
APPEAL BY ECONERGY INTERNATIONAL LTD

AGAINST THE DECISION OF SHROPSHIRE COUNCIL TO REFUSE PLANNING PERMISSION FOR ERECTION OF AN UP TO 30 MW SOLAR PV ARRAY, COMPRISING GROUND MOUNTED SOLAR PV PANELS, VEHICULAR ACCESS, INTERNAL ACCESS TRACKS, LANDSCAPING AND ASSOCIATED INFRASTRUCTURE, INCLUDING SECURITY FENCING, CCTV, CLIENT STORAGE CONTAINERS AND GRID CONNECTION INFRASTRUCTURE, INCLUDING SUBSTATION BUILDINGS AND OFF-SITE CABLING

AT LAND AT BERRINGTON

PROOF OF EVIDENCE OF MR JAMES BULLOCK BA (HONS) DIP LA, CMLI

PINS REF: APP/L3245/W/23/3332543

LPA APPLICATION REF:22/04355/FUL

LPA APPEAL REFERENCE: 23/03207/REF

Zebra Landscape Architects Limited

V2 February 2024



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INTRODUCTION

The Qualification and Experience of the Author

- 1.1. My name is James Bullock and I hold a Degree in Landscape Architecture, a Post Graduate Diploma in Landscape Architecture. I am a Chartered Member of the Landscape Institute.
- 1.2. I am a Director of Zebra Landscape Architects Limited ('ZLA') which is a Registered Practice of the Landscape Institute, providing independent advice to public and private sector clients in the fields of Landscape Architecture.
- 1.3. The Practice operates throughout the UK from offices in Worcester and central London representing clients with land and development interests including a number in Worcestershire. Zebra Landscape Architects is part of the wider Zebra Consultancy Group which also works in the fields of ecology, arboriculture, masterplanning and architecture.
- 1.4. I have over 25 years' experience in multi-disciplinary environmental consultancy, during which I have specialised in the assessment of a very wide range of development proposals, including development in sensitive landscape settings.
- 1.5. I have extensive experience of the landscape and visual assessment and landscape design of renewable energy projects, including ground mounted solar PV (photovoltaic) projects. I have acted as a landscape expert for Planning Appeal and Inquiries on behalf of developers and Planning Authority clients since 2009.
- 1.6. The evidence which I have prepared and provide in this proof of evidence is true and has been prepared and is given in accordance with the guidance of my professional institution. I also confirm that the opinions expressed are my true and professional opinions.

Scope of Evidence

- 1.7. My evidence addresses landscape and visual matters as they relate to Reason for Refusal 2 ('RfR 2') given in the Decision Notice for planning application 22/04355/FUL (dated 16th May 2023) in respect of a proposed development described as:

'Erection of an up to 30 MW Solar PV Array, comprising ground mounted solar PV panels, vehicular access, internal access tracks, landscaping and associated infrastructure, including security fencing, CCTV, client storage containers and grid connection infrastructure, including substation buildings and off-site cabling.'

- 1.8. RFR 2 states the following:

'Adverse visual impact

2. The proposed solar farm site would potentially have a visually oppressive effect for users of the publicly maintained highway leading to Cantlop Mill which bisects the site. This is due to the height difference of up to 6m locally between the highway and the top of the proposed arrays. The proposals would also have an adverse effect on existing expansive and high-quality views in the vicinity of the public footpath at Cantlop which is in an elevated position overlooking the site. Other publicly accessible views of a generally pristine rural environment exist from the Berrington Road to the north and the Eaton Mascot Road to the east. Additional field margin planting has been proposed and solar arrays have been pulled back in some margins with the objective of seeking to reduce such views.



However, full screening is not physically possible due to the local topography, and it is not certain how effective planting would be as a visual mitigation measure. The proposals therefore have the potential to adversely affect the local landscape and visual amenities from a number of public viewpoints surrounding the site due to the replacement of the current arable fields with solar arrays and associated built infrastructure. This conflicts with Core Strategy Policies CS6, CS17 and SAMDev policy MD12.'

- 1.9. On January 8th 2024, I was approached by Mr Matthew Fletcher-Hunt, Trainee Solicitor, Aaron and Partners Solicitors (Shrewsbury), who are acting on behalf of a local action group called 'Flour Not Power'.
- 1.10. Following my field-based visit on the 15th January 2024 and a review of the application, I agreed to act as a Landscape Expert Witness with regard to this appeal and I contribute to Flour Not Power's Statement of Case. My appointment was made on behalf of the Flour not Power group by Mr Mark Turner, Partner, Aaron and Partners Solicitors (Shrewsbury).
- 1.11. The appointment was made on 22nd January 2024, and I undertook a more detailed field-based visit on 2nd February 2024, during clear, dry weather with good visibility.
- 1.12. My Proof of Evidence addresses Landscape matters only.

Author's Knowledge of the Appeal Site and the Appeal Context

- 1.13. I first visited the Appeal Site on the 15th January 2024, prior to my formal appointment by Flour Not Power. This visit was undertaken independently to the Flour Not Power group, and also the appointed Solicitors (Aaron and Partners Solicitors (Shrewsbury)). The purpose of this visit was to familiarise myself with the Appeal Site and its local context.
- 1.14. At this visit, I reviewed a representative number of the photoviewpoints landscape context and cumulative schemes assessed in the Appellant's Landscape Visual Appraisal (CD 1.18). This visit enabled me to better understand the nature and scale of the Appeal Proposal, and the Local Planning Authority's Reason for Refusal 2.
- 1.15. Following formal instruction letter, I commenced a detailed review of the Appellant's Landscape Visual Appraisal (CD1.18) and the supporting document as detailed within this Proof of Evidence. This enabled my undertaking of this Proof of Evidence.

Methodology

- 1.16. The methodology used in preparing my evidence is based on the Guidelines for Landscape and Visual Impact Assessment, Third Edition 2013 (GLVIA3) (CD 8.1) prepared by the Landscape Institute/Institute of Environmental Management and Assessment. GLVIA Version 3 is the key guidance with regard to assessing landscape and visual impacts.
- 1.17. The assessment of landscape value is consistent with the LI's TGN 02/21 Assessing landscape value outside National designations (2021). Also, I note further in this Proof of Evidence a number of deficiencies in how the LVA Author has undertaken the assessment relative to the construction stage, decommissioning and the landscape restoration phase.
- 1.18. I adopt the Appellant's LVA methodology (CD 1.18) for my assessment in order to assist the Inquiry in clarifying where the key differences of professional judgement between myself and the Appellant lie.



Cumulative Solar PV Developments

- 1.19. With regard to the cumulative assessment, I have considered energy developments in the landscape surrounding the site. These four solar PV developments are listed within Section 10 of the Appellant's Landscape Visual Impact Assessment (CD1.18).
- 1.20. This scope of cumulative schemes was confirmed between Mr David Leaver, Associate Director, Stephenson Halliday, and me in email correspondence.

Appellant's Landscape Visual Appraisal

- 1.21. I do not agree with the judgments within the Appellant's Landscape Visual Appraisal (CD 1.18), or the conclusions reached and in the course of my evidence I set out why I have reached different judgments and conclusions.
- 1.22. Additionally, it is my professional judgement that there are a number of fundamental failings within the Appellant's Landscape Visual Appraisal (CD 1.18), which include the following:
- The Appellant's LVA does not provide any detailed assessment of the landscape and visual effects of the Appellant's Proposal during the construction stage, rather the LVA only focusses on Year 1 and Year 15 effects (this matter is confirmed by the Author of the Appellant's LVA at Section 2, paragraph 2.5, by stating:

‘The process involves identifying landscape or visual receptors, judging their sensitivity and then combining this with judgments on the magnitude of change, to determine the level of effect on that receptor appraised at two stages:
 - At ‘completion’ of the proposed development comparing the existing site and proposed development at year 0 in the winter when any proposed landscape mitigation has little effect.
 - At the ‘residual’ stage comparing the existing site and proposed development at year 15 in the summer when any proposed landscape mitigation has a full effect.’
 - With consideration of the Site Location Plan (CD 1.25), the Appeal Site extends along the Shrewsbury Road to the north-north west of the Appeal Site. This area is to accommodate the route of the cable connection, which runs to beyond the cross roads of the Shrewsbury Road and un-named lane (which runs east to the A458 Bridgnorth to Shrewsbury Road). I note from Section 3 of the Appellant's Landscape Visual Appraisal, that this element of the proposed scheme is not mentioned, and its implementation at construction stage (and future decommissioning) is not assessed. Similarly, Section 4 of the Appellant's Design and Access Statement (CD 1.2) provides no detail on this matter also.
 - I note, that the Appellant's scheme would be operational up to 40 years, upon which, the solar PV farm would be decommissioned and the site restored to its former land use. The Appellant's LVA (CD 1.18) fails to assess any of the landscape or visual effects of the Appellant's proposal during the decommissioning and land restoration phases (see above).
- 1.23. Given the foregoing, it is my professional opinion, that the Appellant's Landscape Visual Appraisal (CD 1.18) is deficient. I respectfully make request to the Planning Inspector, that the Appellant's Landscape Visual Appraisal (CD 1.18) should not be wholly relied upon for decision making.



Duty to the Inquiry

- 1.24. I understand my duty to the Inquiry and have complied, and will continue to comply, with that duty. I declare that the evidence which I have prepared and provide is true. It has been prepared and is given in accordance with the guidance of the Landscape Institute and I confirm that the opinions expressed are my true and professional opinions.



REVIEW OF THE APPEAL SITE AND THE APPELLANT'S SCHEME – OBSERVATIONS

Internal Maintenance Tracks

2.1. With consideration of the Appellant's most recent Site Layout Plan (CD 1.33), and the submitted Design and Access Statement (CD 1.2), I note that the Author of the Appellant's LVA (CD 1.18) has failed to include following which would be pertinent to the undertaking of their Landscape Visual Appraisal:

- The specification for the internal maintenance tracks which would run across each of the two fields of the Appeal Site; specifically:
 - The length and width of the internal maintenance track These maintenance tracks are shown on the aforementioned Site Layout Plan (CD 1.25) and are circa 270 metres (Eastern Field) and circa 680 metres (Western Field). The Appellant's Landscape Visual Appraisal (CD 1.18) fails to confirm the specification of how these would be built (i.e., consolidated local aggregate) or maintained during the lifetime of the scheme.
 - It is also noted from our site observation, that these two routes pass through the higher landform with each of the field areas:
 - Eastern Field – route passes from circa 84m AOD to 87m AOD (east to west), within the wider landform of the field area ranging from circa 73m AOD to 74m AOD along the southern field edge to circa 84m AOD along the northern site boundary, and circa 84m AOD to the northern field edge with Cliff Hollow;
 - Western Field – route passes from circa 86m AOD to 75m AOD (east to west) passing through the higher landform within the middle area of the field (south of the existing reservoir) at circa 88m AOD to 89m AOD. This internal maintenance track passes within the wider landform to the field area ranging from 72m AOD to 85m AOD along the northern site bounding with Clif Hollow, and 68m AOD to 73m AOD along the southern site boundary.
 - As demonstrated by the foregoing, the internal maintenance tracks proposed by the Appellant are to be situated within prominent landform cross east to west through each of the existing fields within the site area.

2.2. The Appellant's Landscape Visual Appraisal (CD 1.18) fails to identify the height of the Solar PV Array. In cross referencing the plotted Zone of Theoretical Visibility at Figure 5 (entitled 'Visibility and Viewpoints') within the Appellants' Landscape Visual Appraisal, and no further information is provided, and no supporting technical drawing included within the appendices to the LVA document, similarly, there appears to be no such detail confirmed within the Appellant's Design and Access Statement (ref: CD 1.2).

Ancillary Plant

2.3. The components of the proposed development are set out within the Appellant's Landscape Visual Appraisal (CD 1.18), in Section 3, paragraph 3.1 with bullet point pertaining to the individual elements of the scheme.



2.4. Further to this, the Appellant's Landscape Visual Appraisal does not include similar technical specification for ancillary plant equipment which form part of the Appellant's development proposal. Specifically, the following items:

- Customer Sub-Station up to 3.95 metres in overall height; and
- Inverter Transformer Station up to 3.5 metres in overall height.

2.5. This point is raised as there are a number of these plant equipment items situated within the core of the site area, which is at the higher landform of each field area. This point is raised, as in my professional opinion, this plant equipment is frequently higher in height than the wider Sola PV Array, and if located as designed by the Appellant, often stands awkwardly above the solar panels, and in many cases, such plant is taller than field hedgerows, which, based on my site observations, is the case also.

Cable Route and Connection

2.6. Further to my point in Section 1, the cable connection is proposed to be routed along soft verge of Shrewsbury Road (to the north-north west of the Appeal Site as illustrated on the Site Location Plan (CD 1.25)). This undertaking would require excavation of up 0.9 metres in depth, backfilling and the re-establishment of vegetation. The proposed route runs to beyond the cross roads of the Shrewsbury Road and un-named lane (which runs east to the A458 Bridgnorth to Shrewsbury Road).

2.7. I note from my field-based visit, that these verges are narrow as the Shrewsbury Road is often experienced as a narrow, sunken lane. This lane is enclosed by extensive field hedgerows and numerous scattered mature hedgerow trees, including Oak trees; in particular north of Cliff Hollow.

2.8. Given these constraints, and the pertinent Root Protection Zones for existing tree cover and hedgerows, and the time needed for re-establishing vegetation, I consider that this action is likely to have a discernible effect on the landscape character of this route in its undertaking (and decommission), as well as during the re-establishment of vegetation/landscape fabric.

Existing Landscape Fabric

2.9. With consideration of my field-based visit (February 2024), I note the following relative to the Appeal Site (N.B. For convenience, I refer to the eastern field and western field):

Eastern Field

2.10. The Appeal Site is set back from Cliff Hollow by an intervening field area. The Appeal Site is situated south of scattered trees with this field and the intervening field hedgerows. In the most recent iteration of the Landscape Masterplan (CD 1.34) the Appellant has provided a landscape buffer to the north east corner of the eastern field area. This landscape buffer is to filter views from the houses to the north east on the western edge of Berrington village, and doe snooty extensa log the northern and eastern site boundary. Consequently, the Appellant does not propose to bolster these wider site boundaries.

2.11. The eastern boundary of this field adjoins the un-named lane which runs south east from Cliff Hollow. This route passes directly adjacent to the Appeal Site for circa 0.25km of the eastern boundary. This route is narrow and has a sunken character, with the route passing below the landform of the field. Users of this route have limited opportunity to directly see the Appeal Site.



- 2.12. This eastern boundary has a small number of scattered trees, and landform on the un-named lane/eastern boundary is circa 75m AOD to 82m AOD, and rises through the Appeal Site to circa 85m AOD at this highest position. Consequently, in views from the wider area, the eastern field area is seen to be rising above this lane, and openly seen across the wider countryside (including the network of Public Rights of Way to the east and south (leaving and approaching Berrington village).
- 2.13. I note from the latest iteration of the Landscape Masterplan (CD 1.34), that the Appellant is proposing no enhancement to the existing hedgerow and tree planting along this eastern boundary, and no supplementary landscape buffer or native structure planting inside the eastern site boundary. Consequently, the extent of the Solar PV Array along this edge would be situated within the open field area, at circa 1 metre or higher than the eastern site boundary, and the proposed perimeter fence aligned on the inside of the existing hedgerow.
- 2.14. The southern site boundary adjoins the existing woodland and riparian tree planting and vegetation along the course of the existing Cound Brook. The proposed Solar PV Array are situated set back within the field area, with the proposed perimeter fence aligned on the inside of the existing hedgerow.
- 2.15. The western boundary adjoins the narrow un-named lane running between the east and western fields. I note from my field-base visit (February 2024), that the hedgerow along this route is relatively low, gappy and outgrow, and in places degraded with sections missing. There are few scattered hedgerow trees with the field hedgerow.
- 2.16. Consequently, there are direct open views across the eastern field area. This situation is typically found along this route for approximately half of the site's boundary (circa 0.2km), before the lane becomes more sunken. None the less, the hedgerow has a gappy and outgrown character.
- 2.17. I note from the latest iteration of the Landscape Masterplan (CD 1.34), that the Appellant is not proposing an enhancement to the existing hedgerow and tree planting along this boundary, and no supplementary landscape buffer or native structure planting inside the eastern site boundary.
- 2.18. As shown with the latest Site Layout Plan (CD 1.34), the proposed Solar PV Array would be set back from this lane, and would be located at the same landform as the lane, or higher at circa 1 metre or thereabouts within the field's western boundary. Consequently, the Appeal Proposal would be clearly discernible to users of this un-named lane, with the opportunity to see the Solar PV Array across the wider open countryside.
- 2.19. Given the foregoing, I would summarise my observations:
- The proposed Solar PV Array is generally set back from the site boundary, and would be situated within the same, or higher landform to the un-named lanes which pass along the eastern and western edges of the site.
 - The proposed Solar PV Array would be situated within landform which rises to the north and centre of the site area. This extent of the Solar PV Array would be more discernible in views in the northern half and centre of the site, with landform sloping southwards, where views of the southern site area are filtered by existing tree blocks and tree groups along the route of the Cound Brook.
 - There is opportunity to look across the site from the east and western boundary. This is due to the outgrown, gappy and degraded field hedgerow along these narrow lanes. The latest version of the Landscape Masterplan (CD 1.34) appears to make no allowance for replanting this hedgerow and bolstering it with new hedgerow planting and scattered hedgerow trees, and the proposed landscape treatment along the eastern boundary is for Species Rich Grassland - 'General Purposed Meadow Mix', with no further landscape buffer planting.



- The Appellant is only proposing landscape buffer planting to the north eastern edge of the site area, with the wider field boundaries retained as existing, and not enhanced through native tree and hedgerow planting. The Appellant proposing no landscape buffer planting of native trees and understorey around the wider site area.

2.20. In summary, the Appellant is proposing a very limited level of landscape mitigation and new landscape planting within the eastern field area. Consequently, in many situations, the proposed Solar PV Array would be experienced on rising landform away from the un-named lanes and wider open countryside south west of Berrington village.

Western Field

- 2.21. The northern site boundary with Cliff Hollow is defined by a native hedgerow with occasional scattered trees along this route from the north to the north east. During my field-based visit (February 2024), there are views of the site through gappy sections of hedgerow and filtered views of the site along the wider hedgerow on this route. The area around the existing gateway of Cliff Hollow has a broad section of missing or substantially degraded hedgerow, whereby, there are wide, open views of the site.
- 2.22. The Appellant proposes to step the proposed Solar PV Array from this route between circa 18 to 42 metres distance. However, the solar arrays would be situated within landform similar to that of the northern site boundary.
- 2.23. The Solar PV Array is stepped into the field area, and is found south of the existing reservoir. The reservoir is located within similar landform as the northern field areas at circa 88/89m AOD (rather than being elevated).
- 2.24. Similar to the western boundary on the eastern field, the eastern boundary has an equally open character. The existing field hedgerow has only occasional hedgerow trees; however, the hedgerow itself is outgrown, degraded and gappy. This situation is typical of the initial 0.4km of this route heading north to south.
- 2.25. I note from the latest iteration of the Landscape Masterplan (CD 1.34), that the Appellant is not proposing an enhancement to the existing hedgerow and tree planting along this boundary, and no supplementary landscape buffer or native structure planting inside the eastern site boundary.
- 2.26. Similar to the eastern field area, the proposed Solar PV Array would be stepped into the field area, and positioned at a similar landform to the lane, or on rising landform circa 1 metre above the lane at the equivalent position.
- 2.27. Consequently, in many situations, the proposed Solar PV Array would be experienced on rising landform away from the un-named lanes, with the wider Solar PV Array situated on landform rising further to the west of this position to circa 88/89m AOD. Given this, there would be open views across the Appellant's proposal from this route, and the wider Solar PV Array would be seen from the wider open countryside.
- 2.28. The southern site boundary adjoins the existing woodland and riparian tree planting and vegetation along the course of the existing Cound Brook. The proposed Solar PV Array are situated set back within the field area, with the proposed perimeter fence aligned on the inside of the existing hedgerow.
- 2.29. The western edge of the site is located on landform situated above the route of the Shrewsbury Road; circa 2-3 metres. The western site boundary is situated within a narrow tree belt on ground sloped down to the Shrewsbury Road from the field area, with the field defined by a native hedgerow. Given the foregoing, there is limited discernibility of the site from the west. However, landform through the site rises from west to central areas (circa 88/89m AOD), with the proposed Solar PV Arrays situated on this rising land.



- 2.30. To the north west, a similar situation occurs along the site's northwestern edge, whereby the route of Cliff Hollow is sunken below the level of the Appeal Site. Around this area, the Solar PV Array is situated within rising landform of circa 74m AOD to 84m AOD.
- 2.31. Given the foregoing, I would summarise my observations:
- The proposed Solar PV Array is generally set back from the site boundary, and would be situated within the same, or higher landform than along the site boundaries – this is particularly noticeable within the higher northern extent of the western field area.
 - The upper half of the Solar PV Array would be more discernible in views (i.e., northern half and centre of the site), with views of the southern areas filtered by existing tree blocks and tree groups along the route of the Cound Brook.
 - There is opportunity to look across the site from the eastern boundary with the un-named lane running south from Cliff Hollow. This is due to the outgrown, gappy and degraded field hedgerow along these narrow lanes. The latest version of the Landscape Masterplan (CD 1.34) appears to make no allowance for replanting this hedgerow and bolstering it with new hedgerow planting and scattered hedgerow trees.
 - The Appellant is proposing new tree planting to the western edge to filter views of the proposed 'Construction Area' and the associated Temporary Welfare Facilities (assumed removed after construction stage), and the Customer Substation; see the Site Layout Plan (CD 1.33).
- 2.32. In summary, the Appellant is proposed very limited landscape mitigation and new landscape planting within the eastern field area. Consequently, in many situations, the proposed Solar PV Array would be experienced on rising landform away from the un-named lanes and wider open countryside south to west of Berrington village.



ASSESSING LANDSCAPE CHANGE – SOME FUNDAMENTALS

- 3.1. The concept of ‘landscape’, however, embraces much more than its openness and appearance. The European Landscape Convention (ELC), defines landscape as ‘.... an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors’. The GLVIA Version 3, paragraph 2.4, reminds us that the importance of the ELC definition is that it ‘...moves beyond the idea that landscape is only a matter of aesthetics and visual amenity’.
- 3.2. When reaching overall judgements about the effect on the (multi-dimensional) concept which we call ‘landscape’, it is important that there is not a disproportionate focus on aesthetics and visual amenity and that the relevance of change is evaluated in terms of all dimensions of the landscape resource. Those other dimensions include whether the site has historical or cultural relevance, its habitats, its landscape fabric and its long-term management.
- 3.3. All new development is rather ‘raw’ in the early years; although the Appeal Site benefits from a mature landscape setting, as noted in Section 2, field hedgerows which define the site area, are gappy, outgrown and degraded and have a limited number of scattered hedgerow trees.
- 3.4. With further analysis contained in Section 2, paragraph 2.9 onwards, the Appellant’s Landscape Masterplan provides little enhancement and bolstering of this existing landscape fabric, instead concentrating on relatively minor areas of modest tree planting and more ecologically focussed measures for bio-diversity net gain and habitat diversification.
- 3.5. I note, that GLVIA Version 3 reminds us that the effects of any proposed mitigation should be taken into account as the ‘final step’ in the assessment process when judging landscape effects.
- 3.6. Where the existing vegetation would be enhanced with new landscaping, hedgerow and tree planting, such planting takes time, and appropriate care, to mature. Conventionally, therefore, judgements about any permanent landscape effects – to which much greater weight is to be attributed - are undertaken on the basis of the residual effects after 15 years (GLVIA Version 3, paragraph 4.31) with the retention of existing landscape fabric, and the maturation of new landscaping, and given the nature of the Appellant’s proposed development, the scheme is considered to be relatively reversible after its productive 40 year time period, requiring the assessment of decommissioning and the eventual landscape restoration phases.



DETERMINING THE POTENTIAL FOR LANDSCAPE AND VISUAL EFFECTS

Review of the Appeal Scheme

- 4.1. Given my field-based visit (February 2024), and my observations and analysis in Section 2 of this Proof of Evidence, I provide the following review of the Appeal Scheme.

Construction Effects

- 4.2. Adverse effects would be experienced from the outset of the construction phase being mobilised on site. The delivery of plant, general construction materials and a labour force to form the construction area with temporary toilets and welfare facilities, and the formation of access points into the Appeal Site will all require transportation.
- 4.3. As confirmed by Section 3.5 of the Appellant's Traffic Statement (CD 1.11), this will include 'traffic management measures required during the construction period to manage the traffic between the site access and the A458 as this rural road is restricted in width along some sections'.
- 4.4. Adverse changes from creation of the access points and the formation of the two proposed Internal Maintenance Routes (circa 270 lin.m and 680 lin.m in length) would require deliveries using HGV type vehicles.
- 4.5. Within the Site, plant to be used would include JCB diggers for trenching of cables, dump trucks for earth removal or redistribution, vibrating roller for compacting the access tracks, a piling machine for ramming the piles of mounted frames into the ground and a crane for lifting inverter and transformer cabinets into place. Erection of permanent security fence to contain the construction works.
- 4.6. The Solar PV Array will be built up, requiring 'the delivery of over 48,000 solar panels' via 'up to 242 HGV deliveries' (as confirmed by the Appellant's Transport Statement (CD 1.11)). Additionally, given an autumn and winter build phase, temporary lighting for construction inside the Appeal Site may be required, which would be moved around the site as appropriate to the build phase i.e., 'on a campaign basis'.
- 4.7. At maximum, HGV deliveries would lead to up to 19 HGV movements to and from the Appeal on average (as per Table 3.1 of the Appellant's Transport Statement), and an average of up to 18 HGV movements to and from the site for 16 weeks of the 24 weeks Construction Stage (as per paragraph 4.2.1 of the Appellant's Transport Statement (CD 1.11)).
- 4.8. The construction phase would also include the erection of the permanent site fencing and gates (as per the Site Layout (CD 1.33), which would be up to 2.5 metres in overall height with an additional 0.5 metres for the mounting of CCTV cameras at intervals (CD 1.31).

Construction Stage -Demobilisation

- 4.9. It is noted within the Appellant's Transport Statement (CD 1.11), Section 3, paragraph 3.3.1, that the latter part of the Construction Stage would require the demolition of the Construction Area:

'The site will initially require delivery of plant, equipment, construction materials and welfare units, in preparation to build the site compound. It is envisaged that this will generate around 30 HGV movements (two-way) in the first month. Upon completion of works the site will be demobilised generating another 30 two-way vehicle movements during the last month of the programme.'



Solar Panels

- 4.10. Adverse changes to landscape character and visual amenity from the Solar panels including movement of the panels that track the movement of the sun and over the course of a day would range in height up to 2.8 metres in height.
- 4.11. The panels are arranged in arrays and mounted on a metal framework secured with pile driven foundations. The regular rows of panels are perceived differently according to direction and elevation of the viewer, with additional variation caused by the tracking movement of the panels between 15 and 25 degrees from the horizontal.

Tracks, Fencing and CCTV

- 4.12. Adverse changes to landscape character and visual amenity as a result of the Internal Maintenance Track, perimeter fencing and security cameras. The Internal Maintenance Track would be up to 4 metres in width, and totalling circa 270 lin. metres in the eastern field and up to 680 lin. metres in the western field, which runs across the majority of the Appeal Site, and is found within the more prominent northern and central area of the site, where the higher landform is situated (see analysis provided in Section of this Proof of Evidence).
- 4.13. The perimeter of the Solar PV Farm would be secured by a 2.5 metre high fence with CCTV mounted at intervals up to 3 metres in overall height (see CD 1.31).

Associated Plant

- 4.14. The Appellant's proposed scheme would require the construction of the following items of associated plant:
- Customer Sub-Station (CD 1.31) up to 3.95 metres in overall height; and
 - Inverter Transformer Station (CD 1.31) up to 3.5 metres in overall height.
- 4.15. Adverse changes to landscape character and visual amenity as a result of the associated plant being implemented. A total of approximately 7 No. Inverter Transformer Station and 2 no. Customer Substations would be required for the operation of the Solar PV Farm; see the Site Layout Plan (CD 1.33)

New Native Planting

- 4.16. Ecological enhancements from new native planting whilst they can coincide with improvements to recreational amenity are considered outside the scope of landscape and visual assessment, noting that landscape character and the recreational experience overall would be significantly diminished relative to the current baseline conditions, due to the introduction of the man-made industrial energy features comprising solar panels and associated infrastructure.
- 4.17. Planting including a buffer area to the north eastern periphery of the eastern field area and areas of wildflower meadow and grassland have acknowledged landscape benefits, however in comparison with the areas of man-made elements that comprise the solar farm they are relatively modest in scale and many could be implemented through a farm Stewardship scheme or through voluntary implementation whilst maintaining the sole agricultural use on the Appeal Site.



- 4.18. The undertaking of this new landscaping would generate noise and dust, as well as the associated effects of plant movement, an active labour force and also the delivery of materials for planting. Whilst this effect would be temporary and relatively short lived in time duration, it is likely to be experienced as more intense in nature compared to the arable farming practices which are infrequent and seasonal in nature.



LANDSCAPE EFFECTS

- 5.1. The importance of landscape is highlighted by the Landscape Institute which states ‘...particular attention needs to be given to landscape because of the importance that is attached to it by individuals, communities and public bodies.’
- 5.2. In GLVIA Version 3, the Landscape Institute goes on to state that, amongst a range of listed criteria, landscape is important because it provides ‘a shared resource which is important in its own right as a public good’, provides ‘the setting for day to day lives – for living, working and recreation, allows ‘opportunities for aesthetic enjoyment [and provides] a sense of place’, and has ‘continuity with the past through its relative permanence’.
- 5.3. The ‘widely acknowledged benefits [of landscape] for health and wellbeing’ are also identified by the Landscape Institute as being an important function of landscape.
- 5.4. In recent years many local landscape designations have been replaced by the landscape character approach, with the Landscape Institute emphasising ‘the fact that an area of landscape that is not designate either nationally or locally does not mean that it does not have any value.’

Landscape Character Baseline

- 5.5. The National Landscape Character Area is reviewed and described in the Appellant’s Landscape Visual Appraisal (CD 1.18), in Section 5, paragraph 5.1 onwards. The description provides a helpful background context but are not considered specific enough to the Appeal Site and surrounding landscape context where there is the potential for significant effects, to be particularly informative in the decision making process.
- 5.6. The regional character areas where there is the potential for significant effects as a result of the Appeal Scheme are likely to be predicted. I concur with the Appellant’s Landscape Visual Appraisal, which finds the Appeal Site to be situated within the Estate Farmlands Landscape Character Type as appraised within the ‘The Shropshire Landscape Typology’ (2006).
- 5.7. The relevant key characteristics of this LCT listed within Section 6, Table 6.1 of the LVA (CD 1.18), and for ease, I have reproduced these below directly from the aforementioned The Shropshire Landscape Typology’ (2006):
 - ‘Mixed farming land use;
 - Clustered settlement pattern;
 - Large country houses with associated parklands;
 - Planned woodland character; and
 - Medium to large scale landscapes with framed views.’
- 5.8. I note from Section 6 of the Appellant’s LVA (CD 1.18), that the Author fails to appraise the intactness of these landscape features within the extent of the Appeal, and its surrounding environment. This is a crucial element on a site specific landscape character assessment, and helps inform landscape sensitivity and the capacity of a landscape to accommodate change.



- 5.9. Furthermore, and it is evident by considering the analysis further within The Shropshire Landscape Typology' (2006), there is further pertinent analysis published by the Local Planning Authority, including the following features and characteristics:
- '....landscape character is largely determined by an ordered pattern of fields and woods, although the prevailing pattern of medium to large subregular fields means that they lack their strong, planned aspect.
 - The majority of the woodlands have a planned appearance, although some plantations occupy the sites of older woods and small stands of ancient woodland occur in some places. They tend to create framed views within medium to large scale landscapes.
 - Since World War II agricultural intensification has introduced considerable change, and field enlargements in particular have created a larger scale and more open views.'
- 5.10. Given my field-based visit, it is my professional opinion, that these points are pertinent when appraising the Appeal Site and its context, and demonstrate typical features relative to the site's location.
- 5.11. Specifically, I consider that the Appeal Site is situated on relatively high landform, and there is no woodland enclosing the site, nor within the immediate setting and surroundings of Berrington village (the Appeal Site's nearest settlement). In many cases, where there is a concentration tree cover, this is located along existing stream and watercourses, rather than being planned.
- 5.12. In my professional opinion, planned woodland blocks, which might otherwise frame views, and reduce the general discernibility across the landscape area more commonly seen to the east of Berrington village, and beyond the route of the A458 (Bridgnorth to Shrewsbury road) between Cross Houses and Cressage, or beyond Cantlop to the south west.
- 5.13. Consequently, the Appeal Site is found to be within an area of the Estate Farmlands Landscape Character Type, to be more open and less enclosed that found typically across the LCT, especially, the LCT area to the east and south west of Berrington. In my professional opinion, this analysis should have informed the Appellant's LVA (CD 1.18) in terms of landscape sensitivity and visual sensitivity, and in terms the Appeal Site's capacity to accommodate change, with the Appeal Site have a lesser ability to accommodate change than prescribed.
- 5.14. The landscape susceptibility in the Appellant's LVA (CDE 1.18) is assessed as Medium because the landscape has some capacity to accommodate the type of development proposed due to a combination of the 'surrounding landform and vegetation' which 'limits visibility of the proposed development except from areas close to the site and on the higher ground to the south allowing it to absorb the development.'
- 5.15. However, a more considered analysis of the published analysis of the LCT (The Shropshire Landscape Typology', 2006), and with consideration of the criterion contained in the methodology of the Appellant's LVA (CD 1.18), indicates that whilst the interaction of topography and vegetation has the potential to restrict views of a Solar PV Farm, in the baseline landscape there are very limited existing man-made detracting features, major infrastructure or industry and by contrast high levels of tranquillity are present giving rise to a sense of remoteness, that are all indicators of a high susceptibility to change.
- 5.16. In conclusion I disagree that the susceptibility of the Appeal Site and its setting has a medium susceptibility of change for new development as proposed by the Appellant as a Solar PV Farm. Whilst the wider LCT may have a medium susceptibility to change, this is not uniform across the whole of Estate Farmlands Landscape Character Type, or the assessment area of the Appellant's LVA (CD 1.18). High susceptibility to change is found at the Appeal Site, and around its immediate setting west of Berrington village.



- 5.17. I assess that there are areas of medium susceptibility to development of the type proposed within the wider LCT and assessment area adopted by the Author of the Appellant's LVA (CD 1.18), and these are situated on relatively flat land, to the east of Berrington village, and associated with the route of the A48 (Bridgnorth to Shrewsbury Road), as well as to the south west of Cantlop village, where landform is more undulating and less elevated, and which as planned woodland blocks and a greater concentration of woodland cover.
- 5.18. This LCT is situated outside of any National or local landscape designations, and is situated away from the setting of the Shropshire Hill Area of Outstanding Natural Beauty. I concur with the Appellant's LVA, and assess the LCT (within the Appeal Site and its surrounding context west of Berrington village) to have a medium landscape value.
- 5.19. Consequently, the assessment of the landscape character sensitivity for the site and its setting within the Estate Farmlands Landscape Character Type, combining consideration of a Medium value and High susceptibility concludes an overall High sensitivity, a result which does not agree with the Appellant's sensitivity conclusion.

Construction Stage – Direct Landscape Effects

- 5.20. In terms of the direct effects of the Appellant's proposed development on the site's landscape resources, I note, that the Author of the Appellant's LVA (CD 1.18) fails to assess the predicted effects during the construction stage. In Section 6, paragraph 6.10, I note the Author asserts:

'For the purposes of this assessment construction effects are not considered in detail as the construction would be completed in a relatively short time span (around 3 to 6 months) and any effects would therefore be temporary and transient.'

- 5.21. In my professional opinion, I find this matter perplexing, as the assessment of landscape effects throughout the lifetime of the Appellant's proposed development is an essential matter, and should be assessed in an appropriate level of detail. To report findings as above, is to understate the effects of constructing the proposed Solar PV Farm, especially when one considers that the construction stage is proposed to be 6 months in duration.

- 5.22. The direct effects of the Appellant's proposal are assessed in Section 6, paragraph 6.11 to 6.13 of their LVA (CD 1.18). The LVA Author appears to consider that the protection and retention of existing trees and hedgerows which might accord to BS 5837: 2012 is sufficient to justify the construction effects of the scheme as leading to a slight, adverse level of effect, stating:

'The sensitivity of these trees is medium and the magnitude of change to landscape features during construction would be negligible adverse and the level of effects assessed to be slight due to the localised, albeit permanent nature of effects.'

- 5.23. With consideration of the assessment methodology of the Appellant's LVA (CD 1.18), I note that a negligible magnitude of change is defined as:

'Very minor loss, damage or alteration to existing landscape character of one or more features and elements.'

- 5.24. With a slight, adverse level of effect defined as:

'Effects at this level are not material in the decision-making process.'



- 5.25. With consideration of the 6 month long duration of the construction stage, the formation of the Internal Maintenance Tracks (almost 1km in length), implementation and (and dismantling and removal) of the Construction Area, movement of construction traffic associated with the development (up to 19 no HGV trips daily), and the installation of the site wider Solar PV Arrays and associated infrastructure would lead to a substantial magnitude of change within the Appeal Site i.e., a notable alteration to one or more key characteristics of the baseline with the addition of prominent conflicting elements.
- 5.26. With consideration of the methodology within the Appellant's LVA (CD 1.18), the combination of the high landscape sensitivity combined with a much more realistic magnitude of change such as major, would result in a Large or Very Large level of effect. The LVA defines this level of effect as:

‘Very Large - Effects at this level are material in the decision-making process.

Large - Effects at this level are likely to be material in the decision-making process.’

- 5.27. Given the foregoing, it is my professional opinion, that the Appellants' Landscape Visual Appraisal (CD 1.18) has evidently misunderstood the predicted effects of building such as a new development of a 30MW Solar PV Farm, which itself, would take up to 6 months to implement. This level of effect, is by the Author of the Appellant's LVA (CD 1.18), a level of effect likely to be a material consideration in the decision-making process.

Construction Effects – Indirect Landscape Effects

- 5.28. Indirect landscape effects during the construction stage are dealt with briefly by the Appellant's LVA (CD 1.18) in Section 6, paragraph 6.14, and states:

‘The construction process will introduce temporary and intermittent construction activity, movement of personnel and machinery into the site. However, this will be perceived in the context of the noise and movement associated with the edge of the settlement and a working landscape. The sensitivity of the landscape character is medium. The magnitude of change during construction on landscape character will be temporary and minor adverse and the level of effect is assessed as slight.’

- 5.29. As detailed earlier in this section of my Proof of Evidence (see paragraph 5.14 to 5.19) the area surrounding the Appeal Site has a high landscape sensitivity, which with distance reduces to a lesser, medium landscape sensitivity.

- 5.30. Within the setting of the Appeal Site (within 300 metres), the LCT is considered to have a high landscape sensitivity. The magnitude of change from construction is considered to be similar to that within the site, with the construction phase leading to a partial alteration to one or more key features characteristics of the LCT, with this change perceived locally within a broader, unaltered context.

- 5.31. The Appellant's LVA (CD 1.18) methodology (Appendix 4 of their LVA) would consider to be Moderate, adverse magnitude of change. This magnitude of change is defined as a ‘partial loss to existing landscape character or distinctive features or elements; and addition of new uncharacteristic features.’

- 5.32. In my professional opinion, the resulting level of effect would be Moderate to Large, which is defined by the Appellant's LVA as:

‘Large - Effects at this level are likely to be material in the decision-making process.

Moderate - Effects at this level can be considered to be material decision-making factors.’



- 5.33. Beyond this, the predicted landscape effects on the LCT during the construction stage would diminish rapidly due to the effect of landform and the level of tree cover within the wider landscape. This is particularly the case to the east of Berrington village and to the south west of the Appeal Site due to the greater concentration of woodland plantations which ‘ordered pattern of fields and woods’ and ‘plantations occupy the sites of older woods and small stands of ancient woodland occur in some places. They tend to create framed views within medium to large scale landscapes.’
- 5.34. In these instance, it is my professional opinion, the resulting level of effect across this wider LCT (of medium landscape sensitivity) would be Negligible to Slight, adverse, which is defined by the Appellant’s LVA (CD 1.18) as: ‘no effects or those that are beneath levels of perception, within normal bounds of variation or within the margin of forecasting error.’
- 5.35. Furthermore, I find the LVA Author’s comparison between building a 30MW Solar PV Farm across a six month period, with the experience of farmer’s growing arable crops to be perplexing. The construction stage would require an extensive workforce, employ significant plant including a crane for lifting and position ancillary plant equipment,, as well as extensive daily HGV trips to the site area.
- 5.36. The propagation of arable crops requires a very limited number of workpeople, would employ small elements of farm machinery and activities would be occasional and seasonal for say, ploughing, seeding, spraying and harvesting. It is my professional opinion, that this comparison is naive and downplays the predicted effects of constructing the proposal on the wider landscape area.
- 5.37. In summary, I differ to the Author of the Appellant’s LVA (CD 1.18), in assessing the landscape effects of the construction stage, both in terms of direct and indirect effects. I also find that the Appeal Site is situated within a landscape setting which has a greater landscape sensitivity than appraised by the Appellant’s LVA.
- 5.38. It is my professional opinion, that the Appellant’s scheme would lead to more significant effects during the 6 month long construction stage both within the site, and within its immediate setting. Given this, I consider the landscape effects at this stage to be under appraised and under stated by the Appellant’s LVA (CD 1.18).
- 5.39. The LVA Author’s reference to construction effects being ‘temporary and transient’ (para 6.10) and how these effects would be ‘perceived in the context of the noise and movement associated with the edge of the settlement and a working landscape’ (paragraph 6.14) to be downplaying the extent of change to the landscape resources, and the time period by which these effects would take place for.
- 5.40. Given this, it is my professional opinion, that the assessment of landscape effects during the construction stage cannot be relied upon.

Decommission and Landscape Restoration Stage – Indirect and Direct Landscape Effects

- 5.41. I consider that the significant effects at decommissioning in 40 years’ time would be predominantly restricted to the landscape character within the Appeal Site and its immediate landscape setting. These stages of the Appeal Proposal were not appraised by the Author of the Appellant’s LVA (CD 1.18), and consequently, the assessment is deficient.
- 5.42. Assuming decommissioning stage would generally be the reverse of building the Solar PV Farm, then this stage would be up to 6 months in time duration. Whilst the dismantling of the Solar PV Farm would have led to adverse direct and indirect landscape effects. These effects would be significant within the site area, and within the setting of the Appeal Site i.e., circa 300 metres.



5.43. The establishment and maturation of new landscaping and ground cover to the fields including the restoration of the now excavated Internal Maintenance Tracks and areas for associated plant now removed from the site would lead to a beneficial effect directly and indirectly on landscape character.

5.44. With regard to the operation phases of the Appeal proposal, I must agree with the Author of the Appellant's LVA (CD 1.18), who determines within Section 6, paragraph 6.21, the LVA Author states:

'The development proposals will change the site from agricultural fields to a solar farm. The change in the character to the site itself will inevitably be high for the duration of the solar farm's lifetime due to the development of the solar arrays, fencing and buildings. However, all the field boundaries will remain intact and will be enhanced, and although the solar panels are constructed over the field, all landscape features are retained so that effects are reversible. The change in the character to the site being developed and its immediate context will inevitably be major adverse. The level of effect is assessed to be large at completion and at year 15.'

5.45. Despite, my finding that the Appeal Site and its immediate context having a higher landscape sensitivity than the Appellant's LVA (CD 1.18), I also conclude, that the operation of the proposed Solar PV Farm would result in a considerable alteration to key landscape characteristics with the addition of prominent conflicting elements.

5.46. The resulting level of effect would be considered to be significant during the lifetime of operating the proposed Solar PV Farm, which would be a large scale change to the existing landscape character and the addition of new uncharacteristic, conspicuous features or elements, leading to a major, adverse level of effect. The Appellant's LVA defines such an effect as very large to large, for which it states:

'Very large - Effects at this level are material in the decision-making process.

Large - Effects at this level are likely to be material in the decision-making process.'

5.47. Given the foregoing, there would be significant landscape effects experienced within the Appeal Site, and its immediate context of circa 300 metres from Year 1 to Year 15. Furthermore, given my analysis from site observations in Section 2 and of this Proof of Evidence, the proposed landscape mitigation measures (as designed in the latest Landscape Masterplan) are unlikely to significantly offset or reduce these effects (in the long term) relative to the current baseline conditions, due to the introduction of the man-made industrial energy features comprising solar panels and associated infrastructure.

5.48. Overall, I concur with the Appellant's LVA (CD 1.18) that the operational phase of the proposed Solar PV Farm would result in significant direct and landscape effects. These substantial level of adverse effects are a 'material in the decision-making process.'

Cumulative Landscape Effects

5.49. Following my field survey and review of the other developments scoped into the cumulative assessment within Section 10 of the Appellant's LVA (CD 1.18), I agree with the Appellant that the cumulative effects on landscape character from the addition of the Appeal Scheme to a future baseline comprising existing developments, those under construction and those consented would not be significant.



VISUAL EFFECTS

Introduction

- 6.1. Visual changes that result in changes to the local landscape character have been described in the section above and where possible I have tried not to repeat the assessments. This section is concerned with the visual receptors that will experience those changes. Visual effects are a result of the sensitivity of visual receptors to the proposed development and the magnitude of changes to existing views.
- 6.2. GLVIA Version 3 provides guidance on the relative sensitivity of different visual receptors (Page 113-114). In summary, the most sensitive receptors are:
- Residents at home;
 - People engaged in outdoor activities whose attention is focused on the landscape and views; and
 - Visitors to heritage assets or other attractions where views are an important part to the experience
- 6.3. The least sensitive receptors are:
- People engaged in outdoor sports or activities which do not depend on an appreciation of views; and
 - People at their place of work (although this can vary).
- 6.4. The sensitivity of road users varies. People on busy or main routes are considered to have medium or low sensitivity, whilst users of rural roads or scenic routes will have medium or even high sensitivity.

Sensitivity of Visual Receptors

- 6.5. I agree with the Appellant's assessment of the value and susceptibility of the visual receptors in Section 8 of the LVA (CD 1.18). In summary, this results in a High sensitivity for users of public rights of way and residential properties, and a Medium sensitivity for road users local to the Appeal Site's location.

Construction Stage – Visual Effects

- 6.6. With consideration of the Appellant's LVA (CD 1.18), the Author has not assessed the construction effects on any of the representative viewpoints, which include local road users, Public Rights of Way users and Residential Receptors. This is confirmed in their statement within Section 8, paragraph 8.2, which states:
- 'For the purposes of this assessment construction effects are not considered in detail as these would be completed in a relatively short time span and, as a result, any effects would be temporary and transient.'
- 6.7. In my professional opinion, this is a deficiency within the Appellant's LVA (CD 1.18). As demonstrated earlier within this Proof of Evidence, the building out of the Appeal Proposal is anticipated to take 6 months.



- 6.8. Within the Site, plant to be used would include JCB diggers for trenching of cables, dump trucks for earth removal or redistribution, vibrating roller for compacting the access tracks, a piling machine for ramming the piles of mounted frames into the ground and a crane for lifting inverter and transformer cabinets into place. Erection of permanent security fence to contain the construction works.
- 6.9. The Solar PV Array will be built up, requiring 'the delivery of over 48,000 solar panels' via 'up to 242 HGV deliveries' (as confirmed by the Appellant's Transport Statement (CD 1.11)). Additionally, given an autumn and winter build phase, temporary lighting for construction inside the Appeal Site may be required, which would be moved around the site as appropriate to the build phase i.e., 'on a campaign basis'.
- 6.10. All of these activities would have a discernible effect locally within the Appeal Site, or across the wider open countryside surrounding the site's location. As demonstrated within Section 7 of the Appellant's LVA (CD 1.18), there are discernible views of the Appeal Site from a number of representative viewpoints from Public Rights of Way (Viewpoints 11, 12 to the east and 15 to south), as well as a number of local roadways (Viewpoints 1 to 4 along Cliff Hollow and the narrow lanes heading south from this route), and local residences and residential groups (as detailed at Section 8).
- 6.11. However, the Appellant's LVA (CD 1.18) fails to consider the visual impact of undertaking the cable route, and the landscape restoration along its proposed route circa 0.85km beyond the existing fields within the Appeal Site.

Decommissioning Stage and Eventual Landscape Restoration Stage – Visual Effects

- 6.12. Like with the assessment of landscape effects, this lack of assessment also extends to assessing the visual impacts from the eventual decommissioning of the Solar PV Farm, and the final stage of restoring the landscape fabric within the site area.
- 6.13. I am perplexed this element of the Appeal Proposal has not been assessed, and given this, I find the Appellant's LVA (CD 1.18) to be deficient and should not be wholly relied on for decision-making. It is my professional opinion, not all of the assessment has been completed.

Operation Stage (Year 1 and Year 15) – Visual Effects

- 6.14. Despite the foregoing deficiencies within the assessment of visual effects in the Appellant's LVA (CD 1.18), the LVA Author does assess the visual effect of operating the proposed Solar PV Farm at Year 1 (initial operation) and Year 15 (on maturation of the proposed landscape mitigation measures).
- 6.15. However, given my own field-based visit in early February 2024, it is my professional opinion, that the assessment of the following viewpoints have been mis-judged, and a greater level of change is likely to occur. Specifically, I draw attention to the assessment of the following representative viewpoints:

Viewpoint 11 – PRoW 0407/16/1

- 6.16. PRoW 0407/16/1 passes within 0.2km (close range) of the Appeal Site. This PRoW connects the village of Berrington with the wider PRoW network within the open countryside, and heads south towards the hamlet of East Mascott.
- 6.17. PRoW users would enjoy recreational opportunities walking along this route, and would be afforded broad views across the open countryside. Around the southern village edge of Berrington, I have noted how the countryside is less influenced by woodland plantation and concentration of tree cover. Consequently, PRoW users would have perception of openness as they pass along this route.



- 6.18. The Appellant's LVA (CD1.18) does not appraise the effects on PRow user's visual amenity during the construction stage, and also does not assess the effects on visual amenity during the decommissioning stage and the eventual landscape restoration phase. This is noted as being a deficiency in the Appellant's LVA.
- 6.19. Given our field-based site (February 2024), users of this route would be able to see the Appeal Site along half of the footpaths route between Berrington village and East Mascott. Essentially, these views are from the PRow as it passes through elevated landform nearest the village edge of Berrington. Consequently, the Appeal Site is discernible from the approximate location of Viewpoint 11 for a range of around 0.2km as the PRow heads towards Berrington.
- 6.20. Users of this route would not see the Appeal Proposal wholesale due to the filtering effect of intervening scattered hedgerow trees and small tree groups within the adjacent fields.
- 6.21. However, the Solar PV Array is proposed to be set back within the site area. Generally, this position would be within landform upwards from the eastern boundary of the Eastern Field. Consequently, the construction of the proposed Solar PV Array, associated plant and the internal maintenance tracks would be seen against the skyline, and would be experienced as prominent within views. This is demonstrated within the representative viewpoint photography contained in Appendix 2 (CD.18).
- 6.22. User of this route would have a high visual sensitivity and high susceptibility to change. During the construction stage, the magnitude of change would be major, adverse (in line with the Appellant's LVA methodology) i.e., the project, or a part of it, would become the dominant feature or focal point of the view. The resulting level of change would be large or very large, and this would be 'material in the decision-making process/level likely to be material in the decision-making process.'
- 6.23. Given consideration of the Landscape Masterplan (CD 1.34), the Appellants is proposing a limited landscape treatment along the eastern edge of the Appeal Site, with the proposed landscape buffer to the north eastern corner; however, this have a limited if no effect on filtering and screening views from this PRow route.
- 6.24. Given the landscape masterplan seeks to retain the existing hedgerow, the effect at Year 1 and Year 15 is unlikely to substantially change. The Solar PV Array would be seen on land rising west from the eastern boundary with the un-named lane heading south from Cliff Hollow. Along this eastern edge, landform on the un-named lane/eastern boundary is circa 75m AOD to 82m AOD, and rises through the Appeal Site to circa 85m AOD at this highest position. Consequently, there would remain direct views of the Solar PV Array, and the taller ancillary plant equipment for the operational phase of the scheme
- 6.25. The resulting level of effect would continue to be major, adverse (in line with the Appellant's LVA methodology) i.e., the project, or a part of it, would become the dominant feature or focal point of the view. The resulting level of change would be large or very large, and this would be 'material in the decision-making process/level likely to be material in the decision-making process.'
- 6.26. I note from the Appellant's LVA, that the Author has assessed impact on the visual amenity of PRow users as being less at a moderate, adverse magnitude of change throughout Year 1 and Year 15. In this situation, I consider that the LVA Author has underestimated the effect of the Appeal Site's landform and how this influence the discernibility of the scheme, which would be prominent. Given the Appeal Proposal would be seen against the skyline, it is likely to harm the perception of openness locally, and result in more significant effects by Year 1 and Year 15, which would be major, adverse
- 6.27. None the less, the level of effect remains large to moderate, which is 'likely to be material in the decision-making process/effects at this level can be considered to be material decision-making factors.'



Viewpoint 12 – PRoW 0407/1/1

- 6.28. PRoW 0407/1/1 is situated to the east of the Appeal Site, and like the foregoing PRoW pass through open countryside to link Berrington village with the hamlet of East Mascott, and the wider PRoW network.
- 6.29. In this situation PRoW users would have a visual sensitivity and would be walking through PRoW for recreation and enjoying the local views of the open countryside, for which, PRoW users would a perception of the openness of the countryside.
- 6.30. Construction effects would be significant as PRoW users have a direct view of a substantial geographical area of the Appeal Site, and construction activities across a 6 month period. The magnitude of change from construction would be major, adverse (in line with the Appellant’s LVA methodology) i.e., the project, or a part of it, would become the dominant feature or focal point of the view. the resulting level of change would be large or very large, and this would be ‘material in the decision-making process/level likely to be material in the decision-making process.’
- 6.31. Given the elevated, broad open view from this PRoW across to the site, it is unlikely any proposed landscape mitigation measure is likely to have any substantial effect on reducing and offsetting how the scheme would impact the visual amenity of PRoW users. Given my field-based visit (February 2024), I consider, that the magnitude of change would be moderate, adverse i.e., the project, or a part of it, would form a noticeable feature or element of the view which is readily apparent to the receptor.
- 6.32. The resulting level of effect would be large to moderate, which is ‘likely to be material in the decision-making process/effects at this level can be considered to be material decision-making factors.’ However, at Year 15, I find no reason why the Solar PV Farm would have reduced in its magnitude of change so significantly, that the residual effect would be slight, adverse, and less significant. In this instance, I consider that the Appellant’s LVA Author was mis-judged the very limited effect the proposed landscape mitigation measures are likely to have.

Viewpoint 15 – PRoW 0407/5R/2

- 6.33. PRoW 0407/5R/2 is situated to the south-south west of the Appeal Site, and passes through open countryside on the edge of the outlying settlement of Cantlop. This PRoW passes within 0.5km of the site.
- 6.34. In this situation PRoW users would have a visual sensitivity and would be walking through PRoW for recreation and enjoying the local views of the open countryside, for which, PRoW users would a perception of the openness of the countryside.
- 6.35. Although the Appeal Site is not seen fully from this location, the PRoW users would have direct views across the northern half of the site within the eastern and western field area. In these situations, the upper landform of the site would be seen, and any change within the site area easily recognised by PRoW users.
- 6.36. In particular, PRoW users would see the construction of the new internal maintenance tracks as they are formed in the higher landform of the site. These routes are nearly 1km in length and would pass east to west in this view. additionally, the installation of the Solar PV array and associated taller plant infrastructure would be seen, as well as the perimeter security fencing enclosing the site; this is demonstrated within the representative viewpoint photography contained in Appendix 2 (CD.18).
- 6.37. User of this route would have a high visual sensitivity, and the magnitude of change from construction would be major, adverse (in line with the Appellant’s LVA methodology) i.e., the project, or a part of it, would become the dominant feature or focal point of the view. the resulting level of change would be



large or very large, and this would be ‘material in the decision-making process/level likely to be material in the decision-making process.’

- 6.38. Given consideration of the Landscape Masterplan (CD 1.34), the Appellants is proposing a limited landscape treatment along the eastern edge of the Appeal Site, with the proposed landscape buffer to the north eastern corner being situated so as to have a limited if no effect on filtering and screening views from this PRoW route.
- 6.39. Given the landscape masterplan seeks to retain the existing hedgerow, the effect at Year 1 and Year 15 is unlikely to substantially change. The Solar PV array would be seen on land rising north, and although this is unlikely to break the skyline, the scale of the proposed scheme would be experienced as prominent in this view; in particular the large mass of Solar PV arrays.
- 6.40. The resulting level of effect would continue to be major, adverse (in line with the Appellant’s LVA methodology) i.e., the project, or a part of it, would become the dominant feature or focal point of the view. the resulting level of change would be large or very large, and this would be ‘material in the decision-making process/level likely to be material in the decision-making process.’
- 6.41. I note from the Appellant’s LVA, that the Author has assessed impact on the visual amenity of PRoW users as being less at major, adverse magnitude of change throughout Year 1, and reducing by Year 15 as ‘vegetation would have matured around the site softening the visual impact of the development. Therefore, there would be a residual level of effect of moderate for this PRoW.’
- 6.42. In this situation, I consider that the LVA Author has underestimated the effect of the Appeal Site’s landform and how this influences the discernibility of the scheme, which would be prominent, reducing the perception of openness. Consequently, it is my professional opinion, in this instance, I consider that the Appellant’s LVA Author was mis-judged the very limited effect the proposed landscape mitigation measures are likely to have.
- 6.43. Additionally, with consideration of local road users passing along Cliff Hollow along the northern eastern and northern extent of the Appeal Site, I consider, that there would be greater discernibility of the site and proposed Solar PV Farm. This is due to the degraded and gappy hedgerow along this roadway.
- 6.44. Further to this, users of the two narrow lanes running south from Cliff Hollow, are likely to experience mores significant effects than appraised by the Appellants’ LVA (CD 1.18). As noted within Section 2, paragraph 2.18 and 2.31, there is scope to see across the Appeal Site from these routes. This is due mainly to the degraded and gappy, outgrown and missing (in places) field hedgerows along these routes.
- 6.45. This situation does not occur the entire length of these lanes where bounding the Appeal Site; however, the lack of scattered hedgerow trees does not substantially filter or screen views. However, I think the viewpoints appraised on these routes have been selected by the LVA Author where there is optimal vegetation, and also where the lanes are sunken below the fields; see Viewpoints 4,5 and 6 of their Appellant’s LVA (CD 1.18).
- 6.46. In my professional opinion, Viewpoints 2 and 3 of the Appellant’s LVA (CD 1.18) are more typical of the discernibility across the wider Appeal Site. Consequently, users of these local minor routes would experience significant visual effects during the operational phase of the Solar PV Farm. At Year 1, the Appellant’s LVA (CD 1.18) records a Major, adverse effects for road users.
- 6.47. However, given that the Appellant is proposing no substantial new landscaping to the field boundaries along the east and west of the Eastern Field Area and the eastern edge of the Western Field Area, I fail to see how this scale of effect would diminish by Year 15. In my professional opinion, users of these routes would experience a Major, adverse visual effect.



SUMMARY AND CONCLUSIONS

N.B. This summary forms my Summary Proof.

Introduction

- 7.1. The Appeal Proposals are for the construction of a 30MW Solar PV Farm with associated infrastructure, internal maintenance tracks, new landscape mitigation planting and perimeter fencing and gates up to 2.5 metres in height with CCTV mounting up to 3.0 metres in overall height. The Appeal Site is situated on the western edge of Berrington, a small rural village to the south west of Shrewsbury (CD 1.25).
- 7.2. Additionally, the Appeal Proposal requires the installation a cable connection to be installed below ground within the narrow verge along the Shrewsbury Road, a narrow lane, running to the north - north west of the Appeal Site. This cable route would extend up to 0.85km beyond the main body of the Appeal Site; see Site Location Plan (CD 1.18).

Landscape Related Planning Policy

- 7.3. National and development plan policies expect new development to be appropriately sited, to conserve and enhance the natural environment, be sympathetic to locally distinctive character and not to undermine landscape quality.

Existing Landscape: Published Landscape Character Assessments

- 7.4. The site is located within National Character Area 61. 'Shropshire, Cheshire and Staffordshire'. The NCA profile for this area describes its characteristics as follows:

'The Shropshire, Cheshire and Staffordshire Plain National Character Area (NCA) comprises most of the county of Cheshire, the northern half of Shropshire and a large part of north-west Staffordshire. This is an expanse of flat or gently undulating, lush, pastoral farmland, which is bounded by the Mersey Valley NCA in the north, with its urban and industrial development, and extending to the rural Shropshire Hills NCA in the south. To the west, it is bounded by the hills of the Welsh borders and to the east and south-east by the urban areas within the Potteries and Churnet Valley, Needwood and South Derbyshire Claylands, and Cannock Chase and Cank Wood NCAs.'

- 7.5. With consideration of the Shropshire Landscape Typology (2006), the Appeal Site to be situated within the Estate Farmlands Landscape Character Type. The relevant key characteristics of this LCT include:
 - 'Mixed farming landuse;
 - Clustered settlement pattern;
 - Large country houses with associated parklands;
 - Planned woodland character; and
 - Medium to large scale landscapes with framed views.'
- 7.6. Additionally, the Shropshire Landscape Typology' (2006), provides further analysis, which highlights the following characteristics:



- ‘....landscape character is largely determined by an ordered pattern of fields and woods, although the prevailing pattern of medium to large sub regular fields means that they lack their strong, planned aspect.
- The majority of the woodlands have a planned appearance, although some plantations occupy the sites of older woods and small stands of ancient woodland occur in some places. They tend to create framed views within medium to large scale landscapes.
- Since World War II agricultural intensification has introduced considerable change, and field enlargements in particular have created a larger scale and more open views.’

7.7. In my professional opinion, planned woodland blocks, which might otherwise frame views, and reduce the general discernibility across the landscape area more commonly seen to the east of Berrington village, and beyond the route of the A458 (Bridgnorth to Shrewsbury road) between Cross Houses and Cressage, or beyond Cantlop to the south west.

7.8. Consequently, the Appeal Site is found to be within an area of the Estate Farmlands Landscape Character Type, to be more open and less enclosed than found typically across the LCT, especially, the LCT area to the east and south west of Berrington.

Landscape Value

7.9. Overall, the value of the immediate landscape in which the site is located is medium due to the degree of historic continuity and the perceptual qualities of the landscape. Although it is not considered to be a valued landscape for the purposes of the NPPF Para 180b, these are valued landscape qualities.

Landscape Sensitivity

7.10. I assess that there are areas of medium susceptibility to development of the type proposed within the wider LCT and assessment area adopted by the Author of the Appellant’s LVA (CD 1.18), and these are situated on relatively flat land, to the east of Berrington village, and associated with the route of the A48 (Bridgnorth to Shrewsbury Road), as well as to the south west of Cantlop village, where landform is more undulating and less elevated, and which has planned woodland blocks and a greater concentration of woodland cover.

7.11. However, the Appeal Site and its surrounding are situated within an area of the LCT which has a more elevated landscape susceptibility to change. This is attributable to this location having a more open landscape which has less structured and landscape framed by planning woodland blocks and features.

7.12. Consequently, the assessment of the landscape character sensitivity for the site and its setting within the Estate Farmlands Landscape Character Type, combining consideration of a Medium value and High susceptibility concludes an overall High sensitivity, a result which does not agree with the Appellant’s sensitivity conclusion.

Landscape Effects within the Appeal Site

7.13. The proposed development would result in a wholesale change to the landcover of the site. In the absence of an appropriately detailed assessment of landscape effects during the construction stage, I assess that the Appeal Proposal would lead to a significant, adverse effect.



7.14. The 6 month long duration of the construction stage would generate effects on the landscape resources within the site area through a number of operations, including the following:

- The formation of the Internal Maintenance Tracks (almost 1km in length);;
- The implementation and (and dismantling and removal) of the Construction Area;
- Installation of a large scale Solar PV arrays with associated infrastructure (with the installation of plant using a crane to deliver and position inverter and substations);
- The undertaking of new landscaping; and
- The movement of construction traffic associated with the development (up to 19 no HGV trips daily).

7.15. This lead to a substantial magnitude of change within the Appeal Site i.e., a notable alteration to one or more key characteristics of the baseline with the addition of prominent conflicting elements. Under the methodology within the Appellant's LVA, the combination of the high landscape sensitivity combined with a much more realistic magnitude of change such as major, would result in a Large or Very Large level of effect. The LVA (CD 1.18) defines this level of effect as 'material in the decision-making process.'

7.16. Given my field-based visit, and my own professional judgement, I disagree with the Author of the Appellant's LVA (CD 1.18), who appraised landscape effects during the construction stage as being slight, adverse. Consequently, I believe that the Appellants' Landscape Visual Appraisal (CD 1.18) has misunderstood the predicted effects of building such as a new development of a 30MW Solar PV Farm, which itself, would take up to 6 months to implement. The Appellant's LVA (CD 1.18) cannot be wholly relied upon for decision making.

7.17. The operation phase at Year 1 and Year 15, would lead to a major, adverse effect within the Appeal Site., which is significant landscape effect. Given my analysis from site observations in Section 2 of this Proof of Evidence, the proposed landscape mitigation measures (as designed in the latest Landscape Masterplan (CD 1.34))) are unlikely to significant offset or reduce these effects (in the long term). The resulting residual effect is predicted to remain major, adverse.

Effects on the wider Landscape Character Type

7.18. As detailed earlier in this section of my Proof of Evidence (see paragraph 5.14 to 5.19) the area surrounding the Appeal Site has a high landscape sensitivity, which with distance reduces to a lesser, medium landscape sensitivity.

7.19. At construction stage, the area surrounding he Appeal site to circa 300 metres, would be impacted to a significantly adverse level . The magnitude of change from construction is considered to be similar to that within the site, with the construction phase leading to a partial alteration to one or more key features characteristics of the LCT, with this change perceived locally within a broader, unaltered context. The Appellant's LVA methodology would consider to be Moderate, adverse magnitude of change.

7.20. Beyond this, the predicted landscape effects on the LCT during the construction stage would diminish rapidly due to the effect of landform and the level of tree cover within the wider landscape due to the greater concentration of woodland plantations which 'ordered pattern of fields and woods' and 'plantations occupy the sites of older woods and small stands of ancient woodland occur in some places. They tend to create framed views within medium to large scale landscapes.' The resulting level of effect would be less than significant.



- 7.21. Operationally, the Appeal Proposal would result in significant landscape effects nearest to the Appeal Site, and diminishing rapidly with distance from the site. I consider, that the area surrounding the Appeal Site is likely to experience the most significant effects outside of the Appeal Site.
- 7.22. Overall, I concur with the Appellant's LVA (CD 1.18) that the operational phase of the proposed Solar PV Farm would result in significant direct and landscape effects. These substantial level of adverse effects are a 'material in the decision-making process.'

Decommission and Landscape Restoration Stage – Direct and Indirect Landscape Effects

- 7.23. I consider that the significant effects at decommissioning in 40 years' time would be predominantly restricted to the landscape character within the Appeal Site and its immediate landscape setting. These stages of the Appeal Proposal were not appraised by the Author of the Appellant's LVA (CD 1.18), and consequently, the assessment is deficient.

Visual Effects

- 7.24. In appraising the potential for visual impacts from the Appeal Proposals, I have assessed the effect on PRoW users passing along three routes within close to medium range of then site. These same routes were appraised in the Appellant's LVA (CD 1.18), including PRoW 0407/16/1 and PRoW 0407/1/1 passing to the east-southeast, and PRoW 0407/5R/2 passing to the south-south west within 0.5km of the site.
- 7.25. Given my field-based visit (February 2024), I found that all three of these assessments understated the likely effect of the scheme on PRoW users at Year 1 and Year 15 timelines.
- 7.26. In particular, the LVA Author has underestimated the effect of the Appeal Site's landform and how this influence the discernibility of the scheme, either against the skyline, or not fully appreciate the scale of the proposed Solar PV array would substantially alter the baseline view forming a new element that is clearly noticeable and part of the view would be fundamentally altered.
- 7.27. In turn, this judgement affects how the proposed development would alter the perception of openness across this area of the Estate Farmlands Landscape Character Type, which would significantly alter the visual amenity for PRoW users passing within close to medium range of the Appeal Site. In line with the Appellant's LVA methodology (CD 1.18), these levels of effect are 'material in the decision-making process', and support the observations for adverse visual impact noted within Reason for Refusal 2.

Compliance with Landscape Related Planning Policies

- 7.28. The proposed development would not be consistent with local or national policies that expect development:
- To be sited so as to minimise harm;
 - To recognise the intrinsic character of the countryside;
 - To be sympathetic to natural and historic character; and
 - To maintain a strong sense of place.



- 7.29. Furthermore, through the undertaking of this Proof of Evidence, it is my professional opinion, that the Appellant's Landscape Visual Appraisal (CD 1.18) has a number of deficiencies. Specifically, the underestimation of the construction effects on landscape resources and visual amenity, as well as lacking any assessment at all of the decommissioning stage and eventual landscape restoration of the Appeal Site. Given this, it is my professional opinion, that the Appellant's LVA (CD 1.18) cannot wholly be relied upon for decision making.
- 7.30. Turning to Reason for Refusal 2 issued by the Local Planning Authority in their Decision Notice for planning application 22/04355/FUL (dated 16th May 2023), I concur, that the Appeal Proposal would lead to adverse landscape and visual effects, which this Proof of Evidence has assessed as being significant within the site during the construction stage, as well as from first operation of the proposed Solar PV farm.
- 7.31. The residual effect of operating the Solar PV Farm at the site's location would lead to significant residual effects, as the proposed landscape mitigation measures would, in my professional opinion, fail to offset and reduce the effects of the scheme.
- 7.32. From my field-based visit, it is clear to me, that the proposed landscape mitigation measures are unlikely to significantly offset or reduce these effects (in the long term) relative to the current baseline conditions, due to the introduction of the man-made industrial energy features comprising solar panels and associated infrastructure.
- 7.33. Additionally, the topography of the Appeal Site is one which rises above this peripheral edges of the site, and the new Solar PV Farm would be experienced over and above the retained field hedgerows and scattered trees along the eastern and western edges of the field parcels. Consequently, given the height difference of up to 6m locally between the highway and the top of the proposed arrays. The proposals would also have an adverse effect on existing expansive and high-quality views, and reduce the perceived openness of this broad wide landscape, which I noted earlier in the Proof of Evidence as being less structured and enclosed by woodland plantation and tree blocks.
- 7.34. Given this, both the Appellant's LVA (CD 1.18), and my own undertaking identifies significant visual impacts to be experienced by Public Rights of Way users, as well as users of the local minor road network including sections of Cliff Hollow and the two lanes heading south from this route.
- 7.35. Consequently, the proposals therefore have the potential to adversely affect the local landscape and visual amenities from a number of public viewpoints surrounding the site due to the replacement of the current arable fields with solar arrays and associated built infrastructure. This conflicts with Core Strategy Policies CS6, CS17 and SAMDev policy MD12.



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