
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

LANDSCAPE REBUTTAL 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

V1 February 2024



CONTENTS

INTRODUCTION	3
CONCLUSIONS	13

Document History

Rev	Purpose	Author	Checked	Date
V1	Issue for information	JB		19.02.2024



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.

Background

- 1.6. Previously, I prepared a Proof Evidence. This 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.'

- 1.7. 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.'

- 1.8. Since the completion of my Proof, the Appellant's Landscape Expert submitted their Landscape Proof of Evidence (dated 1st February 2024). This Proof of Evidence was prepared by Mr. Daniel Leaver CMLI, Associate Director of Landscape Planning with Stephenson Halliday environmental planning and landscape architecture consultants.
- 1.9. Mr Leaver is not the author of the Appellant's Landscape Visual Appraisal (CD 1.18), this was prepared by ADAS, agricultural and environmental consultancy.

The Focus of this Landscape Rebuttal

- 1.10. The following comments are provided on behalf of the local community action group, Flour Not Power, in response to the Landscape Proof of Evidence prepared by Mr. Daniel Leaver.
- 1.11. This Landscape Rebuttal addresses Landscape matters only. This rebuttal has been prepared in accordance with the guidance of my professional institution. I also confirm that the opinions expressed are my true and professional opinions.

Landscape and Visual Effects during the Construction Stage

- 1.12. At paragraph 1.22 of my Landscape Proof of Evidence I noted, that 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. Consequently, it is my professional opinion, the Appellant's Landscape Visual Appraisal should not be wholly relied upon for decision making due to this deficiency.
- 1.13. I note within Mr Leaver's Landscape Proof of Evidence that an assessment of landscape and visual effects are now addressed in Section 6, paragraph 6.3.2 onwards. This updates the lack of assessment within the Appellant's Landscape Visual Appraisal. I consider these below:

Assessed Landscape Effects during the Construction Stage

- 1.14. At paragraph 6.3.3 of Mr Leaver's Landscape Proof of Evidence, it is stated:

'Effects on character would be large scale within the site and medium on the character of the local area to the south and east with more distant views beyond 0.5 km predominantly blocked by intervening vegetation and topography, albeit some limited views would be experienced.'
- 1.15. I note that Mr Leaver concludes that the direct effects on the landscape character and resources of the site would be moderate, adverse during the construction stage. Mr Leaver has determined that the Appeal Site has a medium landscape sensitivity, and the magnitude of change during the construction stage would be moderate. The resulting level of effect is Moderate, adverse.
- 1.16. Mr Leaver has utilised the assessment methodology of his own organisation, and this is presented at Appendix 1 – Stephenson Halliday Landscape and Visual Methodology. With reference to paragraph 19 and 20 of this Appendix, I note the following provided by Stephenson Halliday:



'19. The magnitude of landscape change arising from the proposed development at any particular location is assessed in terms of its size or scale, geographic extent of the area or receptor that is influenced and its duration and reversibility.

20. The scale of the change takes account of:

- *degree of loss or alteration to key landscape features/elements; characteristics; and for*
- *designated areas – special qualities and/or purposes of designation;*
- *distance from the development;*
- *landscape context to the development.'*

1.17. At paragraph 21 of Appendix 1, I also note the follows:

'21. For the host LCTs, a large scale change in landscape character is likely to occur where key characteristics would be lost or substantially changed. Where particular views are a key characteristic of a landscape type, large or medium scale landscape character effects may occur where the proposed development becomes a key feature of those views.'

1.18. In my Landscape Proof of Evidence, Section 4 paragraph 4.22 onwards, I highlight those construction effects, an understanding of which has been developed through reading the Appellant's Traffic Statement (CD 1.11), their Design and Access Statement (CD 1.2), Site Location Plan (CD 1.25), as well as the Appellant's Technical Details (CD 1.26 to 1.323) Site Layout Plan (CD 1.33) and Landscape Masterplan (CD 1.34).

1.19. Reflecting on Stephenson Halliday Landscape and Visual Methodology, it is my professional opinion, that the magnitude of change within the site during construction would be much greater than moderate i.e., the magnitude of change would be a large scale. I consider this for the following reasons:

- The general movement of plant and vehicles to and from the site, and plant entering the site, and the storage of materials on site, are activities which are likely to be daily activities and prevailing over the 24 week/6 monty construction period;
- The internal maintenance track which is to be built across the Appeal Site is nearly 1km in length and would be constructed within the higher landform of the Appeal Site i.e., to include JCB diggers for trenching of cables, dump trucks for earth removal or redistribution, vibrating roller for compacting the access track;
- Installation of associated infrastructure (i.e., a piling machine for ramming the piles of mounted frames into the ground and a crane for lifting inverter and transformer cabinets into place); and
- Solar PV array will be extensive ('over 48,000 solar panels' requiring 'up to 242 HGV deliveries') and would cover the vast majority of the open fields of the site.

1.20. Given this, it is my professional opinion that proposed solar PV arrays would substantially cover the whole greenfield area. This would result in a large scale change to character of the site, and would lead to a considerable alteration to key landscape features, which in combination with the movement of workforce, plant and daily delivery vehicles would lead to a substantial change to the baseline condition.



1.21. It is my professional opinion, that the resultant level of change would be far greater than that assessed by Mr. Leaver at Major/moderate, adverse. Consequently, I cannot agree with Mr Leaver.

1.22. At paragraph 6.32, Mr Leaver states:

'Taking account of the scale, duration and extent of the construction effects, the magnitude of change would be moderate at the scale of the site and moderate/slight within the local Estate Farmlands LCT. Considering the medium sensitivity the overall effects would be Moderate adverse for the site and Moderate/Minor adverse for the local landscape reducing to Negligible within the wider Estate Farmlands LCT.'

1.23. Whilst I do not disagree with Mr Leaver's analysis that the likely landscape effects would diminish with distance from the site. I consider that the magnitude of change would be far higher than that assessed by Mr Leaver, which he states is moderate/slight. It is my professional opinion, this magnitude of change is more elevated for the reasoning provided within paragraph 1.19, as well as the following:

- The construction phase would last up to 24 weeks/6 months, and there would be a discernible increase in traffic flow: *'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.'* (see the Appellant's Transport Statement (CD 1.11), Section 3, paragraph 3.3.1));
- 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).

1.24. The quantum of the Appeal Site which would be developed with a Solar PV array would fundamentally alter the land use at the site i.e., one from low lying crop and pasture to an extensive solar farm, which combined with the intensity of traffic flow to and from the site along the local network of lanes and narrow roads (in particular HGV transportation), noise, dust and vibration associated with the construction stage would have a more elevated influence on landscape character within 0.5km.

1.25. This is particularly the case when one also considers the works associated with routing the new cable connection for a distance of approximately 0.8km to the north-northwest of the Appeal Site.

1.26. Given the foregoing, I consider the magnitude of change appraised by Mr Leaver as too low, and should be re-evaluated from 'moderate/slight within the local Estate Farmlands LCT' to at least Moderate i.e., notable alteration to one or more key characteristics of the baseline, and the addition of prominent conflicting elements. This would result in a Moderate, adverse level of effect within the landscape neighbouring the Appeal Site within 0.5km distance. The is level of effect is more significant than assessed by Mr Leaver, who assess a level of effect.

Landscape Effects during the Operational Stage

1.27. I note from Mr Leaver's Landscape Proof of Evidence, that the operation of the Appeal Proposal would lead to significant effects direct effects on the landscape resource of the Appeal Site. In Section 6, paragraph 6.3.5 and 6.3.6, I note the following:

'During operation, there would be a permanent change of character to the area within the site from an agricultural field to a solar farm with pastoral grassland. Some areas around the perimeter of the site would become enhanced with new tree and hedge planting whilst all existing tree and shrub vegetation



would be retained as shown by the Landscape Masterplan. The overriding change would be that of the addition of solar panels to within an open field and effects on the character of the site would be large scale and permanent. These large scale effects would be experienced to the full extents of the site landscape. Taking account of the scale, duration and extent of the effects, the magnitude of change would be substantial at the scale of the site. Considering the medium sensitivity of the landscape the overall effects would be Major /Moderate adverse for the site and permanent.

There would be no changes to the physical characteristics of the landscape character of the Estate Farmlands LCT beyond the appeal site.'

1.28. I also note that the Appellant's Landscape Visual Appraisal found:

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.'

1.29. In this instance, the Appellant's LVIA finds more significant landscape effects during its operational phase. It is my professional opinion, that the operational stage of the Solar PV scheme would be this nature due to its scale, and the substantive reduction in openness of the two fields. However, it is my professional opinion, that for these reasons (amongst others), the maturation of new landscaping is unlikely to have such an effect to diminish this major, adverse effect residually after 15 years, and in the longer term.

Visual Effects during the Operation Stage

Road leading to Cantlop Mill

1.30. With regard to the users of the road leading to Cantlop Mill, I note that the Appellant's LVIA stated the following relatively not Year 1 (the initial operation of the proposed Solar PV farm):

'The road is predominantly lined with vegetation. Views from this road are represented by viewpoints 2, 3, 4, 5 and 6. There are open views of the site where gaps in the vegetation for field access occur, with views of the wider landscape visible beyond the site. Partial views are possible along sections of the road where it rises above the verge vegetation and glimpsed views through the vegetation are possible along the remaining sections of the road that runs adjacent to the site.....'

1.31. From my site visit (February 2024), whilst the southern extent of the land has a sunken effect and visibility of the Appeal Site (and scheme) would be localised, the northern half of this narrow lane has a very limited roadside vegetation cover and a degraded and gappy hedgerow.

1.32. There are limited scattered hedgerow trees along this route, and in my experience, there are extensive views across the Appeal Site in both directions. Additionally, landform rises each side of this route, which would obviously influence the level of discernibility of change along this route.

1.33. The Appellant's LVIA did not determine Year 1 effect; see Section 8, paragraph 8.19 (page 36) of their report.



- 1.34. In his Proof of Evidence, Mr Leaver places emphasis on the sunken nature of the lane (Section 7, paragraph 7.2.3, page 20) and considers views of the wider Appeal Site more readily seen from the northern edge of the lane: 'at completion there would be medium scale views of the appeal proposals from the northern section of road to a localised extent.' However, my recent visit experienced broad views east and west of this route for approximately half the length of this un-named lane (running north to south).
- 1.35. Given my recent field-based assessment, I disagree with this statement, and find that the Appeal Site would be readily seen than that appraised by Mr Leaver. Additionally, the gently rise of the landform east and west of this lane would further make the substantial Solar PV array far more readily seen by users of this route.
- 1.36. Mr Leaver assesses the effect of the Appellant's Proposal on road users as:
- 'Considering the experience of receptors along this road, the magnitude of change would be slight and, together with the High/Medium sensitivity, the overall effect Moderate/Minor adverse in the medium to long term.'*
- 1.37. However, from my recent field-based assessment, 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.
- 1.38. 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 boundaries of this lane. Vegetation immediately inside the Site boundary are to be enhanced for Species Rich Grassland - 'General Purposed Meadow Mix', with no further landscape buffer planting.
- 1.39. The Appellant is only proposing landscape buffer planting to the north eastern edge of the site area (eastern field area), with the wider field boundaries retained as existing, and not enhanced through native tree and hedgerow planting.
- 1.40. In these situations, I consider that the Appeal Proposal would have a level of effect at Year 1, which would continue during the lifetime of the scheme (until decommissioning and landscape restoration). Whilst the southern half of the route would be more inherently mitigated by its sunken nature (and level of intact landscape fabric), the northern half of the route is demonstrative of the worst-case scenario.
- 1.41. Giving the route a medium visual sensitivity for vehicle road users would experience a high magnitude of change by the additions being clearly noticeable and part of the view would be fundamentally altered i.e., land each side of the narrow lane. The resulting level of effect would be at least Moderate, adverse. Through the lack of new landscape enhancements, there would remain a Moderate, adverse effects throughout the lifetime of the scheme.
- 1.42. I would consider this level of effect to be significant in EIA terms, and is more appropriate. Consequently, I cannot concur with the assessment of visual effects for road users passing along this route leading to Cantlop Mill as appraised by the Appellant in both cases as the effect would be more significant and experienced more substantively along this route.



The users of the public footpath at Cantlop (0407/5R/2)

- 1.43. For PRoW passing along this route, the Appeal Proposal are demonstrated by Viewpoint 15 of the Appellant's LVIA. The Author of the Appellant's LVIA predicts the effects of the scheme on PRoW users would be (Section 8, paragraph 8.9, page 30-31).

'At completion there would be open views of the proposed solar development. The sensitivity of this receptors is high, and the magnitude of change would be major adverse at completion, resulting in a level of effect of large at completion. After 15 years the magnitude of change would reduce to moderate adverse as vegetation would have matured around the site (as shown in photomontage viewpoint 15), softening the visual impact of the development. Therefore, there would be a residual level of effect of moderate for this PRoW.'

- 1.44. Additionally, in his Proof of Evidence, Mr Leaver stated the following:

'The scale of change experienced on completion is judged to be medium over a localised extent over the long term. Taking account of the scale, duration and extent of the effects, the magnitude of change would be moderate and, considering the high/medium sensitivity of the recreational footpath users, the overall effects would be Moderate adverse on completion. A level of Moderate rather than Major/Moderate has been assessed as the panels would be viewed at distances of greater than 0.5km, would not be viewed within the skyline or obstructing longer distance views and would be set within pasture meadows which would still be perceived as in agricultural use.'

- 1.45. In preparing this Rebuttal document, I have considered the photomontage for Viewpoint 15 contained within the Appellant's LVIA. This photomontage demonstrates that the Solar PV arrays would form a new feature on the landscape,. And give the site's rising landform, the Solar PV arrays would have a significant effect on the perceived openness of the view. This addition would be clearly noticeable and part of the view would be fundamentally altered.

- 1.46. Further to this, the PRoW passes south of the Appeal Site, and the Solar PV array would be angled southwards, whereby light would be reflected from the PV panels. The addition of the SOLA PV farm would be a new and discernible addition to the view, and given the site is extensive within this view line, being made up of only two fields (rather than several), the array would have a contiguous effect.

- 1.47. In these views, and as demonstrated by the photomontage (Viewpoint 15), the existing landscape fabric is associated with the site's perimeter hedgerows, and the extensive tree belt and vegetation along Cound Brook are low lying. Consequently, the interior of the site is readily seen during autumn-winter time, as well as spring and summer as the site rises above the surrounding landscape fabric.

- 1.48. Given the foregoing, and my recent field-based assessment, I consider that the magnitude of change at Year 1, would be high i.e., additions are clearly noticeable and part of the view would be fundamentally altered. The resulting level of effect at Year 1 would be major/moderate, adverse.

- 1.49. With consideration of the Landscape Masterplan (CD 1.34), I find no reasons to believe that the extent of the Solar PV array would be mitigated sufficient enough to represent a discernible reduction in magnitude of change. Afterall, landscape mitigation planting largely follows the site's boundaries rather than providing a substantive buffer than would reduce the discernibility of the scheme. This point is acknowledged by Mr Leaver in this statement:

'There would be some increased filtering and screening of the panels to the lower levels of the appeal site as the proposed mitigation planting matured in the long term as illustrated by the photomontage of viewpoint 15. As well as partially screening the panels, the proposed planting would strengthen the landscape structure of the site. The magnitude of change would, however, remain moderate and the overall effect would be Moderate adverse and permanent.'



- 1.50. However, I consider for reasons highlighted above, the scheme would lead to a similar effect at Year 15, which would be a major/moderate, adverse. This level of effect is greater than Mr Leaver appraised, and is more in alignment with that originally appraised by the Appellant's LVIA. Consequently, I cannot concur with Mr Leaver.

The users of road that runs along the northern boundary (known locally as the Berrington Road)

- 1.51. I concur with the findings of Mr Leaver in his Landscape Proof of Evidence for the predicted effects on road users passing along this route.

The users of the road that runs along the eastern boundary (known locally as the Eaton Mascot Road)

- 1.52. Passing along this route, I found that the 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).
- 1.53. 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.
- 1.54. Given the foregoing, where the Appeal Proposal is seen along this route, it is unlikely new landscape treatments (which are very limited) would be sufficient to screen the scheme – the level change through the eastern site area, and the setting the Solar PV array into these elevated positions.
- 1.55. Given this, it is my professional opinion that the scheme would retain a moderate/minor, adverse effect from Year 1 to Year 15, and the longer term.
- 1.56. Additionally, my Landscape Proof of Evidence highlighted my concerns for the effects of the Appeal Proposal on users of the following Public Rights of Way:
- PRoW 0407/16/1*
- 1.57. 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.
- 1.58. As demonstrated by Viewpoint 11, 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.'
- 1.59. 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.



1.60. 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

1.61. 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.'

PRoW 0407/1/1

1.62. 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.

1.63. As demonstrated by Viewpoint 12, 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.

1.64. 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.

The potential for Landscape and Visual Effects during the Decommissioning Stage and Landscape Restoration Phase

Assessed Landscape and Visual Effects

1.65. As noted within Section 5 paragraph 5.41 of my Landscape Proof of Evidence, the predicted landscape and visual effects at the decommissioning and land restoration phase were not appraised by the Author of the Appellant's LVA (CD 1.18), and consequently, the assessment is deficient.

1.66. Additionally, I also note that Mr Leaver's Landscape Proof of Evidence acknowledges this stage of the Appeal Proposal, but does not provide any assessment; see

1.67. Given my own appraisal, and indeed by reading Mr Leaver's Landscape Proof of Evidence further, I remain of the opinion, that there would be scope for significant direct landscape effects on the landscape resource of the site, and indirect effects across the surrounding of the Appeal Site.

1.68. Mr Leaver acknowledges this phases of the scheme, but does not provide an assessment; see Section 5, paragraph 5.2.6 of Mr Leaver's statement:

'At the end of its useful life the facility would be decommissioned, all associated equipment removed, and the land quickly reverted to agricultural use. The strengthened boundary hedgerows and tree belt planting would remain leaving an enhanced landscape that is characteristic of the Estate Farmlands LCT.'



- 1.69. It is appropriate to acknowledge the long term beneficial landscape effect through landscape restoration work i.e., grassland restoration and returning the land use to its former agricultural land use with the retention of enhanced landscape fabric now matured. However, Mr Leaver's Landscape Proof of Evidence provides no assessment of the decommissioning phase in terms of landscape and visual effects.
- 1.70. This remains a deficiency in the assessment for decision-making, which has not been addressed by the Appellant's Landscape Architects either at the application stage, or now for the Inquiry.



CONCLUSIONS

N.B. This summary forms my Landscape Rebuttal Proof of Evidence.

- 2.1. On the basis of the above I consider that Mr Leaver has underestimated a number of elements of the Appellant's Proposal.
- 2.2. With regard to the Construction Stage, this operation was not originally appraised as part of the Appellant's LVIA, and accordingly, I consider this matter to be a deficiency in their assessment.
- 2.3. Mr Leaver's Landscape Proof of Evidence now facilitates an assessment of landscape and visual effects at the Construction Stage. However, from reviewing Mr Leaver's Landscape Proof of Evidence, I am of the opinion, that he has underestimated the landscape effects within the Appeal Site (i.e., direct effects) and also within the environment of the Appeal Site up to 0.5km distance (generally).
- 2.4. Additionally, from reviewing Mr Leaver's Landscape Proof of Evidence, I believe that the assessed effect for a number of receptors; including the following:
 - Road users passing along the un-named road leading to Cantlop Mill;
 - The users of the public footpath at Cantlop (0407/5R/2); and
 - The users of the public footpath at Cantlop (0407/5R/2).
- 2.5. This is down to a number of varying factors; including an appreciation of landform within which the Appeal Proposal would be situated, and these routes would be passing, as well as the effectiveness of the proposed landscape mitigation measures to reduce and offset the discernibility of the scheme. Additionally, the effectiveness of the existing hedgerows, and their relative outgrown, gappy and degraded state, and the topographical change across the Appeal Site relative to these routes; especially, the users passing along the un-named road leading to Cantlop Mill.
- 2.6. Additionally, Mr Leaver makes no distinction in his assessment over seasonal change in the level of effect the Appeal Proposal may have. This is an important matter when reviewing the representative photography from May 2022, as submitted as part of the Appellant's LVIA, which the photomontages are based.
- 2.7. Additionally, I note that neither the Appellant's LVIA, or Mr Leaver's recent Landscape Proof of Evidence, provide an assessment of the Decommissioning and Landscape Restoration Stages. This is a deficiency in the appraised work, and Mrs Leaver's Landscape Proof of Evidence.
- 2.8. In summary, it is my professional opinion, that there remains deficiencies within the assessment work for this Appeal Site, and those sensitive public roads and Public Rights of Way closest to the site, appear to have been underestimated.
- 2.9. Additionally, I have highlighted, a number of Public Rights of Way where I consider the resulting level of effect of the Appeal Scheme would also lead to adverse effects which would be a material consideration in determining whether the Appeal Proposal would be harm to landscape resources and visual amenity.
- 2.10. 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.

