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**Priory Farm Solar Array**

**Proposed development of a Photovoltaic Solar Array on land at Priory Farm East of Great Wymondley, Hertfordshire.**

**Planning Appeal Ref: APP/X1925/V/23/3323321**

**Statement of Case**

**On behalf of The Joint Objectors Group**

30th August 2023

**1.0 Introduction**

This statement of case is submitted on behalf of the Joint Objectors Group. This group consists of the Great Wymondley Village Association and the Wymondley Parish Council. The group is further supported by the Hertfordshire CPRE group.

This statement addresses the issues raised by the Sec of State in his guidance of the key issues that he wishes the Inspector to review.

The joint Objectors Group will be led at the Inquiry by Paul Harding FRICS.

The group will be represented by

* Jed Griffiths MA FRTPI
  + Planning, Landscape and visual and agriculture
* Elizabeth Hamilton
  + Ecology and biodiversity
* David Jackson MBA
  + Heritage and Archology
* Jess Simpson MBE
  + Community impact

In addition, we will be supported by Chris Berry MRTPI from the CPRE

**1.1 The Matters to be addressed**

The Secretary of State in ordering this Inquiry was clear that he wanted a number of key points to be carefully reviewed specifically being

* The extent to which the proposed development is consistent with the Government policies for Green Belt as set out in NPPF (chapter 13) and
* The extent to which the proposed development is consistent with Government policies for meeting the challenge of climate change flooding and coastal change as set out on NPPF Chapter 14) and
* The extent to which the development is consistent with government policies for conserving and enhancing the natural environment as set out in the NPPF Chapter 15 and
* The extent to which the proposed development is consistent with the development plan for the area and
* Any other issues the inspector considers relevant

We will therefore as the Joint Objectors Group focus our views on these areas picking up other pertinent matters under the Sec of State’s final point.

**2.0 Background to our Objection**

By way of background, we would wish to say upfront that as a community we are firm supporters of sustainable forms of electricity generation, and in terms of solar generation related to building rooftops and previously developed land and innovative solutions such as car park canopies.

Our arguments are based around two fundamental points, scale and fairness to people reference to both being almost non-existent in the Council and Applicants’ cases.

The reasons we strongly oppose this application is its colossal scale 88 Hectares some 108 football pitches close to homes and important heritage assets. The proposals also decimate important archaeological-rich Grade 2 and Grade 3a productive agricultural land. In addition, the proposal sits in a vital area of Green Belt providing open countryside. The importance of the land as Green Belt and the communities support for the Green Belt principles are enshrined in the North Herts District Local Plan finally adopted in 2022 and the Wymondley Neighbourhood Plan.

So, in summary our objection is based on the colossal scale of what is proposed in its surroundings, its impact upon our residents and those using the open fields and footpaths, its location in Green Belt, use of BMV agricultural land and the close proximity to community and exceptional heritage assets.

**2.1 Green Belt**

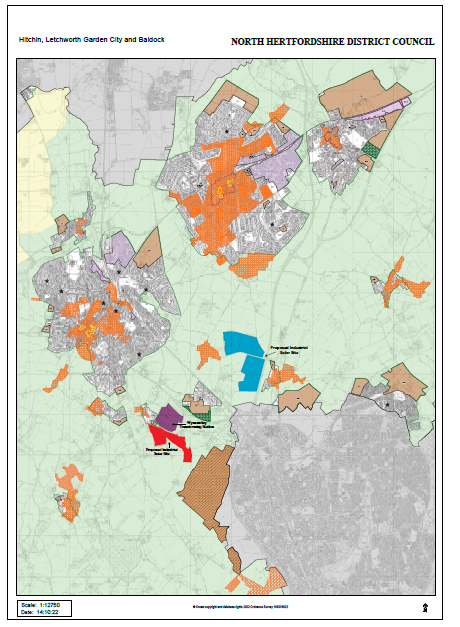
This application is for 88 hectares of land designated as Green Belt in North Herts Local Plan serving various purposes of the Green Belt

There are 5 purposes of Green Belt set out in the NPPF being

* + To check the unrestricted sprawl of large built-up areas
  + To prevent neighbouring towns from merging into one another
  + To assist in safeguarding the countryside from encroachment
  + To preserve the setting and special character of historic towns
  + To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The site performs a vital function as open countryside, for agriculture, the significant enjoyment of open views across the landscape, and the conservation and enhancement of our natural environment. We believe that our Greenbelt ticks the boxes of these core reasons with particular emphasis on the first four.

The map below taken from the local Plan with the additions of the two proposed solar arrays around Wymondley and highlighting the large area already taken by the substation we will show in our presentations the very vital role that the Greenbelt plays and the severe impact this development would have on its functions.



Our area of Green Belt as the principles of the policy intended acts as a vital buffer between the ever-developing towns and extended villages.

Wymondley Parish serves a particularly vital role sitting as it does between the towns of Stevenage, Hitchin and Letchworth and the open land within the Parish forms the all-important separation of these three major towns.

We believe that the context of the North Herts Local Plan is very important to realising why retaining this Green Belt land is so important.

North Herts is under significant pressure on housing allocations and so in the recently finally adopted plan it is proposed that additional 13,000 homes are located within the district including 312 doubling the size of Little Wymondley and others that we will detail at the Inquiry to provide context to the pressure on the Green Belt

If you add to this demand the two proposed solar farms the green lung of the Greenbelts open agricultural land will almost disappears between the towns creating effective coalescence.

It must also be recognised that these two applications are only part of a proliferation of ground mounted solar applications across Hertfordshire all potentially impacting the Greenbelt, agriculture and open setting of communities. We believe that the cumulative effect of all of these developments must be seriously considered by this Inquiry as we will make clear.

The NPPF is very clear on development in the Green Belt Paragraph 48 and policy SP5 of the Local Plan which supports the principles of the Green Belt and recognises the intrinsic value of the countryside. It confirms that the District Council will only permit development in the Green Belt where they would not result in inappropriate development or where very special circumstances have been demonstrated. Furthermore, under NPPF Para 151 it makes clear that many renewable energy projects will comprise inappropriate development.

It is understood that the bar to achieving Very Special Circumstances is set very high in the National Policy framework indeed the highest bar of all and it is our contention that this threshold has not been met by the developer as no attempt was made or certainly demonstrated, to prove a search of locations had effectively been undertaken particularly reviewing rooftops, brownfield or lesser grade agricultural land.

The reference to a 4Km range from the Little Wymondley sub-station is given as an undisputed fact but actually is not demonstrated or proven in anyway other than in commercial terms for the developer’s profitability. Indeed, we will reference the Inspector’s conclusions in recent appeal decision at Sawston and Manuden in our expert witness presentations both of which are very pertinent to this argument.

A further key point at issue that we will visit in our expert statements is the principle of temporary verses permanent.

We contend that the scale and amount of construction must be considered permanent in nature.

This contrasts with the conclusion that the Councils Officer came to. Add to that the learning about the increased understanding about the damage done to the ground and the many years it will take to recover the levels of fertility of the soil the land could easily be out of production for half a century if indeed it ever returns. We detail our arguments further on this point below.

**2.2 Development Plans**

The Green Belt message is reinforced by reference to the Wymondley Neighbourhood Plan

When consulted in the Parish Survey 92% of the respondents identified Green Belt Issues as their primary concern.

The quotes from the plan that are relevant are as follows

*7.4 The Government attaches great importance to Green Belts – as do the Wymondley parishioners, illustrated by 92% of our survey respondents indicating that they objected to any development on Green Belt land within or surrounding the Parish. It is clearly the primary issue of concern to Wymondley parishioners, and one which significantly influenced our development proposals.*

*7.5 We strongly support those elements of the Government’s Green Belt policy which are particularly relevant to our parish, given its close proximity to the nearby towns of Hitchin and Stevenage, i.e., designating land as Green Belt purposely to prevent the unrestricted sprawl of large built-up areas; prevent neighbouring towns merging into one another; and assist in safeguarding the countryside from encroachment.*

**2.3 Openness and visibility**

The openness of the land and its importance for the setting of the historic conservation area of Great Wymondley are of great importance. The open countryside views are the very essence of our location.

As a rural location in the South East of England we have to accept and acknowledge an element of disturbance due to the infrastructure of the country. The A1(M) passes by us following the route of the old Great North Road, the main London to Edinburgh railway also passing through the parish, partially visible and part in a cutting and of course we house the electricity Sub-station on the edge of Little Wymondley. These are not however a reason to write off our landscape and open views and neither are they reasons to assume that it makes the Parish a natural home for even more infrastructure.

We will demonstrate through our experts, pictures and video that the land remains attractive open and visible from near and far and as such must be protected as its status demands.

The general sense we have had is that an assumption is made that some planting will substantially obscure the scale of the solar array. This is simply not the case. Not only will planting take a long time to mature to fulfil its purpose but it will help very little in protecting views from further away. It will also have the negative impact of closing down the open views that are so enjoyed now.

This open landscape will be lost for 40 years with the industrialisation of the area not only with the 160,000 panels some 3m above ground but the 47 buildings 7.8km of fencing and the 2.1km of roadways.

The scale of the proposals will cast a shadow over the setting of our village and its residents. Little has been said about the impact on people. Contrary to the various documents on visibility the solar array will be visible from homes in the Parish including from Graveley Road, Arch Road, Milksey cottages and Priory Lane.

There are also substantial views from footpaths used by many people from the villages and local towns including the footpath by the railway bridge on Arch Road to little Wymondley, the footpath from Little Wymondley Priory Lane to Great Wymondley and of course the much-used Hertfordshire Way.

As woodland and hedgerows are almost all deciduous the situation that the applicant’s experts have seen is much worse in the winter months when they lose their leaves.

The site is also viewed from the Chilterns Area of Outstanding Natural Beauty (AONB) so diminishing the setting of the AONB as we will show.

The sites impact will be even greater if our MP Bim Afolami’s campaign to increase the AONB is successful to the Preston area and beyond

**2.4 Agricultural land**

Whist it is appreciated that war in Ukraine has created an energy problem that has increased the need to move to other home created fuel sources we should not forget that it has also caused a food crisis. The recent collapse of the grain exporting agreement and the vivid pictures of grain stores and ships being bombed brings home to us all that we should take great care of our best agricultural land for creating the food we need as a country to reduce our reliance on imports.

Whilst the applicant is quick to state how many homes can be supplied with power by the Solar farm it should also be recognised that the wheat production from this land can supply over 1 million loafs of bread per year or as barley nearly 5m pints of beer! The land this year is being cultivated part wheat part barley and the crop is looking excellent as I write this and as our video will demonstrate.

The land being used in this application is 32% Grade 2 and 68% Grade 3a.

What is staggering is that in an area of Grade 2 land, the top grade in Hertfordshire has been included into the scheme. Government advice is very clear that only grade 3b and below should be used for Solar Array’s.

The rich agricultural history of the land should not be lost now. Neither should the flexibility of wider crop choices that Grade 2 land provides be lost as one cannot foretell the challenges that our farmers may need to meet.

**2.5 Development Permanent or temporary**

Mr Griffiths as part of his expert witness presentation will address the issue of permanence

The District Council and the applicant argue that the 40-year length of the proposed use of the land for solar array is temporary not permanent.

40 years is more than a generation therefore must be considered as a permanent fixture as far as a large amount of the population are concerned. With 50% of the population of 1169 people over 50 they are unlikely to see the land in arable use again or at best they will be in their 90’s. so therefore without question sadly for 50% of the population this change will be permanent.

In addition, evidence is continuing to emerge that at the end of the 40 years the land will take many more years to come back into fertile productive form. The removal of the 32,000 deep piled posts of the 160,000 panels will disrupt the soil. The fertility will have been reduced over the years to make effective the grasses needed for the biodiversity promises. The platforms of the 47 buildings and the 2.1 Km of roadway will all impact upon any real chance of returning the land to the same grade 2 and 3a status that it offers at present.

This is not therefore a temporary development it is to all intents and purposes long term industrialisation on high-quality Best and Most Versatile (BMV) agricultural land

This point has been acknowledged in a number of recent inspector decisions including for example at Manuden s62A/2022/0011 and Swadlincote APP/F1040/W/3313316

If we refer to the core meaning of temporary it is “not lasting very long” “short term” or going back to the Latin derivation tempus to mean “time or season” so in our case at least 160 seasons!

Under none of these definitions is it possible to rationalise that the planning system seriously considered something that would take at least 36 weeks to construct and probably longer to remove and have so much infrastructure fixed to the ground can be defined as temporary. Indeed, many permanent constructions are redeveloped in under 40 years.

**2.6 Heritage and Archaeology**

The subject of our rich heritage and archaeology will be presented by Mr David Jackson a resident of the village. Great Wymondley has a proud heritage dating back to before the Doomsday Book.

It is our task as the custodians of our heritage to use our short space of time in the continuum of history to preserve and protect our history for the benefit of these who will follow us.

The importance of this point will be elaborated upon by David Jackson in his witness statement

The application land sits between the historic Great North Road and the settlement of Great Wymondley meaning without any doubt it is a rich unspoilt area of archaeological heritage which should not be risked by 32,000 1.5 m posts across the site as well as the imposition of large areas of concrete

We view with the greatest of seriousness the inherent risks of developing on an industrial scale on this archeologically rich and undisturbed land. We fear for the setting of our community and its heritage by the imposition of development that by all expectations of Green Belt and the important setting of scheduled monuments, Grade 1, 2\* and 2 listed properties and the conservation area should have assured protection.

We do not consider sufficient or even respectful weight has been given to our heritage by either the applicant or the Council and our witness will stress the importance that should be afforded to it in the decision-making process.

**2.7 Ecology and biodiversity**

Mrs Elizabeth Hamilton a trustee of the CPRE will speak on our behalf on the effects of the proposals on the ecology and biodiversity of this large tract of open land. The industrialisation of the land and the enclosing of it with fencing will dramatically change the natural order that currently exists.

We don’t doubt that removing the traditional agriculture and setting grass seed and wild area’s will by using the tick box world that we now live in be able to prove a biodiversity net gain.

That however completely ignores very fundamental issues including the impact that the changes will have on the current habitat such as the ground nesting skylarks. Routes for small deer, hares and other mammals as well as the wild plants and indeed the soil itself.

Solar panels have a negative effect on many species including birds and of course bats that we know use the fields as their hunting grounds from their nearby home in St Mary’s Church. Fencing in even if with some small holes remaining will do little to help retain the current inhabitants of the land.

As a community we are well aware of biodiversity benefits and have taken great pride in creating a community garden, community orchard and wild areas in our churchyard as well as embracing no mow May in many parts of the village. We are also very fortunate to have much natural meadowland around us grazed by cattle, sheep and horses. We do not believe that taking Grade 2 and 3a arable land out of production with the loss of natural habits will benefit the natural order or the human residents who live in harmony with it when the alternative is an industrial scale development.

As previously mentioned, we also increasingly hear about the issues and challenges that will be involved in returning the land to Grade 2 and 3a agricultural land after fertility levels have dropped, the ground has been compacted and the piles and concrete has been or at least attempted to be removed.

Mrs Hamilton will elaborate on these key issues.

**2.8 Community Harm**

Community harm will be addressed at the Inquiry by Jess Simpson a resident of Great Wymondley and someone who both professionally and as a mother is passionate about the countryside our setting within it and all of our rights to be able to have peaceful enjoyment of the rural setting of the Parish we have chosen to live in.

The Community of 120 residents of Great Wymondley made its views on the application clear with over 90% objecting. The industrial scale of the proposal some 4 times larger than the village will create a shadow over all aspects of life in our community. Entering the village along Priory Lane or Graveley Lane will offer an unwanted vision, walking along the Herts Way or paths to the south of the village will be spoilt by either the direct adjacency of fencing or the damage to more distant views. The feeling of being watched whilst on family walks or bike rides or maybe a romantic stroll will be most intrusive from the CCTV cameras.

For some in Graveley Road, Priory Lane and Milksey cottages as well as some views from the south of the village the intrusion on views from homes, increased in winter months, will be upsetting.

The views in the changing seasons and agricultural activity that are an intrinsic part of the setting of our community as well as for the many who visit and walk through the area, will be lost replaced by the monotony of a single unchanging vista as far as the eye can see of solar panels. This will have a negative effect upon people’s mental health and wellbeing.

The whole Parish uses the footpaths and overall closeness of the development only 200m from the recreation ground and community orchard together with the loss of the openness of the landscape and the setting of the historic community seem to have been ignored.

**3.0 Other matters**

**3.1 Noise**

We have raised at every point the risk of noise pollution. It is known that the transmitters emit noise and we have some 22 of them around the site. That naturally concerns us. What is not known and has not been investigated is the potential impact of the A1(M). given some wind directions the motorway can at times be heard in Great and Little Wymondley

What will the impact be of removing the natural agricultural carpet and replacing it with effectively 160,000 noise deflectors which risk enhancing and carrying the sound particularly given the direction of the panels to Little Wymondley.

In addition, the piling of the 32,000 piles to hold the 160,000 solar panels will be a very noisy operation lasting many weeks if not months from Monday to Saturday each week as we will hear in evidence at the Inquiry.

We will demonstrate our concerns on this subject via our witnesses.

**3.2 Fire risk**

We are told the battery storage units will have automatic cut offs if they overheat. This gives some reassurance but it must be recognised that a fire risk does exist. The fire services do not appear to have been contacted and we doubt that sufficient thought has been given to fire appliance access as well as hydrant points.

From the local populations point of view what is not in dispute is that the materials in the batteries are toxic and there is real concern over fumes as has recently been highlighted in the report following the Liverpool fire in 2020. The blaze took 59 hours to extinguish and threatened to engulf Liverpool in a toxic plume of gas and sent debris some 50m from the seat of the fire. Add to that a lack of hydrants and inadequate fire service training resulting in a bleak picture.

With two schools in Little Wymondley and Graveley, within range of the toxic fall out from a fire, this must be taken seriously.

This area of risk has just been given scant consideration by the applicant and the Council. Indeed, the councils’ officers applied the effect Neutral, weight None. It must at the very least be a moderate risk as we shall demonstrate in our witness statements.

**3.3 Flooding and drainage**

We are not offering up a specific expert on this subject but will have a number of concerns to raise with the applicant’s expert.

As has been correctly documented Proiry Lane and Little Wymondley suffer from a flooding problem and have done for years. We fear that the removal of crops and the replacement with concrete and large number of panels that will cause significant water run off could exacerbate the situation. Whist we note that steps have been taken to reduce the risk we do not believe there can be any certainty that the current situation will not be made worse and these concerns have been echoed by the lead flood authority who are still not satisfied with the solution.

3.4 **Security**

We note that the solar array is to be protected by 2.1 m stock fencing secured with wooden posts and watched over by 40 CCTV cameras. What we are not clear about is if there will be any security lighting or security presence. Whilst this fencing when considered in total at 7.8km is bad enough and creates such a break with the openness of the land we are concerned that things maybe become a lot worse if the Solar Array is subject to break-ins thefts and vandalism. As we are near to major centres of population and through routes, we are vulnerable to passing thefts and more sophisticated crime.

We are told the Solar industry is experiencing major problems and will provide evidence on this point. We understand that is a number of cases insurers are demanding far higher levels of security fencing and security cover to combat losses. Any more intrusive fencing would be horrendous addition to the negative aspects of the scheme. Furthermore, it would have a knock-on effect of bringing criminal minded people to our village.

**3.5 Transport**

We are not specifically offering up a Transport expert but in our statement of case do wish to make reference to issues that we do have concerns about and will wish to question the applicant’s expert about.

The lanes at times seem very rural and little used but they are extremely busy as rat runs at peak morning and evening times. We can envisage substantial holdups and a conflict with the heavy delivery schedule anticipated during the construction phase

Laying the cabling down Priory Lane and along Stevenage Road will cause enormous problems. The location and height of the Little Wymondley railway bridge necessities a number of vehicle movement down Priory Lane to Old Hall Farmyard every day. Disruption will be very damaging to local businesses and their financial viability.

The same will be the case for The Priory wedding trade. Access must be retained for events or again trade and income will be lost.

On an ongoing basis we have noted from the applicant that only very limited maintenance visits will be made. Is this really the practical reality. With the scale of the overall operation substantial control must be maintained to ensure safety, maintenance and one assumes cleaning of the panels to maintain efficiency and finally keeping the grass in good order under the panels. From all that we hear security visits will also be needed one assumes in the night as well. In addition, as the equipment and panels become obsolete total replacement maybe necessary. All of this adds to the changing scene of what we are used to and has a detrimental impact on residents.

4.0 **Summary and Conclusions**

As the Joint Objectors group of the Great Wymondley Village Association and the Parish Council supported by the CPRE we strongly believe that the application should not be approved for the following key reasons

* The Green Belt is already under threat. The loss to the Solar development will bring the coalescence of North Herts one dangerous step nearer
* Loss of open country and open views for the villages and towns as well as damage to the views from the Chiltern AONB
* Damage to the setting of our conservation area 67 Listed buildings and untold damage to an important archaeological area
* Loss of locally important Grade 2 as well as Grade 3a land all in full essential food production
* Whilst renewables are an important part of our futures climate strategy Solar is the least efficient and as such should not dislodge positive land uses but mainly be adopted as a bonus on buildings, brown field and low yielding non green belt land
* Biodiversity gain will be overshadowed by the loss of fertility in the soil making its return to grade2/3a production very difficult and delayed
* Serious impact upon the ecology of the area with loss of skylark nesting grounds, bat flight areas and free routes for animals restricted by the 7.2km of fencing etc.
* Flooding is a problem in Wymondley. Add to that the anticipated housing any other disturbance of our natural field systems can only increase risk
* Replacing 88H of beautiful agricultural land which changes with the seasons into a monotonous landscape of 160,000 panels can only damage the local community’s wellbeing as well as all those who whilst the Hertfordshire Way under what will be the eye of CCTV cameras.
* Fire, security and health risks are going to be for ever present with some risks growing as the equipment becomes old and likely obsolete.

In this application we have the perfect storm. Green Belt ignored and lost; openness and visibility ignored and lost; Grade 2 and 3a productive agricultural land ignored and lost; The land forming the setting for 67 listed buildings and the conservation area ignored and lost; Archaeology spanning thousands of years ignored and lost; the community’s safety and wellbeing ignored and then risked.

We have seen and will reference cases where Inspectors have not allowed development for just one of these reasons. Our expert and other witnesses will use these examples as well as our in-depth knowledge of our village and its setting to make our case to the Inspector at the Inquiry.

**Paul S Harding FRICS**

**27th August 2023**