



## Cumbrae Community Council

Comments on the response to the Community Council objection

Proposed photovoltaic solar farm on Cumbrae 23/00114/PP

May 2023



*Above: A protest by more than 100 people against the solar farm held at the highest point in February 2023*

**These comments relate to the late submission of documents by the applicant regarding the proposed photovoltaic solar farm on Cumbrae (ref 23/00114/PP) at the end of April and beginning of May 2023. Those documents included a 'Response to Community Council Objection' prepared by the applicant's planning consultant Barton Willmore.**

Cumbrae Community Council is extremely disappointed that the applicant has been permitted to submit an additional 5 drawings and a 17-page report after the consultation period for the solar farm has closed, meaning there is no opportunity for public scrutiny. The correct time for democratic debate and responding to concerns is before a planning application is submitted not after the opportunity for democratic objection has ended.

We note that the additional documents submitted by the applicant do not include a single change to their proposals in response to the comments made by the community or other consultees, and so all the objections previously laid out still stand.

This has been our experience of the applicant throughout the 7 years that this proposal has hung over the island, during which time they have failed to take on board a single one of the many hundreds of formal comments that have been submitted. Their latest report they describe as a '**rebuttal**' of every comment. This is in no way the constructive dialogue that we would have hoped for.

Without wishing to go over the same ground that has already been covered in our objection, a response to their 'detailed rebuttal' is set out below.

### **Change in planning policy stance**

We would like to make clear that there is no such thing as 'refreshing' or 'renewing' a planning approval. The previous approval was 7 years ago, and because it was not acted upon, it expired. That proposal related to a 5MW solar farm, whereas the latest application allows for 19MW, an increase in 12MW and just 1MW below the threshold for a major project.

The policy context has changed considerably since 2016. These changes are a matter of fact and cannot be disputed. As a result, all the points made in our objection remain valid.

The Preliminary Ecological Appraisal submitted by the applicant (which was initially withheld by North Ayrshire Council, limiting the opportunity for public scrutiny) does suggest a range of mitigation measures for the damage that the development would cause, and it also refers to opportunities for biodiversity enhancement. However, not a single such mitigation or enhancement measure has actually been committed to in the application.

In relation to food security, the proposed site is frequently used for grazing, as identified by the applicant themselves and illustrated by photographic evidence in our objection.

### **Question over the completeness and accuracy of the planning application**

Despite the late submission of additional drawings, no information has been provided about the proposed route for connection to the grid. This is fundamental to the impact of the proposal on the landscape and on neighbouring landowners. It should not be dealt with by conditions.

We would draw attention for example to the planning application for a solar farm in Angus, where such detail was included: <https://planning.angus.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q3W10LCFJ3800>

The new perimeter fence drawing that has been submitted shows a 3m high fence, whereas the planning statement that formed part of the actual application referred to a 2m high fence.

The applicant has still not provided elevations, dimensions, colours or materials for the 6 BESS transformers or the 12 power converting units.

There is still no information about the communications tower.

Cumbrae Community Council finds it impossible to believe that no changes to the highly complex topography of the site would be required to accommodate 12,000 solar panels and associated buildings, roads and turning areas for articulated and 40 tonne lorries.

### **Ecological concerns**

The ecological assessment was in no way 'full and robust'; it was basic at best, inaccurate, out of date at the time of submission (as referenced in the document itself) and undertaken on just one day at the wrong time of year. This is clearly an inadequate survey on which to base such a large-scale application in such a sensitive landscape and ecological area. It identified just 1 endangered species of bird, compared to 20 that are recorded as using the site.

The applicant describes mitigation measures as 'suggested' and enhancement measures as 'potential' and 'recommended', but not a single one has actually been committed to in the application.

### **Concern that an EIA should have been undertaken / Site selection concerns**

Our previous comments stand. No explanation is provided as to why this development needs to be located on a small island, on a site that is within the Great Cumbrae Special Landscape Area and the Barabay Local Nature Conservation Site, and which is home to 20 endangered bird species. It is still not clear why this site needs to be developed rather than one of the many derelict and unused sites available elsewhere in North Ayrshire.

The applicant themselves quote North Ayrshire Council as saying, in respect of the previous, now long-expired application, 'in terms of alternative sites, no other sites were brought forward for discussion'. LDP2 Strategic Policy 1: Spatial Strategy: The Countryside Objective states that NAC will only support developments in the countryside which have "... a demonstrable specific locational need including developments for renewable energy production.....". The onus for this proof lies with the applicant and no evidence has been submitted.

An Environmental Impact Assessment would also have required justification of the site selection.

Again, we must emphasise that the approval for the previous 5MW scheme expired and the policy context has changed in the last 7 years. No principle of development for a 19MW solar farm has been established, and the fact that the applicant happens to have a deal with the landowner is not a material planning consideration and does not justify the site selection.

### **Impact of the proposed development on tourism**

The suggestion by the applicant that a 15 hectare industrial development with a 3m high, 1.5 km long fence with 31 CCTV installations and a comms tower at the highest point of the island, running alongside the core path, next to the Glaid stone viewing and picnic area and on a local beauty spot and wildlife habitat will have 'no impact on tourism' is clearly ludicrous.

The main entrance gates, fence, and access road to the complex of 5m-high industrial buildings is actually on the core path. Even the applicant accepts that this will affect a 750m stretch of this path.

No visual mitigation has been proposed whatsoever by the applicant.

We note that the applicant has at this late stage suggested there may be benefits to the community. The community is not aware of any such benefits as no information has been provided. These supposed benefits have never been quantified in any way and are only vaguely alluded to. Any suggestion that this proposal will contribute to the island becoming carbon neutral would require that the applicant does not sell the power generated to others.

### **Proposed development undermines carbon neutral islands project**

The applicant makes no commitment to supply the energy generated to the island, and so it will not contribute to the Carbon Neutral Islands Project.

### **Impact of the proposed development on transport**

No further information has been provided by the applicant, and again they have failed even to mention the impact on the ferries of constructing this industrial-scale development.

### **Landscape and visual impact assessment**

As illustrated in our objection, the Landscape and Visual Impact Assessment completely fails to properly represent the visual impact the development will have on the island and in particular on the core path. The points of reference appear to have been selected to minimise the visual intrusion of

the development on the landscape rather than to realistically demonstrate its impact from key points so that the communities affected could give a balanced judgement.

#### **Lack of community engagement**

As we have previously stated, the applicant has failed to take on board a single comment from the many hundreds of formal comments that have been submitted during the 7 years that they have been pursuing this proposal.

#### **Lack of community benefit**

At no point until now has any a contribution towards a local community group been mentioned as part of the proposed development. The last-minute, and rather vague suggestion that they might 'engage directly with the Cumbrae Community Council in due course to discuss the potential for funding contributions, what level this may be at, and how this could be delivered' does not amount to any sort of commitment and certainly has no meaning or relevance in terms of consideration of this planning application. We have yet to be approached by the applicant with any such proposal.

#### **Conclusion**

In summary, we would point out that the applicant has had 7 years to deal with these issues. Rebutting our comments and making vague suggestions of mitigation after the consultation period has ended is entirely inappropriate and in does not address any of our valid concerns which were submitted with full reference to the policies laid out in LDP2 and NPF4.