

# Byer Gill Solar Farm- Pre-examination representations

1. On behalf of my client, Mr and Mrs Wood, I intend to raise through written representations and replies, and if appropriate oral representations at a Hearing and Compulsory Acquisition Hearing Concerns relating to the following points:
  - The health and safety issues to my client and the animals
  - Potential loss of income from the business
  - Flooding issues
  - Access tracks/roads to the horse arena and paddock
  - Property devaluation
2. I will also discuss some potential mitigation issues and accommodation works which will be imperative if the scheme is accepted.

## 1. Introduction

1.1 My client operates a livery and competition yard from their property, they accommodate and train international client's horses, ready for show jumping and racing. They also live on site to ensure that they can care for the horse and their welfare and also ensure the site is secure.

1.2 The Byers Gill Solar Panel scheme plans to surround both their residential property and their business on all sides of the property. Figure one and two shows the extent of the scheme and impact to my clients land.



Figure One: Map of scheme showing the panels around Cobby Castle Forge and Livery



Figure Two: Map of scheme showing the panels around Cobby Castle forge horse arena and paddocks

1.3 My clients house and stables [REDACTED], with access to this area only being available up a single access track.

1.4 The proposed Solar Farm pose a risk to Mr and Mrs Woods health and safety, the health and safety of the horses and their owners. There is a serious concern that the due to these risks it will mean clients will find elsewhere and therefore would result in a caseation the business.

1.5 My clients feels as though the residents of the local village have been listened to and lots of changes since the original plans have been made to suit the villagers, however, they have a direct impact from the scheme, much more so than the villagers and they would like to see some mitigation works to decrease the impact to their home and business both during and after the works. They are surrounded by the scheme in every direction of the property.

## 2. Health and safety issues to my client and the animals

- 2.1 The type of horses housed and cared for by my client are highly strung competition horses, where slight changes to their environment or sudden noise can make them bolt or become very unruly.
- 2.2 My client has to walk the horses each day up and down the access track multiple times a day, to the arena and turn out paddocks. This is done to exercise and train the competition horses.
- 2.3 While the work is ongoing, this poses a health and safety risk to my client who needs to be able to control the horses and to the horses which are likely to attempt to jump fences or boundaries if spooked.
- 2.4 Every year there are fatalities and injury caused by horses, the nature of the horses my client has makes this much more likely. They need to be in a calm and controlled environment. The fact that potentially soon, all the land surrounding my client's property will be a building site is very concerning and poses a serious health and safety risk to them and the horses.
- 2.5 The safety of the horses is paramount to my client's business, not only to ensure that they have repeat custom from their international clientele, but the animals are also very high value, ranging anywhere from £30,000 to £250,000. Therefore, when horses are left in their care, there is a large amount of trust placed with the client to ensure that the horses are kept safe and properly cared for.
- 2.6 The scheme could jeopardise this relationship and my client will find it difficult to fully guarantee their safety while the work is ongoing, and the solar panels are installed.
- 2.7 Once the work is done and the solar panels are installed, there could be glint and glare from the panels, which again could disrupt the horses and potentially force them to bolt or become difficult to control and calm. As the solar panels surround the fully property/stables/access and areas and paddocks this will be very difficult to mitigate.
- 2.8 Due to the nature of the business my client must abide by Fédération Équestre Internationale (FEI) rules, so they have to ensure that they have bio security in the yard. This is to ensure that they prevent the introduction or spread of disease. They have to ensure that they do not put the horses at risk with diseases such as:
- Strangles (highly contagious)
  - EHV-1 this is a type of herpes & is extremely dangerous to youngstock
- 2.9 A concern with the scheme is that my client will be nervous to have the horses outside as much, if they do not feel that they can use their access track, the horses will not do well being inside all day, and there will be more people around the site which could potentially contaminate the site.
- 2.10 My clients are concerned about the community wood that is being introduced. It is just a strip of land which doesn't go anywhere or have a circular route. They

feel that it could promote people loitering in the area, also it will create more volumes of people and dog walkers which again could lead to the horses being startled/spooked and creating a dangerous scenario for both the horses and my client.

2.11 There is already a footpath behind their property, it does not seem fair to introduce another, again increasing the amount of people near their home and business and creating health and safety issues towards the horses and my client but also causing potential security issues.

2.12 Security is very important to my client as they have to protect and care for high value animals, for international clients, they will not appreciate an increase of residents/public walkers.

### **3. Potential Loss of Income from Business**

3.1 Due to the above reasons, my client is very concerned about their business. They have clients who fly from around the world to use their livery and competition yard, and first impressions are very important.

3.2 My client feels they are being surrounded with solar panels and the disruption that the work will cause, could cause clients to choose another livery and yard. As the value of the horses is so high, clients are very particular and simply want what is best for their horses.

3.3 Their son is currently competing internationally and owns his own valuable horses, while doing this he is gaining his own clients and introducing them to the livery yard, he is working now to create a successful business for himself when he returns home from showjumping, which means that it is incredibly important to the business and successfulness of it that any clients introduced at this stage are retained.

3.4 The amount of disruption and potential accidents that the scheme could cause, would lead to the business having a damaged reputation and clients going elsewhere.

### **4. Flooding**

4.1 My clients access track often floods as the land at either side is much higher which causes the water to come onto my client's access track. Please see Photograph one which shows the impact of this flooding.

4.2 It is concerning that if solar panels are installed, drains could be damaged which could further intensify this issue.

4.3 Any drains will have to be reinstated properly if damaged and overseen by a competent individual to ensure that the development does not lead to further flooding in this area.



Photograph One- Flooding damage

## **5. Property Devaluation**

- 5.1 The residential property and business will have significant devaluation, as the entire property is going to be surrounded by a solar farm.
- 5.2 It is very clear that this will reduce the value of it, and my client could find it difficult to find a buyer for the property because of the scheme. It is likely that they would have to significantly reduce the price if they ever chose to sell the property.
- 5.3 Access is going to be needed by the scheme on their only access into the Property. While the work is ongoing this will be incredibly disruptive, further adding to the health and safety issues above and we are unsure as to how this will work in practice.
- 5.4 My client is also concerned that the scheme will have an access right over the property, further inconveniencing them and also further devaluing the property. This has always been a private access to my client, and it will lose this as the scheme chooses to use this as an access point.

## **6. Potential Mitigation Measures**

- 6.1 If the scheme goes ahead, there are several potential accommodations works that would be required to ensure that my client's business can still run smoothly, and they gain the least amount of disruption in their day to day lives.
- 6.2 The yard and stables could be relocated into where the arena and paddocks are, this would mean that the horses would be contained securely in one area and

around the fields. This would mean that my client would no longer have to lead the horses up and down the track where it would be most likely for them to be spooked or startled. This would potentially reduce possible accidents and allow the business to run with minimal disruption.

6.3 The areas around the solar panels will have to be screened with plenty of trees and hedges. The land is much higher at either point of their track and ideally the land would be dug out and levelled, to this level before the panels are put in place. If this is too expensive then there needs to be plenty of mature greenery planted early to hide the panels from eye level sight. To ensure this happens and given the height of the fields this needs to be a minimum of 5ft at the start of the works. My clients can't be wait 5 years for the panels to be hidden.

6.4 If the scheme needs to use my clients only access point, then it is crucial that this is gated at both sides and the gates remain locked unless traffic is coming through. The horse being contained is incredibly important. They already have two gates installed and this level of security must be maintained.

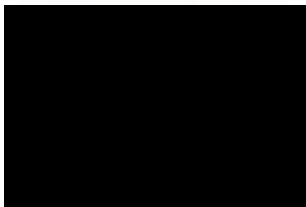
## **7. Conclusion**

7.1 In conclusion, I expect you understand , that due to the nature of the business being operated from my clients property, that the scheme causes serious health and safety risks, security risks, and potential damage to the property from flooding.

7.2 The scheme could jeopardise the future of the business if clients no longer chose to use their business due to the disruption caused.

7.3 Although the client would prefer the scheme to not go ahead, if the scheme could incorporate all of the above mitigation measures, it will decrease the impact that the scheme has on my client business, livelihood and day to day life.

I will look forward to hearing your response in regard to the pre-examination representations.



Helen Bell MRICS on behalf of GFW LLP.