

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2023/0835

Development description: installation of ground mounted solar array (100 panels)

Site address: Thirley Cotes Farm, Waite Lane, Harwood Dale

Parish: Harwood Dale

Case officer: Mrs Hilary Saunders

Applicant: P & G Durgin Properties Ltd

Thirley Cotes Farm, Waite Lane, Harwood Dale, Scarborough, YO13 0DR

Agent: David Bamford Architects

fao: David Bamford, Ridge Hall, Ridge Lane, Staithes, Saltburn by the Sea, TS13 5DX

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text									
1	TM01	The development hereby permitted shall begin not later than three years from the date of this decision.									
2	PL01	The development hereby permitted shall be carried out in accordance with the following approved plans: <table><thead><tr><th>Document Description</th><th>Document No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Proposed photovoltaic array</td><td>PV3</td><td>5 December 2023</td></tr><tr><td>Proposed photovoltaic array</td><td>PV4</td><td>5 December 2023</td></tr></tbody></table>	Document Description	Document No.	Date Received	Proposed photovoltaic array	PV3	5 December 2023	Proposed photovoltaic array	PV4	5 December 2023
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Proposed photovoltaic array	PV3	5 December 2023									
Proposed photovoltaic array	PV4	5 December 2023									
3	MC14	If the use of the solar PV array hereby approved permanently ceases it shall be removed from the site within three months of that cessation and the land shall, as far as practical, be restored to its condition before development took place.									
4	MC00	The solar panels hereby approved shall have black frames and thereafter be so maintained.									
5	MC00	The new native hedge planting as shown on the approved plans									

Condition number	Condition code	Condition text
		shall be carried out in the first planting and seeding seasons following the installation of the solar panels; and any hedging which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason(s) for Condition(s)

Reason number	Reason code	Reason text
1	RSN TM01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2	RSN PL01	For the avoidance of doubt and to ensure that the details of the development comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan, which seek to conserve and enhance the special qualities of the National Park.
3	RSN MISC04	To enhance Protected and Priority Species/habitats and allow the Local Planning Authority to discharge its duties under the s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats & species).
4	RSN GPMT02	For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
5	RSN LS02	In order to comply with the provisions of Policy ENV1 of the North York Moors Local Plan which seeks to conserve and enhance the quality and diversity of the natural environment.

Consultation responses

Parish

No objections

Third party responses

None received.

Publicity expiry

Advertisement/site notice expiry date – 31 January 2024

View of Thirley Cotes Farmhouse as approach from south – solar panels would be to left



Zoomed in photo, solar panels would be to area of land behind stable to left on a plateau of land



Background

Thirley Cotes Farm is located within the area of Harwood Dale and comprises a substantial Georgian stone and slate farmhouse and extensive complex of traditional stone and pantile barns. The house is a Grade II Listed Building, and the stone barns comprise curtilage Listed Buildings, the majority of which have been converted into holiday accommodation.

The Thirley Cotes Estate extends around 20 acres with grazing land and mature woodland on the hillside to the south and west of the main group of buildings.

The proposal is for a substantial ground mounted array of 2 rows of 20 double-run solar panel arrays (each array measuring 12m long, set at a 25-degree angle, with maximum height above ground of 3.1m) totalling 100 panels to produce a supply of renewable electricity for use at Thirley Cotes Farm and holiday cottages.

The panels would be located on a plateau of land set against a backdrop of mature woodland, and it is also proposed to plant a native mix hedge immediately to the south of the panels to provide additional screening and provide effective stock control.

In support of the application, it is explained that the use of solar panels on the roofs of the buildings have been discounted due to the negative impact this would have on this listed range.

Main issues

Local Plan

The relevant NYM Local Plan policies to consider with this application are Strategic Policy A (Achieving National Park Purposes and Sustainable Development), Strategic Policy F (Climate Change Mitigation and Adaptation), Strategic Policy I (Historic Environments) and Policy ENV8 (Renewable Energy).

Strategic Policy A states that a positive approach to new development within the National Park will be taken in line with the presumption in favour of sustainable development and where decisions are consistent with National Park Statutory Purposes. Development will be supported where it is a high quality of design which respects the local landscape and built heritage; supports the function and vitality of communities; protects or enhances natural capital and ecosystem services; maintains and enhances geodiversity and biodiversity through conservation; builds resilience to climate change; makes sustainable use of resources and does not reduce the quality of soil, air and water in and around the National Park.

Strategic Policy F expects new development to be resilient to and mitigate the effects of climate change and will be supportive of new development which reduces the need for and makes efficient use of energy; uses renewable energy; and incorporates sustainable design and construction.

Strategic Policy I (The Historic Environment) seeks to ensure that developments affecting the historic environment should make a positive contribution to the cultural heritage and local distinctiveness of the National Park and that development should conserve heritage assets and their setting in a manner appropriate to their significance, especially those assets which contribute most to the distinctive character of the area.

Policy ENV8 permits development proposals for the generation of renewable energy where it is of a scale and design appropriate to the locality and contributes to meeting energy needs within the Park; where it respects the landscape character; where it does not result in an unacceptable adverse impact on the special qualities of the National Park; it provides environmental enhancement or community benefits where possible and it makes provision for the removal of equipment and the reinstatement of the land should it cease to be operational. In the justification to the policy, it advises that small-scale renewable energy developments which contribute towards meeting domestic, community or business needs within the National Park will be supported where there is no significant environmental harm to the area and the objectives of National Park designation will not be compromised.

Discussion

The main issues to be considered are whether the proposed solar PV array is of a size and scale which is commensurate with the site and is in an acceptable position in terms of landscape impact.

The proposal is for a substantial ground mounted solar PV array which has been calculated to meet possibly all the energy needs of the site. As such the proposal will meet the energy needs within the National Park as required by Policy ENV8.

The proposed solar array is not considered to be significant in size or scale given the overall size of the facilities on the site which it is designed to serve. Given the proposed height of the array combined with the local topography, buildings and surrounding woodland, the installation would not be visually intrusive in the immediate or wider landscape.

Furthermore, the method of mounting means that limited groundwork is required, and the land can easily be restored to its existing condition in the event the equipment is no longer needed and is removed. As such it is considered that the proposal would not result in an unacceptable adverse impact on the special qualities of the National Park as required by Policy ENV8.

In terms of the historic environment, the Authority's Building Conservation Officer has no objections to the proposal as the solar panels will not affect the Listed Building directly, they will affect the setting from far distant views, of which they will appear significantly smaller. However, the proposed hedgerow and the lay of the land will go some way into screening the panels from the immediate surroundings.

The solar panels will be reversible to the setting of the Listed Building and will not be seen from within the farmstead or roadside nearest to the Listed Building.

The benefits to energy efficiency outweigh the minor affect that the solar panels will have on the setting of the Listed Building and so are not objected to.

The proposals are considered to be in accordance with Strategic Policy I.

In terms of bio-diversity net gain, the proposed site is predominantly an area of grassland, surrounded by woodland with new hedgerow planting proposed. Given the solar panels will be mounted on above ground frames with minimal below ground works it is considered that the proposal would be in accordance with Strategic Policy H.

Conclusion

The proposed solar array, although substantial in number and size, will contribute towards meeting the energy needs of an established tourism business within the National Park without harm to the environment or landscape of the locality and without compromising the objectives of National Park designation. As such approval is recommended.

Public Sector Equality Duty imposed by section 149 of the Equality Act 2010

The proposal is not considered to unduly affect any people with protected characteristics.

Pre-commencement conditions

Not applicable.

Explanation of how the Authority has worked positively with the applicant/agent

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and confirmed to the applicant/agent that the development is likely to improve the economic, social and environmental conditions of the area.