

**Sent:** 01 November 2021 13:07

**To:** Nick Hirst <Nick.Hirst@kirklees.gov.uk>

**Subject:** Planning Objection-Application reference 2021/62/93644/E

Dear Mr Hirst

I have discussed the application with a number of the other households that lay within Denby Grange Lane sharing the postcode WF4 4BE. Further to these discussions I can report that there is no support for this scheme nor have Boom either directly or indirectly through their media company Ardvark engaged in meaningful discussion

I have spoken to my professional Planning colleagues and specialist planning/environmental lawyers who have directed me to the below.

Government advice (set out in the National Planning Policy Guidance) has not dramatically changed and sets out the criteria for Councils to assess whether to site solar farms on agricultural land. This is the process the Council should be going through:

***What are the particular planning considerations that relate to large scale ground-mounted solar photovoltaic farms?***

*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; *I have been unable to find any detailed review, feasibility or consideration of existing brownfield sites within the applicants documentation posted on your planning porthole?*
- 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..*Where is the assessment of the agricultural land and feasibility of the proposed site (specifically efficiencies and topological limitations)?*

- *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; This would be an absolute minimum requirement based on the already limited greenfield space within the immediate vicinity of Huddersfield, Wakefield and Dewsbury!*
- *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; I have seen no consideration or documentation on this, however, I am very well aware that my property sits directly on the flight paths into Leeds and Manchester Airport at final descent. Has this matter been considered?*
- *the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun; This doesn't appear to be the best site for such an installation, however, without assessments and comparisons in a detailed project feasibility there is no way for either The Planning Authority or any impacted resident to assess this?*
- *the need for, and impact of, security measures such as lights and fencing; My property already has limitation on use because of not only the cellars of Grange Manner (Scheduled Monument so I assume English Heritage have been advised) but also the occupation of Brown Badgers. I have not seen any copies of reports into both lighting or noise contamination, although there is passing comment in Boom's documentation that they have been undertaken.....why are they not on the porthole?*
- *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; See above!*
- *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 generating limit conveniently falls just below the limit upon which any such application would need to be referred to the SoS, however the size if the site suggests that any "efficient operation" benefiting from this scale will exceed this level. There is no explanation for this*

I believe the Council should insist on the land being returned to agricultural use at the end of the life of the solar farm. This is reasonable and typically used. It re-assures everyone that this is what will happen (however far away that is) and, in technical planning terms, it prevents the land from becoming "nil use" (which is I suspect where some clever lawyer-type started this whole thing – once a change of use happens, the old/former use is extinguished, such that if the new use ends, the land in question doesn't simply revert to the old/former one. That use has gone

forever if no "return to" use is specified in the planning permission, and the land has a "nil use", which means that it is not protected as "green" land or "agricultural" or "Green Belt" or whatever. The way to stop that happening is to specify in the planning permission that on cessation of the new use the land shall revert to the former use (specified as agricultural use).

I strongly recommend the Council to insist on a proper assessment of the land and other alternatives, and put in any revised application that the land must return to agricultural use on cessation, which will maintain the status quo.

Based upon the above it is my professional opinion that this current application is not fit for purpose and should be refused on the grounds of inadequate documentation and an inability to properly assess the impact/application itself. Please treat this as my formal objection.

Regards