified elsewhere within the Plan and the lack of availability of land for solar farms in urban areas. The site selection process is outlined further in the ES submitted with this application.
- 5.2.12 Saved Local Plan Policy ENV1 relates to achieving good quality development and seeks to ensure that all development proposals take into account a number of considerations addressed by further specific policies. ENV1 states that other material considerations can be applied to permit development in the countryside.
- 5.2.13 The Council have not identified any specific areas for renewable energy developments in the District, therefore the consideration on the appropriateness of a site should be done on a site by site basis. The environmental considerations are discussed later in this statement.
- 5.2.14 Policy SP17, 'Low-Carbon and Renewable Energy' requires that all proposals for new sources of renewable energy generation meet the following criteria:
- i) are designed and located to protect the environment and local amenity or
  - ii) can demonstrate that the wider environmental, economic and social benefits outweigh any harm caused to the environment and local amenity, and
  - iii) impacts on local communities are minimised.
- 5.2.15 Parts i) and ii) of SP17 are satisfied through reports submitted with this application to demonstrate that the layout, design and location of the proposed development has taken account of the potential impact of the development on local landscape character, local amenity, historic and cultural assets and ecology and consequently the level of effect on the environment is limited. In particular visual impacts are experienced only from a limited range of locations, which will be reduced further following the establishment of additional landscape screening measures proposed. An ES is submitted with this application which demonstrates that the environmental implications of the scheme have been minimised.
- 5.2.16 The impact on local communities is minimised through locating the scheme in a rural area, setting the proposals back physically from neighbouring residential properties, providing visual screening from the proposals, and carefully designing the layout to minimise disruption to neighbours from potential noise sources. Pre-application discussions with neighbours have informed the proposed landscaping mitigation; and specific mitigation has been designed in consultation with the closest neighbours to the site.
- 5.2.17 The proposals are therefore supported by local and national planning policy and the principle of development is considered to be acceptable.

### **Carbon Saving Benefits and Need**

- 5.2.18 National Grid's ambition is to have the technology in place to operate a zero carbon electricity system by 2025, and a net zero energy system by 2050. Their aim is "to build a cleaner, fairer and more affordable energy system that serves everyone powering the future of our homes, transport and industry" (nationalgrid.com). To achieve this, over the next ten years they plan to triple the use of the UK's home-grown clean energy so that everyone can benefit from clean energy and cleaner air. This will be achieved through projects led by both National Grid and private companies.
- 5.2.19 The NPPF is heavily supportive of renewable energy development. The NPPF places an over-riding emphasis on the presumption in favour of sustainable development, which this development clearly constitutes. Infrastructure, which is required to ensure the generation of renewable energy, is inherently sustainable under the NPPF.
- 5.2.20 The UK is legally bound through the Climate Change Act (2008) to reduce carbon emissions and through Renewable Energy Directive 2009/28/EC to increase electricity consumption from renewable resources. The Development would contribute towards meeting these requirements and would also be fully supported by energy policy because it would assist in replacing outdated energy infrastructure and the move to a low carbon economy, and ultimately will assist with affordable energy bills.
- 5.2.21 In line with the Climate Change Act 2008 the National Planning Policy Framework (NPPF) sets a presumption in favour of sustainable development.
- 5.2.22 The NPPF sets out that the purpose of the planning system is to contribute to the achievement of sustainable development, identifying that sustainable development consists of economic, social and environmental roles.
- 5.2.23 Paragraph 11 advises that plans and decisions should apply a presumption in favour of sustainable development. The Development is considered to accord with the overarching principle of sustainable development, as it has great potential to result in economic and social benefits in respect of supplying affordable, low carbon electricity.
- 5.2.24 Solar Farms are comprised of solar photovoltaic (PV) panels that generate electricity using light (not sunshine). Light is a clean renewable natural resource that can be harvested and distributed to the national grid. For every 5MW installed, a solar farm will power over 1,500 homes annually (based on an average annual consumption of 3,300 kWh of electricity for a house) and save 2,150 tonnes of CO<sub>2</sub> (Explainer: Solar Farms - Solar Trade Association)
- 5.2.25 Research published in Nature Energy measures the full lifecycle greenhouse gas emissions of a range of sources of electricity out to 2050. It shows that the carbon footprint of solar, wind and nuclear power are many times lower than coal or gas with carbon capture and storage (CCS). This remains true after accounting for emissions during manufacture, construction and fuel supply. (Pehl et al. (2017) Understanding future emissions from low-carbon power systems by integration of life cycle assessment and integrated energy modelling, Nature Energy, doi: 10.1038/s41560-017-0032-9)
- 5.2.26 Paragraph 148 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate. The site has been considered as the optimal location which can maximise the energy output, while leaving minimal impact on nearby properties and the environment.
- 5.2.27 Paragraph 154 of the NPPF sets out that in order to increase the use and supply of renewable energy, LPAs should not require applicants to demonstrate the overall need for renewable or low carbon energy. LPAs should approve the application if its impacts are or can be made acceptable.
- 5.2.28 As noted above policy SP17 is supportive of new proposals for renewable energy developments in the District. The energy generated by the proposed development would contribute to supporting growth in the region, and the carbon emissions saved as a result of generating electricity from a renewable source, would help to tackle climate change and

minimise resource use. As such the proposed development would be in accordance with this policy.

### **5.3 Landscape**

- 5.3.1 Core Strategy policy SP18 relates to protecting and enhancing the environment and requires development to safeguard and, where possible, enhance the historic and natural environment including the landscape character and setting of areas of acknowledged importance.
- 5.3.2 The site is located in the National Character Area 39 (Humerhead Levels), County Landscape Character area of Levels Farmland and Local Landscape Character Area 15 Camblesforth Farmlands.
- 5.3.3 As part of this application Landscape and Visual Impact Assessment (LVIA) has been submitted as part of the Environmental Statement and should be referred to for full details. The assessment identifies that the context of the site is characterised by the low-lying arable farmland of the levels with irregular field patterns bounded by hedgerows, sometimes fragmented, and hedgerow trees which provide some enclosure. Woodland blocks are prevalent and shelterbelts merge, to limit views and reinforce a sense of enclosure.
- 5.3.4 Drax Power Station exerts a dominant and imposing industrial character with its large and numerous vertical structures over a wide area from almost all directions. There are also a number of busy roads including the A645 and large-scale pylons which detract from the otherwise rural aspects of the surrounding arable farmland, woodland blocks and small nucleated settlements.
- 5.3.5 The LVIA considers that the site itself makes a partial contribution to the local landscape character of the District.
- 5.3.6 In relation to the site as a visual resource, it is identified that views are generally limited and localised to the immediate context and surrounding roads. The site is considered to offer fair visual amenity albeit, where the quality of the existing views are such that there are a number of incongruous elements, local people are likely to appreciate in the context of major existing infrastructure, including power and transport.
- 5.3.7 Images showing the existing and proposed viewpoints from around the site, which have been agreed with Council Officers, are included as part of the assessment. These photomontages (1-4) are included as appendices F1 and F2 of the Environmental Statement. They show the existing site context, what the proposals would look like without landscaping, and what they would look like with the proposed screening.
- 5.3.8 New planting has been designed to help integrate the development into the character of the landscape through the creation of new woodland blocks and belts as well as the planting of sections of new hedgerow or for the reinforcement of the boundary hedgerows. The landscape strategy also includes for internal hedgerows to be enhanced and strengthened where necessary. Once established the landscape strategy would help to further enclose this area of landscape and limit appreciation of the solar array from all but locations within immediate proximity of the development.
- 5.3.9 The large new woodland proposed along the route of footpath 37.17 3/1 through the centre of the array would be an attractive enhancement to the setting of this section of footpath whilst providing ecological and biodiversity benefits. This new woodland block would also help to break up the array and provide screening and separation of the wider infrastructure.
- 5.3.10 Within the middle of the Site, a new central woodland block has been proposed alongside Public Footpath 35.17, essentially splitting the array into two separate parcels. This new woodland block would enhance the green infrastructure across the Site, providing new habitats and biodiversity benefits. Immediately alongside the footpath, new grassland would help provide an attractive publicly accessible space. The new woodland and

hedgerow alongside the footpath is sufficient to not result in walkers feeling overly enclosed between the proposed vegetation and the array. Additionally, informal paths would be made throughout the woodland with public access encouraged.

- 5.3.11 A new permissive footpath alongside Camela Lane provides local walkers with a safe circular off-road route. By connecting back along the southern edge of the Site to Public Footpath 35.17 the route provides a useful loop through the new woodland block and back to Camblesforth.
- 5.3.12 The LVIA concludes that there would be no significant effects in relation to either the temporary use of the agricultural land, the landscape features including hedges and trees or the landscape character areas, including surrounding farmlands. Whilst they are not significant effects, the LVIA considers there may be moderate/minor effects to the character of the site as agricultural land, and the surrounding landscape character over the construction and operation of the proposals. These would be removed further to decommissioning. The LVIA concludes that there would be a neutral effect on trees and hedges during construction and a moderate/minor beneficial effect on landscaping during the operation of the proposals.
- 5.3.13 The LVIA describes the anticipated impacts of the proposals on the public rights of way. These are discussed at section 5.7 below, 'Public Access'.
- 5.3.14 Whilst the assessment concludes the potential impact of the proposals would be adverse and the effects could be significant, which could be considered to be contrary to Policy T8, it is considered the proposals are acceptable as:
- The effects are temporary;
  - The effects on public rights of way within the surrounding area are limited to short sections;
  - Enhancements to the effected public right of way are provided in the form of new woodland planting and trails within the woodland, for recreation. This will add variety to the recreation opportunities available within the area; and
  - The benefits of the proposal (including the ecological enhancements and contribution to sustainable renewable energy) outweigh the potential harm of the effect.
- 5.3.15 The landscape strategy also increases the green infrastructure across the countryside to the north of Camblesforth. New woodland blocks, such as the large one alongside Public Footpath 35.17 and woodland belts help connect existing woodlands on the edge of the Site whilst providing effective screening of the array. The new blocks and belts have been arranged to stagger together to visually break up and screen the array, particularly from the adjacent residential edge of Camblesforth.
- 5.3.16 Specialised landscape planting has been discussed with local residents who live close to the site. The proposals for both hard and soft landscaping, including fences and planting are included within the landscape plan.
- 5.3.17 There are a limited number of residential dwellings near the site. It is well distant from any villages. The Landscape and Visual Impact Assessment (LVIA) (Chapter 7 of Volume I of the Environmental Statement submitted with this planning application) assesses the impact on sensitive human receptors.
- 5.3.18 The potential landscape and visual impacts of the proposals from local resident's properties in the surrounding area is contained within Table 2 of Chapter 7 of the Environmental Statement submitted with this planning application. The potential impacts are assessed as having varying impacts on different properties. Some are considered to be neutral, others are minor, others are moderate and some are considered to be major/moderate.
- 5.3.19 There are only 2 visual receptor locations considered to result in a major/moderate impact. Together, these comprise a total of five houses.

5.3.20 Table 2 describes how additional and bespoke landscape mitigation measures have been developed, in consultation with those residents.

5.3.21 Overall, it is considered that the development proposals minimise the potential harm to the landscape and have positive effects on the landscape in relation to tree and hedge planting.

## **5.4 Heritage Assets**

5.4.1 Policy SP18. Protecting and Enhancing the Environment seeks to sustain the high quality and local distinctiveness of the natural and man-made environment by 1. Safeguarding and, where possible, enhancing the historic and natural environment including the landscape character and setting of areas of acknowledged importance; and 2. Conserving those historic assets which contribute most to the distinct character of the District and realising the potential contribution that they can make towards economic regeneration, tourism, education and quality of life.

5.4.2 Policy ENV28 relates to archaeological remains and how development may impact below ground in situ archaeology.

5.4.3 The site does not contain any statutory heritage assets within it. The closest listed building is the Dovecote to Camblesforth Hall which is approximately 500 metres south of the site which is Grade II listed and sits within the grounds of Camblesforth Hall which is Grade I listed. The Heritage Statement scopes other designated and non-designated heritage assets in the surrounding area out of the assessment as they share no visual, functional or historical association with the study site and their significance will remain unaffected by the proposed development.

5.4.4 The Heritage Statement outlines that the proposed development will alter the wider setting to the Grade I hall to the north in terms of its current arable use and also its visual context from outward looking views that are mainly confined to the attic and a limited number of first floor windows. However, the landscape mitigation proposals involving enhancing hedgerows and woodland together with additional new belts of trees and woodland, which are already common features within the surroundings, will also serve to screen the development from any intervisibility with the Grade I listed Camblesforth Hall.

5.4.5 The Heritage Statement concludes therefore, that the proposed development will have no effect on the special interest, and therefore no harm on the significance of Camblesforth Hall.

5.4.6 A solar farm development has minimal impact below ground meaning development is unlikely to impact upon any archaeology. The archaeology report concludes that the available archaeological records, combined with analysis of historical mapping, the results of previous archaeological investigations in the search area, and the geophysical survey suggest that there is generally a low potential for the survival of prehistoric or Roman period remains in the study site. Features shown in the results of the geophysical survey on the east side of the study site may be of archaeological origin. Although it is not possible to ascertain a precise date of the geophysical anomalies, it is possible that they are of prehistoric or Roman origin. Buried remains relating to medieval or post-medieval agriculture are shown within the geophysical survey data across the study site, such as ploughing or former field boundaries, but these are considered to be of negligible significance.

5.4.7 The proposals are therefore considered to comply with the relevant policies for the protection of heritage assets.

## **5.5 Biodiversity**

5.5.1 The site is currently arable land which generally has low ecological value. There has not been any ecological appraisal of the site yet, but one will be carried out in due course and if any protected species surveys are required then these will also be instructed prior to submission of a planning application.

- 5.5.2 Core Strategy policy SP18 relates to protecting and enhancing the environment and in relation to biodiversity looks to safeguard areas which are of international, national or local sites of nature conservation. It also requires developments to retain, protect and enhance features of biodiversity interest and provide a net gain.
- 5.5.3 The proposed development will provide gains in biodiversity by supplementing the existing vegetation and hedgerows surrounding the application site with a range of native species. In addition, the temporary use of the land as a solar farm will provide opportunities for improved grassland species, it is proposed that grasses will be planted in-between the solar panels which will contribute to enhancing biodiversity. Biodiverse field margins to the designated SINC woodlands are also proposed. There are indicated on the proposed site plan. The ecology report outlines that the proposals will have a positive impact on ecology and biodiversity in the local area and details the enhancements to the site for plants and animals proposed. Specific enhancements to hedgerows, woodland, bats and birds are described earlier in this statement.
- 5.5.4 The change of use of the site from agricultural fields to grassland will constitute a biodiversity net gain alone, as required by CS Policy SP18. In addition to this, the additional planting of trees/hedges and grassland/meadows will provide additional gains.

## **5.6 Highways and Traffic**

- 5.6.1 Selby Local Plan Policy T1 requires that developments are well related to the existing highways network and will only be permitted where existing roads have adequate capacity and can safely serve the development, unless appropriate off-site mitigation can be undertaken. Solar farms generate minimal traffic movements as they require little maintenance. Policy T2 stipulates that proposals for new/intensified access must be safe, and the location and standard must be acceptable to the highway authority. Proposals which would result in the creation of a new access onto a primary road or district distributor road will not be permitted unless there is no feasible access onto a secondary road and the highway authority is satisfied that the proposal would not create conditions prejudicial to highway safety.
- 5.6.2 Existing farm accesses from Camela Lane and the A1041 will be retained. New access points across Camela/Clay lane will be introduced for construction and maintenance.
- 5.6.3 The main traffic generation would be during the construction period which would be 6-9 months, and a Construction Management Plan can be prepared to provide routing and details.
- 5.6.4 During the construction period, vehicles would access the site via the existing access on the A1041. The Transport Statement outlines that all construction vehicles will be able to enter and exit the site in forward gear via dedicated turning and parking areas provided within the site. This 'primary access' will then serve as an operational access for maintenance vehicles at the end of the construction phase.
- 5.6.5 The Transport Statement describes how the relevant visibility spays are achieved from the primary access.
- 5.6.6 A Construction Management Plan will be in place, to be approved by Selby District Council, to manage the safe and considerate construction of the site. Further details of the Plan are included as part of the Transport Statement submitted with this application.
- 5.6.7 Once operational, traffic movements would be minimal with only occasional maintenance access required. The proposals would likely result in a decrease in vehicular movements to/from the site, and the type of vehicles is likely to be smaller than the farm vehicles/tractors.
- 5.6.8 The Transport Statement submitted with this application describes the proposed access strategy. This comprises continued use of the existing site access from the A1041, continued use of the existing farm access for maintenance (post-construction). Both these access points are considered suitable and safe, as required by Policies T1 and T2. Two

secondary access points are proposed as a crossover to Camela Lane (as shown on proposed site access plan 2 & 3). These would be used to cross Camela Lane safely during the construction and decommissioning phases of development to prevent construction vehicles using Camela Lane. Maintenance vehicles may also utilise the access as required during the operational phase of development. Consultation on the existing and proposed accesses has been undertaken with the highway authority, and it is considered they are appropriate, and they comply with the requirements of Policies T1 and T2.

5.6.9 The development will not cause disruption to the safe and free flow of traffic.

## **5.7 Public Access**

5.7.1 Selby Local Plan Policy T8 outlines that development which would have a significant adverse impact on a public right of way will not be permitted unless particular criteria can be met which involve the re-provision of routes elsewhere. The policy also outlines that the District Council will work with the highway authority and other interested parties to extend and improve the public rights of way network for amenity as well as highway reasons.

5.7.2 As described earlier in this report, there are public rights of way running through the site, and across the surrounding area. These are used by farm vehicles and walkers. Great care has been taken by the applicant in undertaking consultation with local people to understand how the footpaths are currently used, and in planning new and enhanced planting to screen views of the proposals. A large area of land to the west of the public right of way has been set aside, to be left free of panels, to prevent the feeling of waking through a tunnel. The landscaping proposals show that the area set aside could be a woodland, which would be beneficial to local wildlife, as well as provide an attractive and safe walking route for local people. There are two key proposals for improved public access across and around the site:

- Within the middle of the Site, a new central woodland block has been proposed alongside Public Footpath 35.17, essentially splitting the array into two separate parcels. This new woodland block would enhance the green infrastructure across the Site, providing new habitats and biodiversity benefits. Immediately alongside the footpath, new grassland would help provide an attractive publicly accessible space. The new woodland and hedgerow alongside the footpath is sufficient to not result in walkers feeling overly enclosed between the proposed vegetation and the array. Additionally, informal paths would be made throughout the woodland with public access encouraged.
- A new permissive footpath alongside Camella Lane provides local walkers with a safe circular off-road route. By connecting back along the southern edge of the Site to Public Footpath 35.17 the route provides a useful loop through the new woodland block and back to Camblesforth.

5.7.3 The Landscape and Visual Impact Assessment contained within the Environmental Statement (Chapter 7 of Volume 1 of the ES) describes the anticipated impacts of the proposals on the public rights of way. The most significant visual effects on public rights of way would be limited to users of Footpath 37.17 3/1 which runs through the Site. The outlook for users of this section of footpath would change from that of an agricultural landscape to that of a solar farm. To limit these impacts, the array would be offset from the footpath to provide visual space along its length and the hedge and woodland planting would help to screen and soften views of the array and associated infrastructure.

5.7.4 The ES concludes that whilst it is anticipated there will be significant impacts on public footpaths within the surrounding area of the Site during the construction phase and year 1, once the planting has matured, the effects on all public rights of way running through the Site and in the surrounding will be reduced and will not be significant.

5.7.5 Whilst the assessment concludes the potential impact of the proposals would be adverse for a period of time and therefore there could be some conflict with Policy T8, it is considered the proposals are acceptable as:

- The effects are temporary and would be not significant by Year 15;
- The effects on public rights of way within the surrounding area are limited to short sections;
- Enhancements to the public right of way are provided in the form of new woodland planning and trails within the woodland for recreation. This will add variety to the recreation opportunities available within the area; and
- The benefits of the proposal (including the ecological enhancements and contribution to sustainable renewable energy) outweigh the potential harm of the effect.

## **5.8 Drainage and Flooding**

- 5.8.1 Core Strategy Policy SP15 'Sustainable Development and Climate Change' outlines that the Council will apply the sequential test and exception test where appropriate, and ensure that where development must be located within areas of flood risk that it can be made safe without increasing flood risk elsewhere; Support sustainable flood management measures such as water storage areas and schemes promoted through local surface water management plans to provide protection from flooding; and biodiversity and amenity improvements'.
- 5.8.2 The site is situated within flood zone 3a and benefits from flood defences.
- 5.8.3 The solar panel arrays are not considered to prevent direct infiltration into the ground and will allow rainwater to drain freely into the ground. The site would be landscaped with grassland and vegetation surrounding and beneath the arrays. The proposals will not increase flood risk on or off site.
- 5.8.4 Flood Risk Assessment (FRA) that accompanies the application submission outlines that the Exceptions Test does not need to be applied. Table 1 of the FRA 'Flood Risk Vulnerability Classification) outlines that in accordance with Table 2 of the NPPG: 'Flood Risk and Coastal Change', industrial developments are considered to be 'less vulnerable'. Cross referencing this with the site's location in Flood Zone 3a, the FRA concludes that development is permitted, meaning the Exception Test is not required to justify the development in this location.
- 5.8.5 A key part of the NPPF is that a proposed development must first pass a "Sequential Test" to demonstrate that the overall development proposal is appropriate in terms of flood risk. It ensures that a sequential approach is followed to guide new development to areas with the lowest probability of flooding. The FRA describes that the proposals have been designed to respond to potential flood events. This includes that built infrastructure will be constructed at a height above projected flood levels, and that the solar panels (which are designed to tilt to follow the light) are able to tilt to a horizontal position during flood events, to protect them from flooding. The FRA confirms that the sequential test is therefore passed.

## 6 Conclusion

- 6.1.1 The principle of locating a solar farm on the application site is supported by CS Policy SP17, subject to the scheme meeting detailed criteria. This planning statement has demonstrated that those criteria are met by the proposal.
- 6.1.2 In particular, adopted planning policy allows for renewable energy developments to be located within the countryside, subject to relevant criteria being met. The ES submitted as part of the planning application sets out the site selection process, including a review of brownfield sites, and agricultural land value across the district, demonstrating there is no sequentially preferable site, and that areas of higher agricultural land value are preserved.
- 6.1.3 The site has also been selected for its lack of physical, historical and environmental constraints, and its topography, which allow for effective and sensitive landscape screening of the proposals within close proximity of the site, and within the wider landscape.
- 6.1.4 Public access through the site is maintained, and would be enhanced by new woodland planting and trails within the woodland for recreation, and a new permissive footpath alongside Camella Lane provides local walkers with a safe circular off-road route. This will add variety to the recreational opportunities available within the area. The potential impact on the public right of way running through the site is justified as any effects would be temporary and not significant by Year 15 and would be limited to short sections. Overall, this mitigation and the other benefits of the proposal (including the ecological enhancements and contribution to sustainable renewable energy) outweigh the potential harm.
- 6.1.5 Care has been taken to mitigate the impact on surrounding residential properties by setting the proposals back from houses by at least one field, and providing landscape mitigation in consultation with local residents on a case-by case basis.
- 6.1.6 The proposed development will provide gains in biodiversity by supplementing the existing vegetation and hedgerows surrounding the application site with a range of native species. In addition, the temporary use of the land as a solar farm will provide opportunities for improved grassland species planted in-between the solar panels which will contribute to enhancing biodiversity.
- 6.1.7 The proposals are appropriate in respect of flood risk.
- 6.1.8 The existing, reinforced and new landscape planting screens potential views of the proposals from historic assets within the surrounding area.
- 6.1.9 Existing farm access points and new crossover points can be utilised to provide safe highway access for the construction, operation and decommissioning of the development.
- 6.1.10 Construction and decommissioning of the development would be managed through a Construction Environment Management Plan (to be approved as part of planning conditions). This would prescribe site access arrangements, movements, working hours and practices and environmental matters, to manage potential impacts to local people and the environment.
- 6.1.11 To conclude, there is a recognised need and support for renewable energy technology through National and Local planning policy and this development would contribute towards the targets set for the UK's greenhouse gas emission reduction and increasing the country's energy supply from renewable sources. This is a significant benefit of the scheme. The proposals accord with relevant local and national planning policies, and should, therefore, be approved without delay.

## **Appendix 1: Environmental Impact Assessment Screening Opinion**

**THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS  
2017 SCREENING MATRIX**

<b>1. CASE DETAILS</b>		
<b>Case Reference</b>	2020/0784/SCN	<b>Brief description of the project / development</b>
<b>Appellant</b>	Camblesforth Solar Farm Ltd	
<b>LPA</b>	Selby District Council	
<b>2. EIA DETAILS</b>		
<b>Is the project Schedule 1 development according to Schedule 1 of the EIA Regulations?</b>		No
<b>If YES, which description of development (THEN GO TO Q4)</b>		N/A
<b>Is the project Schedule 2 development under the EIA Regulations?</b>		Yes
<b>If YES, under which description of development in Column 1 and Column 2?</b>		3 (a) Industrial installations for the production of electricity, steam and hot water >0.5ha
<b>Is the development within, partly within, or near a 'sensitive area' as defined by Regulation 2 of the EIA Regulations?</b>		No
<b>If YES, which area?</b>		N/A
<b>Are the applicable thresholds/criteria in Column 2 exceeded/met?</b>		Yes
<b>If yes, which applicable threshold/criteria?</b>		Area of development exceeds 0.5ha
<b>3. LPA/SOS SCREENING</b>		
<b>Has the LPA or SoS issued a Screening Opinion (SO) or Screening Direction (SD)? (In the case of Enforcement appeals, has a Regulation 37 notice been issued)</b>		No
<b>If yes, is a copy of the SO/SD on the file?</b>		N/A
<b>If yes, is the SO/SD positive?</b>		N/A
<b>4. ENVIRONMENTAL STATEMENT</b>		
<b>Has the appellant supplied an ES for the current or previous (if reserved matters or conditions) application?</b>		No

**WHEN COMPLETING THIS DOCUMENT IN RELATION TO AN ENFORCEMENT APPEAL, THE UNDERSIGNED OFFICER HAS HAD REGARD TO THE PROJECT AS ALLEGED IN THE RELEVANT ENFORCEMENT NOTICE WHEN REFERRING TO THE PROJECT / DEVELOPMENT.**



Question	<b>(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons</b> (Yes/No or Not Known (?) or N/A)  Briefly explain answer to Part 2a and, if applicable and/or known, include name of feature and proximity to site <b>(If answer in Part 2a / 2b is 'No', the answer to Part 3a / 3b is 'N/A')</b>		<b>(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely?</b> (Yes/No or Not Known (?) or N/A)  Is a significant effect likely, having regard particularly to the magnitude and spatial extent (including population size affected), nature, intensity and complexity, probability, expected onset, duration, frequency and reversibility of the impact and the possibility to effectively reduce the impact? If the finding of no significant effect is <b>reliant on specific features or measures</b> of the project envisaged to avoid, or prevent what might otherwise have been, significant adverse effects on the environment <b>these should be identified in bold.</b>	
<b>1. NATURAL RESOURCES</b>				
<b>1.1</b> Will construction, operation or decommissioning of the project involve actions which will cause physical changes in the topography of the area?	No		N/A	
<b>1.2</b> Will construction or operation of the project use natural resources above or below ground such as land, soil, water, materials/minerals or energy which are non-renewable or in short supply?	No		N/A	
<b>1.3</b> Are there any areas on/around the location which contain important, <b>high quality or scarce resources</b> which could be affected by the project, e.g. forestry, agriculture, water/coastal, fisheries, minerals?	Yes	The land is classified as being Grade 3 in accordance with the Natural England Agricultural Land Classification. It is not yet known whether the land is considered to be 3a (Best and Most Versatile) or 3b (moderate quality agricultural land) or a mix of both. Based on the information provided therefore, the LPA can only conclude that the proposed development could therefore have the potential	No	As is not yet known whether the land is considered to be 3a (Best and Most Versatile) or 3b (moderate quality agricultural land) or a mix of both, it is not known whether the proposed development would result in the loss of BMV agricultural land, but there is the potential that 167ha of BMV land would be lost as a result of the proposal. This would be well above the recognised 20ha threshold of

Question	<b>(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons</b> (Yes/No or Not Known (?) or N/A)		<b>(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely?</b> (Yes/No or Not Known (?) or N/A)	
		to result in the loss of 167ha of BMV agricultural land.		<p>significance for statutory consultation with Natural England.</p> <p>However, the information provided sets out that the development would not sterilise the land and the land can still be used for agricultural purposes such as sheep grazing. Furthermore, once decommissioned, the development can be removed, and the land can be returned to its previous arable use. In this respect, it is considered that significant effects on agricultural land are unlikely in EIA terms.</p>
<b>2. WASTE</b>				
<b>2.1</b> Will the project produce solid wastes during construction or operation or decommissioning?	No		N/A	
<b>3. POLLUTION AND NUISANCES</b>				
<b>3.1</b> Will the project release pollutants or any hazardous, toxic or noxious substances to air?	No		N/A	
<b>3.2</b> Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	Yes	A degree of noise and vibration would be likely during construction, with minimal noise during the operational phase.	No	The effect of noise and vibration is unlikely to be significant in EIA terms.
<b>3.3</b> Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	No		N/A	

Question	(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons (Yes/No or Not Known (?) or N/A)		(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely? (Yes/No or Not Known (?) or N/A)	
3.4 Are there any areas on or around the location which are already subject to pollution or environmental damage, e.g. where existing legal environmental standards are exceeded, which could be affected by the project?	No		N/A	
<b>4. POPULATION AND HUMAN HEALTH</b>				
4.1 Will there be any risk of major accidents (including those caused by climate change, in accordance with scientific knowledge) during construction, operation or decommissioning?	No		N/A	
4.2 Will the project present a risk to the population (having regard to population density) and their human health during construction, operation or decommissioning? (for example due to water contamination or air pollution)	No		N/A	
<b>5. WATER RESOURCES</b>				
5.1 Are there any water resources including surface waters, e.g. rivers, lakes/ponds, coastal or underground waters on or around the location which could be affected by the project, particularly in terms of their volume and flood risk?	Yes	The application site is located within Flood Zone 3a which has been assessed as having between a 1 in 100 or greater annual probability of river flooding (>1%) or a 1 in 200 or greater annual probability of flooding from the sea (>0.5%) in any one year. However, the site is located within an area that benefits from existing flood defences.	No	The flood risk sequential test would need to be applied to the proposed development. The site occupies an area of over 1ha and therefore a Flood Risk Assessment (FRA) will need to be prepared to accompany the planning application. The FRA should include recommendations for the site drainage strategy which would be in keeping with sustainable drainage systems (SuDS) best practise principles, in order to mitigate any

Question	<b>(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons</b> (Yes/No or Not Known (?) or N/A)		<b>(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely?</b> (Yes/No or Not Known (?) or N/A)	
				<p>potential issues relating to runoff rates and flow routes.</p> <p>Due to the nature of the development, the effect on water resources is unlikely to be significant in EIA terms.</p>

## 6. BIODIVERSITY (SPECIES AND HABITATS)

<p><b>6.1</b> Are there any protected areas which are designated or classified for their terrestrial, avian and marine ecological value, or any non-designated / non-classified areas which are important or sensitive for reasons of their terrestrial, avian and marine ecological value, located on or around the location and which could be affected by the project? (e.g. wetlands, watercourses or other water-bodies, the coastal zone, mountains, forests or woodlands, undesignated nature reserves or parks. (Where designated indicate level of designation (international, national, regional or local))).</p>	Yes	<p>The closest internationally statutorily designated site is approximately 2.86km north east of the site and is the River Derwent Special Area of Conservation. There are three nationally designated sites which lie within 3km of the site which are two Sites of Special Scientific Interest (SSSI) and a Local Nature Reserve. Barlow Common Nature Reserve is located 300m north west of the site and is a brownfield site which supports wetland, wildflower meadows and woodland.</p> <p>There are a number of Local Wildlife Sites (known as Sites of Importance for Nature Conservation – SINC) in area of the scheme including woodland plots that are located directly adjacent to the solar farm.</p>	No	<p>Based on the information provided and knowledge of the surrounding area, localised ecological impacts upon habitats and species utilising the site and the immediate surroundings would be expected. However, these are unlikely to be significant in EIA terms and it is considered that impacts will be able to be avoided, mitigated and compensated in accordance with policy.</p>
<p><b>6.2</b> Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, e.g. for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?</p>	Yes	<p>The PEA has determined that the site is in arable use and therefore has a low ecological value currently with limited potential for faunal species. The features which have any ecological interest are boundary hedgerows, woodlands, sections of drains and trees which are all proposed to be retained.</p>	No	<p>Based on the information provided and knowledge of the surrounding area, localised ecological impacts upon habitats and species utilising the site and the immediate surroundings would be expected. However, these are unlikely to be significant in EIA terms and it is considered that impacts will be able to</p>

Question	<b>(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons</b> (Yes/No or Not Known (?)) or N/A)		<b>(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely?</b> (Yes/No or Not Known (?)) or N/A)	
		The only protected species that was identified was nesting birds with skylarks identified and a low number of oyster catchers. Given the current Covid-19 pandemic full breeding bird surveys have not been able to be carried out, but it has been agreed with the County Ecologist that due to these restrictions they would not object to compensatory plots being provided on nearby land under the control of the applicant based on an assumption of how many skylark currently use the site using the site size.		be avoided, mitigated and compensated in accordance with policy.

## 7. LANDSCAPE AND VISUAL

<b>7.1</b> Are there any areas or features on or around the location which are protected for their landscape and scenic value, and/or any non-designated / non-classified areas or features of high landscape or scenic value on or around the location which could be affected by the project? <sup>1</sup> Where designated indicate level of designation (international, national, regional or local).	Yes	The site is located in the National Character Area 39 (Humerhead Levels), County Landscape Character Area of Levels Farmland and Local Landscape Character Area 15 Camblesforth Farmlands.	No	
<b>7.2</b> Is the project in a location where it is likely to be highly visible to many people? (If so, from where, what direction, and what distance?)	Yes	There are localised views of the site from roads approaching and leaving the villages of Barlow and Camblesforth; and from public rights of way within and adjacent to the site. Given the scale and location of the proposed development	Yes	The site area extends to approximately 167ha and is therefore a very large development site. The site lies between the villages of Camblesforth and Barlow and there would be localised view of the site from roads

<sup>1</sup> See question 8.1 for consideration of impacts on heritage designations and receptors, including on views to, within and from designated areas.

Question	<b>(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons</b> (Yes/No or Not Known (?)) or N/A	<b>(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely?</b> (Yes/No or Not Known (?)) or N/A
	<p>and its visibility from local viewpoints, as highlighted above, it is considered that the proposed development would impact upon the character and setting of the settlements of Barlow and Camblesforth.</p>	<p>approaching and leaving those settlements, as well as public rights of way within and adjacent to the site. It is considered that the proposed development would impact upon the character and setting of the settlements of Barlow and Camblesforth. Furthermore, the proposed solar panels would operate a 'tracking system' and limited details have been provided regarding the potential for glint and glare at this stage. Based on the information provided and knowledge of the surrounding area, the Council consider the proposal has potential to give rise to significant effects on landscape character and visual amenity.</p> <p>Cumulative effects should also be considered in the proposal. The proposed development would cover a significant area itself, between the settlements of Barlow and Camblesforth, but would also be sited adjacent to the existing developments of P3P Food Technology Park and Drax Power Station to the east. In terms of approved developments, the Secretary of State granted a Development Consent for the construction of new gas fired units (Drax Re-power Project) at Drax Power Station on 4 October 2019 (a subsequent legal challenge has been dismissed). In combination this may result in more significant impacts on landscape character and visual amenity. Based on the information provided, it is considered that significant cumulative effects on landscape character and visual amenity are likely.</p>

Question	(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons (Yes/No or Not Known (?) or N/A)		(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely? (Yes/No or Not Known (?) or N/A)	
<b>8. CULTURAL HERITAGE/ARCHAEOLOGY</b>				
<p><b>8.1</b> Are there any areas or features which are protected for their cultural heritage or archaeological value, or any non-designated / classified areas and/or features of cultural heritage or archaeological importance on or around the location which could be affected by the project (including potential impacts on setting, and views to, from and within)? Where designated indicate level of designation (international, national, regional or local).</p>	Yes	<p>The site does not accommodate any listed buildings or Scheduled Monuments (SAM). There are a number of listed buildings within 500m south of the site. These are the Grade I listed Camblesforth Hall and the Grade II listed Dovecote at the Hall. Barlow Church is Grade II listed and is located 1.2km north of the site's northern boundary. The nearest Scheduled Monument (SAM) is located north of Barlow and is a 'Medieval settlement and early post-medieval garden earthworks around Barlow Hall' and is located approximately 1km north of the site.</p> <p>The nearest Conservation Area is within the village of Hemingbrough which is located approximately 7 km north east from the site.</p> <p>Some non-designated heritage assets are considered to exist within the area of the proposed development but would be considered to have low significance.</p> <p>In terms of archaeology, this is a large greenfield site within an area of known archaeological potential. Although there are no specific recorded sites within the red-line area there are numerous cropmarks in the immediate environs indicative of later prehistoric and Romano-British settlement.</p>	No	<p>In terms of cultural heritage, the application would need to be supported by a Heritage Statement which identifies nearby heritage assets and their setting (including Camblesforth Hall), provides an assessment of their significance and provides an impact assessment. The extent of the search area will be dependent on the Landscape Visual Impact Assessment (LVIA) which would identify the zone of theoretical visibility (ZTV) within the local area.</p> <p>In terms of archaeology, although the development is of low intensity as far as ground disturbance is concerned there may still be impacts from piles, cabling, security fencing, service roads and transformers etc. A geophysical survey should take place to assess the archaeological potential of the area. This would allow any 'hot spots' to be designed out, for example cabling could be carried under the arrays rather than buried and frames could use 'concrete shoe' type ground anchors rather than piles.</p> <p>Due to the nature of the development, the effect on cultural heritage and archaeology is unlikely to be significant in EIA terms.</p>

Question	<b>(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons</b> (Yes/No or Not Known (?)) or N/A)		<b>(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely?</b> (Yes/No or Not Known (?)) or N/A)	
<b>9. TRANSPORT AND ACCESS</b>				
<b>9.1</b> Are there any routes on or around the location which are used by the public for access to recreation or other facilities, which could be affected by the project?	Yes	<p>There are a number of public rights of way adjacent to the site and one public right of way (reference 35.17/3/11) which crosses the site. The submitted information set out that the solar farm will be designed to accommodate the footpath which crosses the site in its current position, such that it will be unaffected by the operation of the solar farm.</p> <p>There may be disruption to public rights of way users in the local area during construction, however, the submitted information sets out that it is the intention for the public rights of way adjacent and crossing the site to remain open during construction.</p>	No	Due to the time limited nature of the construction phase and incorporation of the public right of way which crosses the site into the solar farm design, the effects on public rights of way are unlikely to be significant in EIA terms.
<b>9.2</b> Are there any transport routes on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	Yes	<p>It is proposed that the site will be accessed off the A1041, 90m to the south of its junction with Barlow Road. The A1041 forms part of the strategic highway and links to the motorway network (M62) to the south east (via the A645). The A1041 and A645 are not known to be susceptible to congestion or cause environmental problems. The M62 is a national motorway and can at times be susceptible to congestion.</p> <p>An existing field access will be improved to provide adequate geometry and visibility facilitating safe two way access for the largest design vehicles during construction. The largest construction vehicles will be 16.5m long articulated HGVs.</p>	No	Due to the scale and time limited nature of the construction phase, the effect on transport routes is unlikely to be significant in EIA terms.

Question	<b>(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons</b> (Yes/No or Not Known (?)) or N/A		<b>(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely?</b> (Yes/No or Not Known (?)) or N/A	
		<p>The submitted information sets out that the level of HGV traffic would vary throughout the construction phase depending upon the activities taking place at any one time but is considered unlikely to meet the IEMA thresholds (a peak of approximately 20 vehicles per day is estimated). A Construction Traffic Management Plan will be produced that will control the routing of vehicles to site as well as the timing of construction vehicles so that they are spread across the day and avoid morning and evening peak periods, this is a normal requirement for a development of this type as part of the planning process.</p> <p>Due to the nature of the proposals there will be negligible operational traffic impact, as this will be restricted to maintenance vehicles only and have no significant effect on the highway network.</p>		
<b>10. LAND USE</b>				
<p><b>10.1</b> Are there existing land uses or community facilities on or around the location which could be affected by the project? E.g. housing, densely populated areas, industry / commerce, farm/agricultural holdings, forestry, tourism, mining, quarrying, facilities relating to health, education, places of worship, leisure /sports / recreation.</p>	Yes	<p>The site itself comprises agricultural land and is bound predominantly by agricultural fields and woodlands, with some farmsteads/isolated residential properties encompassed by or surrounding the proposed development site. Local roads intersect and surround the proposed development site.</p> <p>To the south west of the proposed development site is the village of Camblesforth, while to the</p>	No	<p>Effects on existing land uses or community facilities are unlikely to be significant in EIA terms.</p>

Question	<b>(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons</b> (Yes/No or Not Known (?) or N/A)		<b>(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely?</b> (Yes/No or Not Known (?) or N/A)	
		west of the development site is Drax Power Station.		
<b>10.2</b> Are there any plans for future land uses on or around the location which could be affected by the project?	No		N/A	
<b>11. LAND STABILITY AND CLIMATE</b>				
<b>11.1</b> Is the location susceptible to earthquakes, subsidence, landslides, erosion, or extreme /adverse climatic conditions, e.g. temperature inversions, fogs, severe winds, which could cause the project to present environmental problems?	No		N/A	
<b>12. CUMULATIVE EFFECTS</b>				
<b>12.1</b> Could this project together with existing and/or approved development result in cumulation of impacts together during the construction/operation phase?	Yes	The Screening Report submitted by the applicant does not acknowledge any other developments in the immediate vicinity of the site that are existing and/or approved, which cumulatively would give rise to significant effects. However, in addition to the proposed development covering a significant area of land itself, between the settlements of Barlow and Camblesforth, it would also be sited adjacent to the existing developments of P3P Food Technology Park and Drax Power Station to the east. In terms of approved developments, the Secretary of State granted a Development Consent for the construction of new gas fired units (Drax Re-power Project) at Drax Power Station on 4 October 2019 (a subsequent legal challenge has been dismissed).	Yes	The proposed development will lead to effects on a number of aspects of the environment, but due to the nature of the development, most effects are unlikely to be significant and would not result in significant cumulative effects.  However, it is considered that significant effects are likely in relation to landscape character and visual amenity; and based on the information provided, it is considered that significant cumulative effects on landscape character and visual amenity are likely.

Question	<b>(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons</b> (Yes/No or Not Known (?) or N/A)		<b>(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely?</b> (Yes/No or Not Known (?) or N/A)	
<b>13. TRANSBOUNDARY EFFECTS</b>				
<b>13.1</b> Is the project likely to lead to transboundary effects? <sup>2</sup>	No		N/A	

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<sup>2</sup> The Regulations require consideration of the transboundary nature of the impact. Due to the England's geographical location the vast majority of TCPA cases are unlikely to result in transboundary impacts.



## 5. CONCLUSIONS – ACCORDING TO EIA REGULATIONS SCHEDULE 3

The proposed development relates to the installation of a 50MW ground mounted solar farm and associated infrastructure on land adjacent to Camela Lane, Camblesforth.

The proposed development will lead to effects on a number of aspects of the environment, but due to the nature of solar developments, most effects are unlikely to be significant. However, in light of the information available in the Screening Report provided by the applicant and following consultation with relevant consultees, it is considered that significant effects are likely in relation to landscape character and visual amenity. In addition, significant cumulative landscape and visual effects must be considered likely. As such, the proposed development is considered to be EIA development, and an Environmental Statement is required to accompany any future planning application.

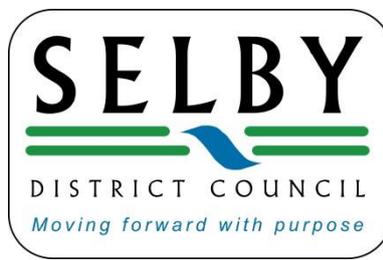
## 6. SCREENING DECISION

<b>If a SO/SD has been provided do you agree with it?</b>	N/A
<b>Is it necessary to issue a SD?</b>	Yes
<b>Is an ES required?</b>	Yes

## 7. ASSESSMENT (EIA REGS SCHEDULE 2 DEVELOPMENT)

	OUTCOME	
<b>Is likely to have significant effects on the environment</b>	ES required	<b>Y</b>
<b>Not likely to have significant effects on the environment</b>	ES not required	
<b>More information is required to inform direction</b>	Request further info	

<b>NAME</b>	Jenny Tyreman, Senior Planning Officer
<b>DATE</b>	20 August 2020



**Contact:** Jenny Tyreman  
**Tel:** 01757 705101  
**Email:** jtyreman@selby.gov.uk

**Ref No:** 2020/0784/SCN  
**Alt Ref:**  
**Your Ref:**  
**Date:** 20 August 2020

Ms Jane Crichton  
Lanpro  
Brettingham House  
98 Pottergate  
Norwich  
NR2 1EQ

Dear Ms Crichton,

### **The Town and Country Planning (Environmental Impact Assessment) Regulations 2017**

#### **Request for Screening Opinion: EIA screening request for 50MW ground mounted solar farm and associated infrastructure on land adjacent to Camela Lane, Camblesforth**

I refer to your request for a Screening Opinion under Regulation 6 of the EIA Regulations which was received 23 July 2020.

It is agreed that the development proposals, as detailed in the submitted documentation, fall within Column 1, 3(a) of Schedule 2. It is also the case that the proposals exceed the applicable threshold for this type of development as set out in Column 2 being in excess of 0.5 hectares.

The Local Planning Authority has taken account of the criteria set out in Schedule 3 of the Regulations, has considered the indicative screening thresholds in National Planning Practice Guidance (NPPG) and applied the screening checklist (attached for your information) also contained in NPPG.

Having considered the characteristics and location of the proposed development, it is considered that the proposed development will lead to effects on a number of aspects of the environment, but due to the nature of solar developments, most effects are unlikely to be significant. However, in light of the information available in the Screening Report and following consultation with relevant consultees, it is considered that significant effects are likely in relation to landscape character and visual amenity. In addition, significant cumulative landscape and visual effects must be considered likely. As such, the proposed development is considered to be EIA development, and an Environmental Statement is required to accompany any future planning application.

This letter should be treated as the Council's formal adoption of the Screening Opinion that the submitted proposals constitute EIA development and an Environmental Statement is required to accompany any future planning application.

Yours sincerely,

Handwritten signature of M. P. Grainger in blue ink, with a horizontal line underneath.

Mr M Grainger  
Head of Planning

## **Appendix 2: Pre-application Advice Letter**



**Contact:** Jenny Tyreman

**Tel:** 01757 705101

**Email:** jtyreman@selby.gov.uk

**Our ref:** PREAPP/2020/0002

**Alt Ref:**

**Your ref:**

**Date:** 15 April 2020

FAO Ms Jane Crichton  
Lanpro Services  
Brettingham House  
98 Pottergate  
Norwich  
NR2 1EQ

Dear Ms Crichton,

**TOWN AND COUNTRY PLANNING ACT 1990**

**PROPOSAL:** Category 3 preapp for 50 MW ground mounted solar farm with associated infrastructure

**LOCATION:** Land at Camela Lane, Camblesforth, Selby, North Yorkshire

Further to your pre-application submission received on 15 January 2020 regarding the above site, the purpose of this letter is to provide:

- Guidance on the key planning policies and constraints which may affect the proposed development;
- A broad assessment of whether the principle of the proposed scheme and its detailed layout/design is acceptable or not;

It should be noted that while Council officers endeavour to give the best advice it should be recognised that all planning applications are subject to formal consultation procedures to enable third parties and statutory consultees to make representations. This process may introduce new material considerations. The Council therefore reserve the right to alter the opinion given should material issues come to light that were not raised at the pre-application stage.

Furthermore, the Council would point out that planning policy is in a constant state of flux, with policy at local and national level constantly changing. As such we would advise you to be aware that between the time of this letter and the submission of any subsequent application there may be changes of policy, and that the submitted proposal would be determined in respect of policy as it stands at the point at which the decision is made.

Planning applications should be considered on their individual merits with regard to the provisions of the planning acts, all relevant, national and local policy guidance, letters of representation and any other material planning considerations.

## **Nature of the Proposal**

The application site is located outside the defined development limits of any settlements and is therefore located within the open countryside. The application site is located within Flood Zone 3a, which has been assessed as having between a 1 in 100 or greater annual probability of river flooding (>1%) or a 1 in 200 or greater annual probability of flooding from the sea (>0.5%) in any one year. Furthermore, a public right of way (footpath no. 35.17/3/1) runs through part of the application site and National Grid towers and overhead lines cross part of the application site. In addition, three Local Wildlife Sites, known as Sites of Importance for Nature Conservation (SINC), are located adjacent to the site – namely Common Plantation; Sand Pitt Wood and Barffs Close Plantation; and Cobble Croft Wood.

The application proposes the construction of a 50 megawatt ground mounted solar farm with associated infrastructure, including a substation, 18 conversion units, tracks, perimeter security fencing and CCTV.

The application has been supported by a draft layout plan, a pre-application statement and a baseline landscape visual impact assessment.

## **The Town and Country Planning Act 1990 vs The Planning Act 2008**

Local Planning Authorities are responsible for renewable and low carbon energy development of 50 megawatts or less installed capacity (under the Town and Country Planning Act 1990). Renewable and low carbon development over 50 megawatts capacity are currently considered by the Secretary of State for Energy under the Planning Act 2008, and the Local Planning Authority is a statutory consultee.

The proposal as set out in the supporting documentation would be for the construction of a solar farm and associated infrastructure, which would have an installed capacity of 50 megawatts. On this basis, the Local Planning Authority would be responsible for the assessment and determination of the application under the Town and Country Planning Act 1990. Should the installed capacity of the proposed solar farm be increased in any way throughout the planning process, the development would fall to be considered by the Secretary of State for Energy under the Planning Act 2008, and the Local Planning Authority would be a statutory consultee.

## **The Town and Country Planning (Environmental Impact Assessment) Regulations 2017**

The proposed development falls within Column 1, 3(a) of Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017. It is also the case that the proposals, as detailed in the submitted documentation, exceed the applicable threshold for this type of development as set out in Column 2, with the area of the development exceeding 0.5 hectares.

Having regard to the above, it is recommended that you submit a request for a Screening Opinion to the Local Planning Authority under Regulation 6 of the EIA Regulations prior to the submission of any planning application. The Local Planning Authority would then be able to determine whether significant effects on the environment are likely and whether a planning application would need to be accompanied by an Environmental Statement.

## **Guidance on the key planning policies and constraints which may affect the proposed development**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states *"if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise"*. This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making. The development plan for the Selby District comprises the Selby District Core Strategy Local Plan (adopted 22nd October 2013) and those policies in the Selby District Local Plan (adopted on 8 February 2005) which were saved by the direction of the Secretary of State and which have not been superseded by the Core Strategy.

On 17 September 2019 the Council agreed to prepare a new Local Plan. The timetable set out in the updated Local Development Scheme envisages adoption of a new Local Plan in 2023. Consultation on issues and options would take place early in 2020. There are therefore no emerging policies at this stage so no weight can be attached to emerging local plan policies.

The National Planning Policy Framework (February 2019) (NPPF) replaced the July 2018 NPPF, first published in March 2012. The NPPF does not change the status of an up to date development plan and where a planning application conflicts with such a plan, permission should not usually be granted unless material considerations indicate otherwise (paragraph 12). Annex 1 of the National Planning Policy Framework (NPPF) outlines the implementation of the Framework - *"213. ....existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."*

The following Selby District Local Plan policies are relevant:

- ENV1 - Control of Development
- ENV3 – Light Pollution
- ENV9 – Sites of Importance for Nature Conservation
- ENV28 – Other Archaeological Remains
- T1 - Development in Relation to Highway
- T2 - Access to Roads

The following Core Strategy policies are also relevant:

- SP1 - Presumption in Favour of Sustainable Development
- SP2 - Spatial Development Strategy
- SP12 – Access to Services, Community Facilities and Infrastructure
- SP13 – Scale and Distribution of Economic Growth
- SP15 - Sustainable Development and Climate Change
- SP17 – Low Carbon and Renewable Energy
- SP18 - Protecting and Enhancing the Environment
- SP19 - Design Quality

A full copy of the Local Plan and Core Strategy can be viewed at the Council's website: [www.selby.gov.uk](http://www.selby.gov.uk).

There are no inconsistencies between the Development Plan policies listed above and national policy contained within the NPPF.

Also of relevance is the Planning Practice Guidance (PPG) which sets out considerations that relate to large scale ground mounted solar photovoltaic farms and the Written Ministerial Statement of 15 March 2015.

### **The Principle of the Development**

Policy SP1 of the Core Strategy outlines that *"when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework"* and sets out how this will be undertaken.

Policy SP2 of the Core Strategy outlines the Council's spatial development strategy. Policy SP2A (c) relates to development located within the open countryside and states *"Development in the countryside (outside Development Limits) will be limited to the replacement or extension of existing buildings, the re-use of buildings preferably for employment purposes, and well-designed new buildings of an appropriate scale, which would contribute towards and improve the local economy and where it will enhance or maintain the vitality of rural communities, in accordance with Policy SP13; or meet rural affordable housing need (which meets the provisions of Policy SP10), or other special circumstances."*

Although Policy SP2 would on the face of it preclude development of this nature in the countryside outside development limits, because the policy does not contemplate it specifically, the Development Plan is to be read as a whole and Policy SP17 of the Core Strategy not only contemplates renewable energy projects but, subject to the satisfaction of criteria, positively encourages them in pursuit of wider objectives.

Policy SP17C of the Core Strategy specifically relates to 'Low Carbon and Renewable Energy' and states *"All development proposals for new sources of renewable energy and low-carbon energy generation and supporting infrastructure must meet the following criteria: i. are designed and located to protect the environment and local amenity or; ii. can demonstrate that the wider environmental, economic and social benefits outweigh any harm caused to the environment and local amenity; and iii. impacts on local communities are minimised"*. Policies SP18 and SP19 of the Core Strategy, together with Policy ENV1 of the Selby District Local Plan are also relevant in this context as they are concerned with environmental and design quality.

Policy SP13 of the Core Strategy relates to 'Scale and Distribution of Economic Growth'. Part C specifically relates to the rural economy and states *"In rural areas, sustainable development (on both Greenfield and Previously Developed Sites) which brings sustainable economic growth through local employment opportunities or expansion of businesses and enterprise will be supported, including for example: 1. The re-use of existing buildings and infrastructure and the development of well-designed new buildings; 2. The redevelopment of existing and former employment sites and commercial premises; 3. The diversification of agriculture and other land based rural businesses; 4. Rural tourism and leisure developments, small scale rural offices or other small scale rural development; and 5. The retention of local services and supporting development and expansion of local services and facilities in accordance with Policy SP14"*.

At our meeting you explained that the proposals would result in the diversification of agriculture in accordance with Policy SP13C of the Core Strategy. Further information would need to be submitted as part of any subsequent planning application to demonstrate that this was the case and thus that the proposal does in fact comply with Policy SP13C.

Turning to National Policy and Guidance, the National Planning Policy Framework is supportive of low carbon and renewable energy proposals in principle as is the Planning Practice Guidance which states *“Increasing the amount of energy from renewable and low carbon technologies will help to make sure the UK has a secure energy supply, reduce greenhouse gas emissions to slow down climate change and stimulate investment in new jobs and businesses. Planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable”*.

In relation to large scale ground-mounted solar photovoltaic farms, the Planning Practice Guidance advises as follows:

*“The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.*

*Particular factors a local planning authority will need to consider include:*

- *encouraging the effective use of land by focussing large scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value;*
- *where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays. See also a speech by the Minister for Energy and Climate Change, the Rt Hon Gregory Barker MP, to the solar PV industry on 25 April 2013 and written ministerial statement on solar energy: protecting the local and global environment made on 25 March 2015.*
- *that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;*
- *the proposal’s visual impact, the effect on landscape of glint and glare (see guidance on landscape assessment) and on neighbouring uses and aircraft safety;*
- *the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;*
- *the need for, and impact of, security measures such as lights and fencing;*
- *great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large-scale solar farms on such assets. Depending on their scale, design and prominence, a large-scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;*
- *the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;*
- *the energy generating potential, which can vary for a number of reasons including, latitude and aspect.*

*The approach to assessing cumulative landscape and visual impact of large-scale solar farms is likely to be the same as assessing the impact of wind turbines. However, in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography the area of a zone of visual influence could be zero.”*

The aforementioned factors would need to be considered as part of the submission of any subsequent planning application. While national and local policies are broadly supportive of low carbon and renewable energy proposals in principle, the impacts of the proposals need to be given full and careful consideration and a demonstration of the consideration of these factor needs to form part of the submission of any subsequent planning application. The impacts of the proposals will be discussed in more detail below.

### **Agricultural Land Assessment**

The submitted pre-application statement states, at paragraph 2.12, *“Currently the land is in arable production. The land is classified as being grade 3 in accordance with the Natural England Agricultural Land Classification. In due course further investigation will be carried out to establish whether the land is considered to be 3a (Best and Most Versatile) or 3b (moderate quality agricultural land) or a mix of both.”*

As discussed at our meeting, further investigations do need to be undertaken to determine whether or not the land at the site is grade 3a (Best and Most Versatile (BMV)) or not and thus whether the proposals would result in the loss of BMV land. Where BMV land is to be lost as a result of the proposals (which ideally would not be the case), robust justification should be put forward in support of this for consideration by the Local Planning Authority.

Furthermore, as the proposal would result in the loss of farmland, regardless of whether it is BMV or not, details should be provided as part of any subsequent planning application whether the loss of more productive agricultural use of the land would be mitigated to any extent, for example, by proposed maintenance through grazing, or otherwise.

### **Landscape and Visual Impact**

The pre-application submission documents include a pre-application statement which includes information on landscape visual impact and a baseline landscape visual impact assessment.

The Councils Landscape Architect has been consulted on the pre-application submission documents and has advised that in relation to landscape and visual amenity they would be supportive of an LVIA methodology undertaken to GLVIA 3. This should also include photography to current LI guidance on ‘Visualisation of Development’.

In terms of landscape and visual effects, the following points have been highlighted:

- Detailed Study of Existing Landscape Components - The LVIA should be based on an accurate topographical survey which should be used to understand and explain the all the key features and characteristics of the existing site including levels, boundaries, existing vegetation and screening.
- Study Area – Supportive of an initial 3km radius study area for the LVIA, this can subsequently be reduced (or increased if appropriate).
- Assessment Viewpoints, Mapping Effects and Zone of Theoretical Visibility (ZTV) – The principle of using representative viewpoints to illustrate the experience of different types of visual receptor is expected, however the assessment should aim to describe and assess the full effects of the development.
- The LVIA should provide assessment mapping of the landscape and visual effects to help quantify and explain the geographical extent of receptors and likely effects of the development (not limited to a summary of viewpoint locations).
- Would welcome the opportunity to discuss and agree viewpoints and potential location for a select number of photomontages, but would wish to see a modified ZTV first taking

account of the proposed development height (solar panels and other infrastructure), buildings and main areas of vegetation within the study area. The applicant should also list the reason/receptor for each proposed viewpoint/photomontage.

- The LVIA should also explain and assess the potential for reflective sunlight and glare. The study area and ZTV should be modified to take account of this as necessary.
- Existing Trees and Vegetation – This should be reviewed, protected and retained where appropriate. A tree survey and arboricultural impact assessment should be undertaken to BS5837. This is important to demonstrate retention of existing vegetation needed for screening of the site and to protect the landscape character and setting.
- Agricultural Land – This should be assessed to determine ALC, Best and Most Versatile land and proposals should explain how agricultural land is to be managed, maintained and restored at the end of the project.
- Night-time Lighting – The LVIA should consider night-time lighting, if this is proposed.
- Cumulative Effects – The LVIA should consider cumulative landscape and visual effects in conjunction with other similar developments in the study area including those currently considered or approved by planning authorities but not yet implemented (e.g. Drax NSIP).

In terms of landscape proposals and mitigation, the following points have been highlighted:

- Mitigation proposals should be considered as part of a landscape strategy which includes a masterplan and which considers Green Infrastructure in a wider context.
- Initially, the Landscape Strategy should focus on overarching principles with clear aims and objectives.
- Objectives should be clear and include landscape, biodiversity and green infrastructure. Landscape and visual mitigation should drive the strategy and be linked through to the management plan (rather than just a maintenance schedule).
- Landscape proposals and mitigation should have regard for and contribute to the wider landscape character, connectivity of green infrastructure and sustainable transport (Selby DC policy SP12, SP18, SP19, ENV1). The principles of the European Landscape Convention need to be taken into account.
- Core Strategy Policy SP12 states *“In all circumstances opportunities to protect, enhance and better join up existing Green Infrastructure, as well as creating new Green Infrastructure will be strongly encouraged, in addition to the incorporation of other measures to mitigate or minimise the consequences of development”*.
- Selby falls within the Leeds City Region Green Blue Infrastructure Strategy area. GI is also defined in the NPPF.
- Proposals should incorporate green infrastructure capable of delivering a range of environmental and quality of life benefits.
- Proposed screen planting should be sufficient to screen and reduce the overall visibility of the proposed development (e.g. at least 10m wide is usually needed for long-term woodland boundary screen planting incorporating larger trees).
- Sufficient stand-off distance should be provided from existing trees and vegetation where these are to be retained and protected and to allow maintenance access.
- Offsite mitigation should be considered to compensate for and offset residual adverse effects where this cannot be achieved within the site.

### **Impact on Heritage Assets**

There is no conservation area in Camblesforth, however there are listed buildings. One such listed building is Camblesforth Hall which is located on the northern edge of the settlement and has clear intervisibility with the application site. Camblesforth Hall dates to the 18th Century, it is a two

storey house built of a red-brown brick in with ashlar dressings and a slate roof. It has a grand central entrance with a moulded architrave with frieze with floral scrolls, there are consoles supporting broken pediment with a plinth. It has multi-paned sash windows. Its significance lies in its architectural and historic interest. Its setting also contributes strongly to its significance.

Relevant Development Plan policies in respect of the effect upon the setting of heritage assets include Policies SP18 and SP19 of the Core Strategy. Policy SP18 requires, amongst other things, the high quality and local distinctiveness of the natural and man-made environment be sustained by safeguarding and, where possible, enhancing the historic and natural environment including the landscape character and setting of areas of acknowledge importance. Policy SP19 requires, amongst other things, that proposals positively contribute to an area's identity and heritage in terms of scale, density and layout.

Relevant policies within the NPPF which relate to development affecting the setting of heritage assets include paragraphs 189 to 198.

*Paragraph 189 of the NPPF states that "In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation".*

Paragraph 192 of the NPPF states that "In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness".*

Paragraph 193 of the NPPF states that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

Paragraph 196 of the NPPF states that "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use".

Paragraph 196 of the NPPF should be read in conjunction with paragraph 193 of the NPPF which provides that when considering the impact of a proposal on the significance of a designated heritage asset, "great weight" should be given to the asset's conservation. This wording reflects the statutory duty in Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas Act) 1990.

Whilst considering proposals for development which affects a Listed Building or its setting, regard is to be made to Section 66(1) of the Planning (Listed Buildings and Conservation Areas Act) 1990 which requires the Local Planning Authority to 'have special regard to the desirability of preserving the building or its setting or any features of a special architectural or historic interest which it possesses'.

Any subsequent planning application must be supported by a Heritage Statement, which identifies nearby heritage assets and their setting (including Camblesforth Hall), provides an assessment of their significance and provides an impact assessment. The submitted pre-application statement does not go into any detail regarding Listed Buildings or their setting. The extent of the search area will be dependent on the Landscape Visual Impact Assessment (LVIA) which would identify the zone of theoretical visibility (ZTV) within the local area. A draft LVIA has been provided with the pre-application submission, which includes a plan showing heritage designations within a 1km study area. As the land around this area is relatively flat, it is advised that a larger study area is utilised to determine the visibility of other assets up to 5km distance. There is no ZTV within the pre-application submission documents and there are no wireframes or identification of heritage assets in the landscape.

Historic England's advice note 'The Setting of Heritage Assets Good Practice Advice in Planning: 3' is relevant:

*"Extensive heritage assets, such as landscapes and townscapes, can include many heritage assets and their nested and overlapping settings, as well as having a setting of their own. A conservation area will include the settings of listed buildings and have its own setting, as will the village or urban area in which it is situated.*

*Setting is not a heritage asset, nor a heritage designation, though land within a setting may itself be designated. Its importance lies in what it contributes to the significance of the heritage asset. This depends on a wide range of physical elements within, as well as perceptual and associational attributes pertaining to, the heritage asset's surroundings."*

The Council's Conservation Officer has reviewed the pre-application submission documents and has advised as follows:

*"The proposed solar farm is extensive and would fill a wide range of fields directly to the north of Camblesforth. It is considered that the proposed development would have an effect upon the setting of the nearby Camblesforth Hall. The development would result in loss of part of the open setting of the hall, it would alter views and alter the way the hall is experienced when approaching from the north and is considered to cause less than substantial harm to its significance. National Planning Policy Framework (NPPF) 2019, Section 16 requires that a development which causes less than substantial harm to the significance of heritage assets must have clear and convincing justification and this harm must be weighed against the public benefits.*

*There are concerns with the proposals and concerns with the lack of heritage assessments prior to designing the layout. A heritage impact assessment should be used to influence and guide development and should not be an afterthought. The views to and from the nearby Camblesforth Hall have not been taken into account and there are no visual representatives within the supporting statement to show any consideration. At present there are reservations due to the harmful visual impact this development is likely to have upon the countryside and upon the setting of listed buildings."*

The Council's Conservation Officer and Historic England (as a statutory consultee) would be consulted on any future planning application. In addition to considering the above advice from the Council's Conservation Officer in the preparation of any subsequent planning application, you may also wish to contact the Yorkshire Regional Office of Historic England for any further advice they may have. Their email address is [yorkshire@HistoricEngland.org.uk](mailto:yorkshire@HistoricEngland.org.uk).

### **Impact on Archaeology**

The submitted pre-application statement states, at paragraph 5.35 and 5.36, *"A solar farm development has minimal impact below ground so it is not considered that it will have any impact upon any archaeology, if any is found. Currently no archaeological investigation has taken place on the site but if considered appropriate then a geophysical survey and/or intrusive investigations will be undertaken."*

North Yorkshire County Council Archaeology would be consulted on any subsequent planning application and the District Council would be advised by them on the acceptability of the scheme in respect of its impact on archaeology. I would advise that you may wish to contact North Yorkshire County Council Archaeology prior to the submission of any subsequent planning application in order to establish whether the proposed development is acceptable to them and whether any archaeological investigation would be required. Their email address is [archaeology@northyorks.gov.uk](mailto:archaeology@northyorks.gov.uk).

### **Impact on Highway Safety**

The submitted pre-application statement states, at paragraph 3.10 onwards, *"At the present time the existing farm access points are proposed to be used with the applicant exploring the options available. The main traffic generation will be during the construction period which will be relatively short, and a construction management plan can be prepared to provide routing and traffic generation details as part of the formal application. Once operational, traffic movements would be minimal with only maintenance access required. At the end of the 35-40 year period (likely lifetime of the development but to be confirmed) the structures, including all ancillary equipment and cabling, would be carefully dismantled and removed from the site."*

North Yorkshire County Council Highways would be consulted on any subsequent planning application and the District Council would be advised by them on the acceptability of the scheme in response to its relationship to the highway network, any impacts on highway safety and whether the scheme would result in conditions prejudicial to such safety considerations.

The local Highways Officer at North Yorkshire County Council Highways has reviewed the pre-application submission documents and has advised as follows:

*"There is insufficient information [submitted within the pre-application documents] to allow me to say whether this is likely to be acceptable to the Highway Authority or not. In order to do so I would need clear plans showing the accesses and I would require vehicle trip details, none of which have been provided. The Highway on Camela Lane is likely to be damaged through the construction phase and details of swept paths for Camela Lane would be required. The Highway Authority would require a condition survey being carried out on Camela Lane and any roads leading up to it. I would recommend that with any planning application submitted the applicant provides a Transport Assessment, swept paths and plans showing the accesses. All access would need to be made up to NYCC's specification."*

Should you require any clarification on the above advice from North Yorkshire County Council Highways, I would advise that the contact is Victoria Day and her email address is [victoria.day@northyorks.gov.uk](mailto:victoria.day@northyorks.gov.uk).

### **Public Rights of Way**

There are a number of public rights of way adjacent to the site and one public right of way (reference 35.17/3/11) which crosses the site. North Yorkshire County Council's Access and Public Rights of Way Team can be contacted to obtain up-to-date information regarding the line of the route of the way. Their email address is [paths@northyorks.gov.uk](mailto:paths@northyorks.gov.uk).

Any existing public rights of way on the site must be protected and kept clear of any obstruction until such time as any alternative route has been provided and confirmed under an Order made under the Town and Country Planning Act 1990. Should the diversion or stopping up of a public right of way be required to facilitate the proposed development, the Local Planning Authority would be open to exercising its discretionary powers under Section 257 of the Town and Country Planning Act 1990 to make a Public Path Order for the diversion or stopping-up of relevant rights of way. A separate request for this would need to be made alongside any subsequent application for planning permission, or after any successful grant of planning permission.

Having said this, as I understand it from our meeting, you are intending for the existing public rights of way on the site to be protected and kept clear of any obstruction throughout the course of the development, thus not requiring any diversion or stopping up of any public rights of way to facilitate the proposed development. Should this situation change however, please contact myself for further information on how to request a Public Path Order from the Local Planning Authority.

### **Impact on Residential Amenity**

The application site would be located to the north west of the village of Camblesforth and would be sited immediately adjacent to a number of farm dwellings.

Consideration would need to be given to the impact of the proposals on the residential amenities of neighbouring residential properties, principally in terms of noise and disturbance.

At our meeting, you advised that the proposed development would likely utilise panels which incorporated a 'tracking' system; thus they would follow the movements of the sun. As this may have associated noise impacts, it is advised that any subsequent planning application is supported by a Noise Impact Assessment.

Furthermore, consideration should be given to 'glint and glare' resulting from the panels, not only in the context of residential amenity but also in respect of transport safety, landscape visual impact and any other relevant respects. As such, it is advised that any subsequent planning application is supported by a Glint and Glare Assessment.

### **Flood Risk and Drainage**

The submitted pre-application statement states, at paragraph 5.44 onwards, *"The site is situated within flood zone 3 as shown on the Environment Agency flood zone mapping but does benefit from defences. The solar panel arrays are not considered to prevent direct infiltration into the ground and will allow rainwater to drain freely into the ground. The site would remain landscaped with grassland/vegetation surrounding and beneath the arrays. There will be no increase in impermeable area which will mean that the proposals will not increase flood risk on or off site.*

*From experience on other solar farms, being in a flood zone does not prevent development but is a matter which will need be considered through the design and a Flood Risk Assessment will be carried out to accompany the full planning application.”*

From a search of the Environment Agency Flood Maps, it is confirmed that the site is located within Flood Zone 3a, which has been assessed as having between a 1 in 100 or greater annual probability of river flooding (>1%) or a 1 in 200 or greater annual probability of flooding from the sea (>0.5%) in any one year.

Given the site's location within Flood Zone 3a, the Sequential Test would be required to be undertaken in relation to flood risk and the location of the development. The Sequential Test ensures that a sequential approach is followed to steer new development to areas with the lowest probability of flooding. The aim is to steer new development to Flood Zone 1 (areas with a low probability of river or sea flooding). Where there are no reasonably available sites in Flood Zone 1, the flood risk vulnerability of land uses and reasonably available sites in Flood Zone 2 (areas with a medium probability of river or sea flooding) should be considered, applying the Exception Test if required. Only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3 (areas with a high probability of river or sea flooding) be considered, taking into account the flood risk vulnerability of land uses and applying the Exception Test if required. As part of the Sequential Test therefore, you would need to set out what flood risk vulnerability classification you are giving the development and provide evidence of applying a sequential approach to the location of the development in terms of flood risk, subsequently applying the Exception Test if required.

In accordance with paragraph 163 and footnote 50 of the NPPF, a site-specific flood risk assessment would need to be submitted as part of any subsequent planning application, given the site's location within Flood Zone 3. Paragraph 163 of the NPPF states *“Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that: a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location; b) the development is appropriately flood resistant and resilient; c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate; d) any residual risk can be safely managed; and e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.”*

Furthermore, in respect of drainage, paragraph 165 of the NPPF states *“Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should: a) take account of advice from the lead local flood authority; b) have appropriate proposed minimum operational standards; c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and d) where possible, provide multifunctional benefits.”*

In terms of drainage, the Local Planning Authority would consult the Local Lead Flood Authority, Yorkshire Water and the local Internal Drainage Board on any future application regarding surface and foul water drainage. I would advise that you may wish to contact the Local Lead Flood Authority at North Yorkshire County Council, Yorkshire Water and the local Internal Drainage Board prior to the submission of any planning application to establish whether the proposed drainage arrangements for both surface and foul water are acceptable to them.

## **Ecological Considerations**

The submitted pre-application statement states, at paragraph 5.37 onwards, *“The site is currently arable land which generally has low ecological value. There has not been any ecological appraisal of the site yet, but one will be carried out in due course and if any protected species surveys are required then these will also be instructed prior to submission of a planning application. The proposed development will provide gains in biodiversity by supplementing the existing vegetation and hedgerows surrounding the application site with a range of native species. In addition, the temporary use of the land as a solar farm will provide opportunities for improved grassland species, it is proposed that wildflower mix will be planted in-between the solar panels which will contribute to enhancing biodiversity. A full ecology appraisal and mitigation plan be submitted with any future application”*.

North Yorkshire County Council Ecology, Yorkshire Wildlife Trust and Natural England would be consulted on any subsequent planning application and the District Council would be advised by them on the acceptability of the scheme in respect of ecological considerations.

The Principal Ecologist at North Yorkshire County Council Ecology has reviewed the pre-application submission documents and has advised as follows at this early stage:

*“Designated sites – there are a number of Local Wildlife Sites (known as Sites of Importance for Nature Conservation – SINC) in area of the scheme including woodland plots that are located directly adjacent to the solar farm. The impacts upon these sites in terms of direct and indirect impacts will need to be considered. Indirect impacts include (but are not limited to) hydrology, dust, emissions, fragmentation etc. A plan is attached showing the SINC in red, further details of the sites can be requested from the North and East Yorkshire Ecological Data Centre (NEYEDC).*

*General biodiversity – the area including a buffer should be subject to a Preliminary Ecological Appraisal (PEA) which will inform the need for further surveys and assessment which should take the form of an Ecological Impact Assessment (EclA) both of these should be undertaken in accordance with current CIEEM standards and a data search with NEYEDC should be included to gain records of protected/notable species as well as designated sites.*

*Impacts upon features should include direct, indirect, temporary and permanent. The mitigation hierarchy within the NPPF should be followed (avoid, mitigate, compensate and enhance).*

*In terms of species I would be led by the findings of the PEA and records from the data centre but surveys should include boundary features and adjacent habitats. Farmland birds and potentially wintering birds may need to be scoped in.*

*Enhancement & opportunities – the application should look to provide measurable net gains for biodiversity where possible, as set out within the NPPF. Opportunities within a scheme such as the one proposed may include enhancement of boundary features, buffering of important ecological features and enhancement/management of retained habitats. Given the presence of the SINC woodlands I would be keen to look at opportunities to extend/buffer these local sites where it is possible and appropriate. The use of native, locally appropriate species should be a requirement of any landscaping.”*

Should you require any clarification on the above advice from North Yorkshire County Council Ecology, I would advise that the contact is Julia Casterton and her email address is [julia.casterton@northyorks.gov.uk](mailto:julia.casterton@northyorks.gov.uk).

## **Other Issues**

For your information, the site is located within the Burn Airfield Consultation Zone, and as such, Burn Airfield would be consulted on any subsequent planning application. I would therefore advise that you may wish to contact Burn Airfield prior to the submission of any subsequent planning application in order to establish whether the proposed development is acceptable to them. Their email address is [burngc@gmail.com](mailto:burngc@gmail.com).

### **Information required for submission**

An application would need to include the following information (note: further information may be required subject to the outcome of a Screening Opinion):

- Application Form
- Relevant Fee
- Location Plan to a scale of 1:1250/1:2500
- Site Plan to a scale of 1:500/1:200
- Proposed Elevations/Sections to a scale of 1:100/1:50
- Planning Statement
- Agricultural Land Assessment
- Landscape Visual Impact Assessment
- Heritage Statement
- Archaeological Investigations
- Transport Assessment
- Highway Condition Survey
- Construction and Decommissioning Environmental Management Plan
- Noise Assessment
- Glint and Glare Assessment
- Flood Risk Assessment
- Sequential Test (and Exception Test where applicable)
- Relevant Ecological Assessments
- Statement of Community Involvement

### **Conclusion**

The pre-application submission relates to the construction of a 50 megawatt ground mounted solar farm with associated infrastructure on land adjacent to Camela Lane, Camblesforth, outside the defined development limits of any settlements and therefore located within the open countryside in planning policy terms.

The proposed development falls within Column 1, 3(a) of Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017. It is also the case that the proposals, as detailed in the submitted documentation, exceed the applicable threshold for this type of development as set out in Column 2, with the area of the development exceeding 0.5 hectares. It is therefore recommended that you submit a request for a Screening Opinion to the Local Planning Authority under Regulation 6 of the EIA Regulations prior to the submission of any planning application. The Local Planning Authority would then be able to determine whether significant effects on the environment are likely and whether a planning application would need to be accompanied by an Environmental Statement.

In terms of the principle of the development, while national and local policies are broadly supportive of low carbon and renewable energy proposals in principle (subject to relevant information being submitted to demonstrate compliance with national and local policies) the impacts of the proposals need to be given full and careful consideration, particularly in respect of

landscape visual impact and having regard to ecological considerations. In terms of the impacts of the proposals, advice has been provided as to what information would be required to be submitted to support any planning application and how this information would be assessed in respect of the main issues. In addition to the information contained within this response, contact details of relevant statutory consultees have been provided, where available, and as advised, you may wish to contact them in advance of submitting any application to establish whether there are any issues with the proposals in respect of relevant issues.

I hope that the above assists with your decision on whether to progress a planning application.

Yours sincerely,

Jenny Tyreman  
Senior Planning Officer