

Officer Update Note
Strategic Planning Committee – 11 June 2024

Item 4

PROPOSAL:	ZB23/02461/FUL - Installation of a solar farm comprising ground mounted solar PV panels with a generating capacity of up to 49.99MW(AC), including mounting framework, inverters, underground cabling, stock proof fence, CCTV, internal tracks and associated infrastructure, landscaping, biodiversity net gain, permanent grid connection hub and environmental enhancements for a temporary period of 50 years
LOCATION:	Land To The South Of Pilmoor Grange, Pilmoor, York, YO61 2QF
RECOMMENDATION:	That Planning Permission be GRANTED subject to conditions

Amendments to conditions

Condition 2 is amended to reflect updated plan references as amended plans have been received:

The permission hereby granted shall not be undertaken other than in complete accordance with the following drawings:

- Site Block Plan - Proposed Figure 2 Revision B (received 07.06.2024)
- Landscape & Ecology Management Plan - Figure L7 Revision A (received 07.06.2024)
- Proposed Substation Layout and Details - Figure 3 Revision A (received 06.12.2023)
- General Details - Figure 4 Revision A (received 06.12.2023)

Conditions 4 and 5 are amended to align the requirements for decommissioning in different circumstances:

- 4. Within 6 months prior to of the cessation of the export of electrical power from the site, or within a period of 49 years and 6 months following the First Export Date (whichever is sooner), a scheme for the decommissioning of the solar farm and its ancillary equipment, and how the land is to be restored, to include a programme for the completion of the decommissioning and restoration works, shall be submitted to the local planning authority for its written approval. The scheme shall be informed by and include ecological surveys and assessments undertaken prior to decommissioning and taking account of the ecological policy and legislative framework at the time of submission. The scheme shall make provision for the removal of the solar panels, ancillary equipment and associated above ground works approved under this permission. The scheme shall also include the management and timing of any works and a traffic management plan to address likely traffic impact issues during the decommissioning period, an environmental management plan to include details of measures to be taken during the decommissioning period to protect wildlife and habitats, and details of site restoration measures. The solar farm and its ancillary equipment shall thereafter be dismantled and removed from the site and the land restored in accordance with the approved scheme and timescales.
- 5. If the solar farm hereby permitted ceases to operate for a continuous period of 12 months, then a scheme for the decommissioning and removal of the solar farm and ancillary equipment, , and how the land is to be restored,

to include a programme for the completion of the decommissioning and restoration works, shall be submitted within 6 months of the end of the cessation period to the local planning authority for its written approval. The scheme shall be informed by and include ecological surveys and assessments undertaken prior to decommissioning and taking account of the ecological policy and legislative framework at the time of submission. The scheme shall make provision for the removal of the solar panels, ancillary equipment and associated above ground works approved under this permission. The scheme shall also include the management and timing of any works and a traffic management plan to address likely traffic impact issues during the decommissioning period, an environmental management plan to include details of measures to be taken during the decommissioning period to protect wildlife and habitats, and details of site restoration measures. The solar farm and its ancillary equipment shall thereafter be dismantled and removed from the site and the land restored in accordance with the approved scheme and timescales.

Additional Consultation Responses

Defence Infrastructure Organisation (MOD) - Following review of the application documents, the proposed development would be considered to have no detrimental impact on the operation or capability of a defence site or asset. The MOD has no objection to the development proposed.

Additional Public Comments

Representations submitted post publication of the Strategic Planning Committee agenda raising the following points are set out below (summarised) with Officers response to these set out underneath each point raised:

The proposal is not needed.

- Information is given around a statement from national grid which indicates that connections in the pipeline would exceed the capacity needed to enable the 2035 decarbonisation target. This may be the case, however current policy and guidance provided support for renewable energy schemes without the requirement to demonstrate need. The NPPF states that when making decisions Local Planning Authorities should: 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 significant cutting greenhouse gas emissions.

In the wrong place and wrong time.

- The objector mentions suitable sites that have been identified in North Yorkshire's Local Area Energy Plan. As with housing development, the Council can identify suitable or preferred sites for particular development, however, cannot prevent applications coming forward on other land. These then must be considered against national and local policy.

Queries a statement from the applicant that the development "*would connect into the local distribution network providing renewable energy to local people*".

- It appears that this may have been taken from the solar farm external website and not the submitted planning application documents.

Cumulative effect of solar development in the area referencing Boscar Grange (ref. no.:15/01268/FUL) Woolpots (ref. no.: ZB23/02015/FUL) and Peter Hill (ref. no.:15/00318/FUL).

- The three solar developments mentioned are located to the east of the A19 and north of North Moor Road. The Woolpots application is currently pending consideration and does not yet have permission. The cumulative impact of the addition of the Woolpots application will be considered as part of that application consideration/assessment. This site is visually separate from the other solar developments raised by the objector being located more than 2.5km to the west. There are also visual barriers such as the A19 and the East Coast Main Line between the sites. The cumulative impact is therefore not considered to be harmful in this case.

Uneven distribution/concentration of sites.

- Cumulative landscape impact is addressed above and this is similar to uneven distribution of sites. Officers understanding is that site selection is a complex process with a large number of variables. There are many constraints (ecology, heritage etc) which must be considered as well as securing a viable grid connection. This does sometimes result in clusters of development in areas where grid connections are made available. As above it is considered that the cumulative impact of the development is acceptable.

Recycling of panels.

- The question of the overall sustainability of solar panels is not a consideration at this stage. National and Local Policy does not discriminate against solar development nor does it require recycling of equipment and therefore the ability to later recycle the panels is not a matter for Planning.

Concern over the accuracy of the application for 49.99MW and whether the council has validated the size of the scheme.

- This concern stems from a recent Judicial Review case at Durham County Council which is currently under review by Officers.

Skylark compensations site is not appropriately located.

- The comments indicate that the skylarks were observed in different locations to the proposed compensation site. This is true, as the proposal includes land set aside to compensate for the loss of breeding sites rather than conserving the existing site. The Ecologist has considered this and concluded that it is acceptable.

Agricultural Land Classification.

- A desk based review of the Agricultural Land Classification report was commissioned by local residents and submitted as a representation on the application. The report indicates that the consultant engaged by residents broadly agrees with the methodology of the submitted application report. However, background data relating to the soil samples that was used in the classification of the land value has not been included. The review indicates that the interpretation of this data could impact the conclusion of the land value as 3b and that the land could therefore be classed as 3a. The objectors report indicates this is a desk based review of a report written by a reputable consultant. There is agreement in all other aspects that the report has been conducted satisfactorily and there is no reason therefore to doubt the veracity of the conclusions.

Request to delay application.

- The Council cannot delay determination of an application in anticipation of potential policy changes.

Inconsistencies/issues with the LVA.

- These have been addressed in the main report and further mitigation has now been agreed with the applicant.

Updated LEMP and landscaping mitigation insufficient.

- Consultation response from the Councils Landscape Architect is awaited.

Protected Species surveys missing.

- The Councils Ecologist has indicated that some of these are not considered necessary and some can be secured by condition.

Impact on tourism and local business.

- The main bulk of the impact would be during construction/decommissioning phases which is temporary.

Insufficient time to comment on updated plans.

- It is considered that updated plans address previous objections.

Queries arising from the Strategic Planning Committee Site Visit

Confirmation of planting maintenance at Bishop House

- Updated Landscape plan indicates that the hedgerow (native hedge mix) proposed immediately to the north of Bishop House boundary would be maintained at a height of 2.5m. A number of Alder trees are also proposed along the wider boundary with Bishop House. The residents of Bishop House are concerned that the proposals might not be sufficient to mitigate the impact on their property.

Confirmation of other land ownership in the vicinity

- The application form details a number of different types of landowners. It is likely therefore that a visual representation of other land in their ownership would be complicated to produce.

How will the hedgerows be protected from livestock

- Awaiting confirmation. Update to be provided to members at the Strategic Planning Committee.

Confirmation of type of lighting on the substation

- Awaiting confirmation. Update to be provided to members at the Strategic Planning Committee.