



**STEPHENSON  
HALLIDAY**

Planning, Landscape & Environment  
an **RSK** company

# Proposed solar farm on land west of Berrington

Landscape Hearing Statement by  
Daniel Leaver CMLI

Prepared for:

**Econergy International Ltd**

20<sup>th</sup> January 2025

LPA Planning Application Ref: 22/04355/FUL  
PINS Ref: APP/L3245/W/23/3332543

# Contents

<b>1</b>	<b>Introduction</b>	<b>3</b>
1.1	Qualifications and Experience	3
1.2	Appointment	3
<b>2</b>	<b>Scope of Appeal Statement and Approach</b>	<b>4</b>
2.1	Scope of Appeal Statement	4
2.2	Approach	4
<b>3</b>	<b>Reasons for Refusal</b>	<b>5</b>
<b>4</b>	<b>Background to the Appeal</b>	<b>7</b>
4.2	Relevant Planning Policy	7
4.3	Landscape and Visual Assessment	7
<b>5</b>	<b>Design Proposals and Landscape Mitigation Measures</b>	<b>9</b>
5.1	The Proposals	9
5.2	Mitigation by Design	9
<b>6</b>	<b>Consideration of Landscape Effects</b>	<b>12</b>
6.1	Effects on Landscape Character	12
6.2	Review of Landscape Sensitivity	12
6.3	Review of Landscape Effects	13
<b>7</b>	<b>Review of Visual Effects</b>	<b>18</b>
7.1	Introduction	18
7.2	Visual effects on users of public rights of way 0407/16/1 and 0407/1/1	18
7.3	Visual effects on users of the public footpath at Cantlop (PRoW 0407/5R/2)	19
7.4	Summary	20
<b>8</b>	<b>Summary and Conclusions</b>	<b>21</b>

## Appendices

Appendix 1 – Landscape Masterplan



# **1 INTRODUCTION**

## **1.1 Qualifications and Experience**

- 1.1.1 My name is Daniel Leaver and I am Associate Director of Landscape Planning with Stephenson Halliday environmental planning and landscape architecture consultants, an RSK Group company. I hold a Bachelor of Science Honours Degree from the University of London (1986) and Postgraduate, Bachelor of Landscape Design (1992) from the University of Manchester. I am a Chartered Member of the Landscape Institute.
- 1.1.2 I have over twenty years professional experience and have been involved in landscape and visual assessments for a broad range of development proposals including renewable energy developments, commercial, residential and major infrastructure projects. I have prepared evidence and appeared in order to give expert witness evidence on landscape and visual matters in the countryside at written representations appeals, Public Inquiries and Hearings.
- 1.1.3 The statement which I have prepared and provide for this Hearing is true and has been prepared and is given in accordance with the guidance of my professional institution, the Landscape Institute. I confirm that the opinions expressed are my true and professional opinions.

## **1.2 Appointment**

- 1.2.1 I was originally instructed to provide a Proof of Evidence on behalf of Econergy International Ltd (the 'Appellant') in respect of landscape and visual matters concerning the proposed solar farm development on land to the west of Berrington.
- 1.2.2 The planning appeal was dismissed in March 2024, however, a submission was made to appeal the decision which was subsequently quashed. I have subsequently worked with the Appellant to further refine and provide more detail with regard to the Landscape Masterplan. I was approached in December 2024 to review my previously submitted Proof of Evidence in light of the proposed changes to the Landscape Masterplan and with regard to the comments in the Inspector's Report.

## **2 SCOPE OF APPEAL STATEMENT & APPROACH**

### **2.1 Scope of Appeal Statement**

2.1.1 The background and policy context is set out in full in Mr Anthony Heslehurst's Planning Evidence (CD 16.3) and I do not repeat that information. My evidence focusses on a review of the previously assessed landscape and visual effects of the appeal scheme to within 0.5km of the appeal site as this was the focus of the original appeal and the extent to which the Inspector's comments were addressed.

2.1.2 The principal aim of my statement is to demonstrate that:

- Concerning landscape and visual matters, I will show that the revised proposal can be accommodated with limited impacts on landscape and visual receptors within the local area of the site.

2.1.3 The boundary of the appeal site is illustrated on Figure 1 of the Landscape and Visual Appraisal (LVA) (CD 1.18) prepared by RSK ADAS Ltd. (ADAS).

### **2.2 Approach**

2.2.1 I have reviewed my previously submitted Landscape and Visual Proof of Evidence in the light of the updated Landscape Masterplan (Appendix 1) and the Inspector's reasons for refusal (CD 17.1). I have then focused my own critical appraisal on the issues I consider to be most relevant for the decision maker.

2.2.2 My statement serves to provide a considered understanding of the landscape and visual issues to be taken forward into the planning balance. That planning balance is considered by Mr Heslehurst, and it is not the purpose of my evidence to advise on whether planning consent should or should not be granted.

### 3 REASONS FOR REFUSAL

3.1.1 The Council refused planning permission by letter dated 16<sup>th</sup> May 2023 with a single reason for refusal in relation to landscape and visual matters as follows

***“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.”***

3.1.2 As well as the original reason for refusal, my statement will also consider the relevant conclusions within the Inspector’s Report (CD 17.1). The Inspector noted that landscape and visual effects were to be considered as one of the main issues as follows:

***“1) The landscape and visual effects of the proposal, including the effects on users of public highways and on public viewpoints, taking account of the proposed mitigation measures.”***

3.1.3 At paragraphs 48-49 the Inspector concluded that:

***“...the proposed development would have a significant adverse effect on landscape character by changing its fundamental characteristics of a medium to large scale landscape at a local level.***

***In terms of visual effects, there would be some marked adverse effects arising from the construction phase but, more typically, from the long-term operational phase. Although these would not be consistent around the site, the most telling adverse effects would be from a southerly direction, reflecting the predominantly open southerly sloping orientation of the appeal site. The limitations of existing foreground filtering and the limited opportunity to remedy this through supplementary planting are a significant negative factor. The adverse impact of the scheme viewed from parts of public right of way 0407/16/1, in particular, is also an important factor.”***

- 3.1.4 My statement specifically addresses the improvements made to the Landscape Masterplan (Appendix 1) and the residual effects of the appeal proposals on the landscape and visual amenity of people in the vicinity of the site. The landscape and visual effects of the proposal are considered against the Inspector’s discussion of landscape and visual effects within paragraphs 9-53 of his decision (CD 17.1).

## **4 BACKGROUND TO THE APPEAL**

4.1.1 My Proof of Evidence as part of the 2024 Planning Appeal (appeal reference APP/L3245/W/23/3332543) was submitted with an accompanying detailed review of the relevant landscape and visual effects.

4.1.2 No further representations have been made regarding the current appeal; the Rule 6 Party, Flour not Power, have since removed their objection to the scheme in light of the changes made to the Landscape Masterplan (Appendix 1).

### **4.2 Relevant Planning Policy**

4.2.1 The relevant planning policies remain unchanged, as follows:

- NPPF (CD 6.23) Section 12. Achieving well-designed places;
- NPPF Section 15: Conserving and enhancing the natural environment;
- Core Strategy Policy DP12 (CD 5.1): The Natural Environment;
- Core Strategy Policy CS17: Environmental Network; and
- SAMDev Policy MD12 (CD 5.2): The Natural Environment.

4.2.2 Whilst matters of Planning Policy are dealt with comprehensively by Mr Heslehurst, I consider their relevance, with respect to landscape and visual matters, at Sections 5 to 7 below.

### **4.3 Landscape and Visual Assessment**

4.3.1 The previously submitted documentation for the 2024 Appeal included the LVA report, figures, viewpoints and photomontages (CD 1.18) for the original proposed scheme undertaken by ADAS in May 2022. All parties agreed that the methodology was in accordance with best practice, namely GLVIA 3 published by the Landscape Institute and IEMA (CD 8.3). The photomontages, prepared for Viewpoints 1, 2, 4, 11 and 15, provide a clear understanding of the scale of the appeal scheme in view (LVA Appendix 2B, CD 1.18). It is noted that the Planning Officer's Report, submitted in response to the original planning application, agreed with the findings of the ADAS LVA (CD 1.18) in which no residual effects were reported as greater than moderate adverse in the long term. As part of my Proof of Evidence I undertook my own assessment of relevant landscape and visual effects which found broad agreement with the ADAS LVA. In response to this the Inspector reported (Para.



46) that, “...the Council’s landscape evidence accepts the landscape effects assessed by the Appellant; and the visual effects on local residential properties are also agreed. The assessed effects on users of three public rights of way are also confirmed.”

4.3.2 The focus of the ADAS LVA was on receptors within a 0.5km radius which have some potential for greater levels of effect. In the same way, I noted in my Proof of Evidence that the extent of effects beyond 0.5km was no greater than minor. Further to this, the Inspector also focussed on local effects to within 0.5km of the site to be considered of greatest weight. There has therefore been substantial agreement as to the potential spatial extent of the most relevant landscape and visual effects of the proposed development by all parties.

4.3.3 The Inspector focussed his comments primarily on the significance of effects upon the local landscape, public highways and three local footpaths. These can be summarised as follows:

- Effects on Estate Farmlands Landscape Character Type (LCT) to within 0.5km of the site;
- Public right of way (PRoW) 0407/5R/2 0.5km to the south of the site;
- PRoW 0407/16/1 and 0407/1/1 0.2- 0.5km to the east of the site;
- The public highway to Cantlop Mill; and
- Cliff Hollow Road, the unnamed road in Cantlop and between Berrington and Eaton Macott.

4.3.4 Whilst the Inspector reviewed effects upon local roads, including the local lane to Cantlop Mill mentioned in the Reasons for Refusal 2, he did not consider these effects as significant. Hence the following sections of my Statement present the updates to the Landscape Masterplan (Appendix 1) and a further discussion of effects on the Estate Farmlands LCT and the three relevant PRoW.

## **5 DESIGN PROPOSALS AND LANDSCAPE MITIGATION MEASURES**

### **5.1 The Proposals**

5.1.1 The proposals for the solar photovoltaic (PV) array remain as per those submitted for the 2024 Appeal, with a total export capacity of up to 30 MW and a lifespan of approximately 40 years. Access to the agricultural land to the west of Berrington would be via a new entrance point off the unnamed highway (referred to locally as 'Shrewsbury Road') to the west of the appeal site. The access would remain in place throughout the operational lifetime of the project and will be fitted with a gate and a turning area for the benefit of larger vehicles.

5.1.2 The solar arrays would consist of a tracker system to orient the panels towards the sun throughout the day. A customer sub-station and ancillary equipment are also proposed along the western section of the western field parcel. The solar PV panels would be erected on posts within the existing pattern of the landscape ensuring that the soil beneath them would still be available for the infiltration of rainwater.

### **5.2 Mitigation by Design**

5.2.1 In the 2024 Appeal I noted that the siting and design is integral to the proposed development. As already noted, the proposed siting of the solar farm would limit effects to the immediate environs of the site and predominantly to 0.5km to the south and east.

5.2.2 The broad aims of the design remain as per the proposals submitted as part of the 2024 Appeal, namely:

- To assimilate built elements into the surrounding landscape;
- To minimise adverse effects on visual amenity;
- To enhance and reinforce the existing landscape framework and to improve the quality and character of the local landscape;
- To include landscape management adaptations to increase the overall height of hedgerows;
- To introduce species rich grassland; and

- To include beehives within the proposals.

5.2.3 The previous objection by the Rule 6 Party included the Proof of Evidence of Mr James Bullock CMLI (CD 14.1, now withdrawn)) who addressed landscape and visual matters relating to Reason for Refusal 2. Mr Bullock provided his observations in terms of effects on the existing landscape fabric of the site in bullet form at paragraphs 2.19 and 2.31 of his Proof. These points are further summarised at paras. 2.20 and 2.32 as, “...*the Appellant is proposing a very limited level of landscape mitigation and new landscape planting... 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.*” In particular, he asserts that there would be opportunities to look across the site from the local narrow lanes “...*due to the outgrown, gappy and degraded field hedgerow.*”

5.2.4 Whilst, in my opinion, this underestimated the level of mitigation afforded by the existing green infrastructure and previously submitted Landscape Masterplan (CD 15.3), the landscape strategy for the appeal scheme has been updated following a further site visit by the Appellant team and through discussions with the Rule 6 Party. As a result, as well as still retaining the vast majority of established green infrastructure, the updated scheme now includes for additional hedgerow, woodland and shrub understorey planting that will help to strengthen landscape structure and improve screening. In particular, this planting would reduce the magnitude of effects of some of the nearest sensitive visual receptors, as identified within Mr Bullock’s Proof. This increased screening would be experienced by:

- Users of Cliff Hollow Road and residents in Berrington located to the north-east of the site;
- Users of the road to Eaton Mascott and for residents of Newmans Hall Cottage located to the east and south-east of the site;
- Users of the unnamed lane to Cantlop Mill which bisects the site; and
- Residents of Cantlop Mill located to the south of the site.

5.2.5 As requested by the Rule 6 Party, the updated Landscape Masterplan (Appendix 1) also includes a specification with regards to mixed native tree and shrub species that would be included in the various planting mixes.

5.2.6 As already stated, the Rule 6 Party has now removed its objection to the Appeal scheme as a result of these changes. In my opinion, and as confirmed by the removal of the objection of the

Rule 6 Party, these amendments demonstrate a level of change likely to be material in the decision-making process.

- 5.2.7 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. The Proof of Evidence of Mr James Packer and Mr Howard Fearn (CD 16.5) sets out how the proposed enhanced Landscape Masterplan would be beneficial to the wider environment delivering a 65.67% net gain in habitats and 61.34% net gain in hedgerows.
- 5.2.8 These enhanced mitigation measures form part of the landscape design and have been considered in the review of the assessment of effects in Sections 6 and 7 below.

## 6 CONSIDERATION OF LANDSCAPE EFFECTS

### 6.1 Effects on Landscape Character

6.1.1 There is no dispute that the appeal scheme will have an adverse effect on the landscape character of the site and its immediate environs up to approximately 0.5km. As the original Refusal Reason 2 states, “...*the replacement of the current arable fields with solar arrays and associated built infrastructure...*” has “...*the potential to adversely affect the local landscape.*” This section has been undertaken to provide an independent review of the potential level of landscape effects as a result of the appeal scheme, taking into account the improvements to the Landscape Masterplan (Appendix 1) described above. In so doing, reference has also been made to relevant comments within the Inspector’s report.

### 6.2 Review of Landscape Sensitivity

#### Value

6.2.1 The proposed changes to the Landscape Masterplan (Appendix 1) would not result in changes to the detailed assessment of landscape value and susceptibility as set out in Appendix 2 of my previously submitted Proof of Evidence (CD 12.4). In summary, I judged the appeal site as not having sufficient landscape qualities to elevate it above other surrounding undesignated (in terms of the NPPF, paragraph 187a), everyday landscapes; the landscape is not identified within any development plan or statutory designation as being of high quality and hence is considered to be of community value. The inspector accepted this assessment of value. (para. 14, CD 17.1).

#### Susceptibility

6.2.2 I judged the susceptibility of the site to be high as, although the development would exist within the existing pattern of landscape and have negligible direct effects on landscape features there would be a change to land use on the appeal site which would be viewed primarily from the south. The Inspector agreed with this judgment and provided a similar analysis in his report (para. 13, CD 17.1), “...*although the proposal would retain as many landscape features as possible, and provide reinforcement of hedgerows and additional planting, none of this would ameliorate the inevitable change to the baseline character when assessed in the locality of the site to the south.*” I would, however, disagree with his inference that the landscape has very limited ability to accommodate this type of development (para 14, CD 17.1). Although I have made a judgement of high susceptibility for the reasons stated, I believe my point remains that,

although susceptible to change, the specific type of development at hand would not result in wholesale change to the existing baseline, as there would be little or no change to the site topography, existing structural vegetation or scale of field pattern which are all fundamental to its existing character. Furthermore, the appeal scheme would remain at least partially enclosed, with primary visibility limited to the landscape within 0.5km to the south and east of the site

- 6.2.3 Nevertheless, there is agreement that the site and local landscape would be of high rather than medium susceptibility considering the site is currently undeveloped countryside and is somewhat open in local views from the south and east.

### **Sensitivity**

- 6.2.4 Considering the value and susceptibility together, I have judged the sensitivity of the site and local landscape character area to development of the type proposed to be Medium. The Inspector has stated within para. 14 (CD 17.1) that he is in agreement with the, "... *judgment on value and susceptibility, together, for the landscape character type.*"

- 6.2.5 There is therefore, agreement between the Inspector, the ADAS LVA and my own judgements with regard to the overall sensitivity of the site to the proposed development type.

## **6.3 Review of Landscape Effects**

### **During Construction**

- 6.3.1 My judgement of construction effects remains unchanged from my previous Proof of Evidence (CD 12.4) as the additional proposed planting, although beneficial in nature, would not immediately change overall levels of landscape or visual effect. Short-term construction effects were judged to be at most moderate adverse at the scale of the site, moderate minor within the local landscape to 0.5km and negligible beyond.
- 6.3.2 The Inspector's opinion was that "...*the Appellant underestimated the short-term (landscape) effects.*" I would note that in making my judgment of effects I selected both the maximum scale and extent of effect with regard to the assessment of magnitude for the site, as described within the Stephenson-Halliday LVA Methodology (CD 12.4, Appendix 1) at para. 37 and subsequent table. The second table enables the influence of duration to be expressed. In this case a six-month construction period is well within the short-term

judgement resulting in an overall judgement of moderate magnitude. The judgement of significance could not therefore have been assessed as any greater than moderate overall effect for the site using the Stephenson-Halliday methodology.

- 6.3.3 I then reduced the judgement of magnitude of effect within the local landscape to moderate/slight as, although the construction activity would be undertaken within a relatively tranquil agricultural landscape, it would not be at such a scale as to effect anything other than the landscapes to 0.5km to the south and east. Again, construction activity would be of a very short-term duration with almost all movement and activity focused within the fields of the site, with only one local lane to Cantlop Mill required as a crossing between fields. I therefore consider that my judgement of moderate/minor short-term construction effects upon the local landscape to 0.5km to be sound.
- 6.3.4 Effects beyond this 0.5km buffer, within the wider Estate Farmlands LCT, were judged to be negligible based on views being predominantly blocked by intervening vegetation and topography, albeit some very limited views could potentially be experienced.
- 6.3.5 I therefore consider my assessment of construction works to be robust and without any underestimation of the short-term effects that would be experienced to the site, its environs and the wider Estate Farmlands LCT.

### **During Operation**

- 6.3.6 My judgement of operational landscape effects of the appeal scheme remains unchanged from my previous Proof of Evidence for the same reasons as described above. 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. I assessed this as major/moderate adverse at the level of the site, which is the maximum level of assessment possible for a landscape judged of medium sensitivity using the Stephenson-Halliday methodology. This denotes a substantial change to the landscape of the site that would be permanent for the duration of the scheme.
- 6.3.7 I judged moderate effects to within the local landscape in the long-term, reducing to moderate/minor by year 15 based on the improvements to landscape infrastructure. It appears to be with regard to these local effects that the Inspector finds disagreement as he concurs that effects on the wider Estate Farmlands LCT would be minimal (para. 20, CD

17.1). The Inspector puts forwards two main reasons for this difference of opinion regarding effects on the local landscape as follows:

- ***“...the nature and scale of the development would inevitably diminish the openness of the landscape... fracturing its continuity;***
- ***...lines of rigid arrays, running counter-intuitively to site contours and aspect, would introduce disorder and conflict with the undulating topography of the appeal site.”***

6.3.8 Taking the Inspector’s first point, I would not agree that the appeal scheme diminishes the openness of the landscape to any substantial degree. The experience of openness is only perceived from the local landscape to the south and east of the site, whilst that to the north and west is well contained by existing topography and mature vegetation. From the more open local landscapes to the south and east, the PV arrays are experienced as located within the existing field pattern, generally contained, albeit not visually screened, by existing field boundary vegetation as illustrated in the photomontages of viewpoints 11 and 15. Only from the landscape to the east (viewpoint 11) would the arrays appear above the horizon, albeit the distant views of the Shropshire Hills would be retained. For these reasons, whilst it is agreed that the existing open nature of the field of the site itself would inevitably change to that of a field with solar arrays, it remains my opinion that the effect on the wider landscape, in terms of openness, would not be substantial.

6.3.9 As the Inspector has acknowledged at para.11 the parties generally agree “...*that the landscape typology, as a whole, is capable of accommodating the sort of development proposed.*” This would suggest that, although there would be inevitable change to the site baseline, the surrounding landscape would have some capacity for absorbing such change. By its nature as a renewable energy scheme, the development would of course appear somewhat incongruous in relation to the existing farmed landscape. However, the change to the existing baseline would be almost entirely as a result of the addition of the solar PV arrays as man-made energy generating structures and not as a result of the removal or change to key characteristics of the landscape, in terms of changes to topography, field pattern and vegetative cover or of perceived characteristics such as changes to its enclosure, openness or tranquillity. Hence the land will be readily returned to its former state once the proposed lifespan of the scheme is completed. The Inspector’s view that the development would result in the ‘*fracturing*’ of the landscape would suggest a wholesale



change to the baseline that leaves the site completely at odds with its surrounding context and in some way separate to it. Such a change would also suggest that the landscape has little or no ability to absorb this type of development. However, as stated above, all parties have agreed that the landscape has some ability to accommodate the development, or in other words, that the landscape could retain some degree of continuity even with the addition of the scheme. So, whilst I agree that the development would be perceived as somewhat incongruous within the existing farmed landscape, it would not be to such an extent that the landscape would effectively be separated into distinct typologies which retain little or no sense of continuity of topography, field pattern and vegetative cover or that perceived qualities of openness and tranquillity would be lost.

- 6.3.10 Regarding the Inspector's second point, I do not agree that the form of the panels run "...*counter-intuitively to site contours and aspect*". Rather I would say this is where the solar PV arrays actually work with the landscape as they do not require changes to landform/slope and they tend to follow the topography in rows, emphasising rather than detracting from the existing contours. Clearly solar PV panels will be incongruous in terms of their man-made built form within a farmed landscape, albeit this is almost an entirely human 'designed' landscape developed over many centuries of use. That said, the low level and ground-hugging nature of the scheme enables it to sit along the existing contours and within the existing field pattern, hence I cannot agree with the Inspector's view that it "...*would introduce disorder and conflict with the undulating topography of the appeal site.*"
- 6.3.11 Also taking into account the proposed improvements to landscape structure I find no reason to raise my level of assessment from at most moderate adverse and so disagree with the Inspector that "...*the proposed development would have a significant adverse impact on landscape character at the local level.*"
- 6.3.12 As already established, there is general agreement that effects within the wider Estate Farmlands LCT would be very limited in extent and judged as negligible outside of the local landscape area.

### **Summary**

I have found no reasons to amend my judgment of landscape effects as assessed within the Proof of Evidence submitted at the 2024 Appeal. Short-term construction effects would remain moderate adverse effects to the field of the site reducing to moderate/minor adverse within the local Estate Farmlands LCT. The permanent effects within the site would remain

major/moderate adverse, and those to the local LCA moderate adverse on completion reducing to moderate/minor adverse in the long term. Effects within the wider Estate Farmlands LCT, beyond a maximum 0.5 km of the site, would remain negligible due to screening by intervening landform and vegetation.

## 7 REVIEW OF VISUAL EFFECTS

### 7.1 Introduction

7.1.1 The site is currently visible from the local road and footpath network and from a small number of properties. The receptors identified as of most interest in terms of visual effects at the 2024 Appeal within Refusal Reasons 2 are as follows:

- The users of the road leading to Cantlop Mill;
- The users of the public footpath at Cantlop (0407/5R/2);
- The users of road that runs along the northern boundary (known locally as the Berrington Road); and
- The users of the road that runs along the eastern boundary (known locally as the Eaton Mascot Road).

7.1.2 In his report the Inspector agreed that the any potentially harmful effects from the road leading to Cantlop Mill would not amount to “*a visually oppressive effect for users of the publicly maintained highway leading to Cantlop Mill...*” as described within Reason 2. Similarly, as per my assessment, the Inspector did not ascribe significant effects for receptors using any of the other local roads in the vicinity of the site. Instead, the Inspector focused on potential effects from the local footpath network to the south and east to within 0.5km of the site.

7.1.3 I have undertaken a further review of the visual effects of the appeal scheme taking into account the updated Landscape Masterplan (Appendix 1) as follows.

#### **Sensitivity**

7.1.4 All parties, including the Inspector (para. 21, CD 17.1), agreed on the assessment of a ‘high’ sensitivity for users of public rights of way and residential properties and a ‘medium’ sensitivity for road users in the vicinity of the site.

### 7.2 Visual effects on users of public rights of way 0407/16/1 and 0407/1/1

7.2.1 These two footpaths to the east of the site were not specifically identified as of particular concern within the Council’s Reasons for Refusal. Mr Hurlstone’s Proof of Evidence agreed that effects would be at most moderate adverse for receptors using these footpaths as

assessed within the ADAS LVA. The Inspector's view was that effects would be less than major adverse, due to "*the manner in which these routes have wide and varied aspect, combined with undulating topography and vegetation...*" Nevertheless, the Inspector describes the effects from 0407/16/1 as '*highly dominant*' when viewed from an open aspect. However, this would not be the case for the whole of the footpath as views of the appeal scheme would be partial for the majority of its length, as described in the ADAS LVA. I therefore see no reason to raise the level of effect above that already assessed as moderate.

7.2.2 There is some potential for increased mitigation as a result of the proposed woodland planting to the eastern field of the site illustrated on the updated Landscape Masterplan (Appendix 1). However, it is unlikely that this would be sufficiently mature at year 15 to further reduce effects as previously described. It is therefore my opinion that visual effects would remain at most moderate adverse, reducing to moderate/minor for the more distant of the two footpaths to the east of the site.

### **7.3 Visual effects on users of the public footpath at Cantlop (PRoW 0407/5R/2)**

7.3.1 Assessment of the residual levels of effect for this footpath after 15 years were judged to be moderate adverse within the ADAS LVA, Mr Hurlstone's Proof and my own Proof, submitted to the 2024 Appeal. The proposed additional mitigation as shown on the updated Landscape Masterplan (Appendix 1) would create some additional landscape structure but would not reduce these effects any further. As described in my previous Proof and illustrated by the ADAS photomontage of viewpoint 15, footpath users would experience the development as a low-level renewable energy scheme contained within open countryside in middle distance views. The solar PV array would not be viewed within the skyline or obstructing longer distance views and would be set within pasture meadows which could still be used for grazing animals. In addition, the appeal proposals would not diminish the dark skies nature of the site or its perceived tranquillity.

7.3.2 The Inspector agreed that the entirety of the appeal scheme would not be visible in a single view, with the western parcel benefitting from screening by topography and mature woodland. However, the Inspector's view was that there would be some "*marked adverse effects... arising from the long-term operational phase...*" (para. 49, CD 17.1). The primary reason for this judgment appears to be its visibility as a result of "*placing arrays on ascending ground, across a wide swathe of countryside.*"

7.3.3 I would disagree with the Inspector's assertion that there would be views across a wide swathe of open countryside. Whilst I have acknowledged in my Proof that there would be open views from the footpath at Cantlop across the Cound Brook, these views would be contained to within two clearly separate fields located in the middle distance, approximately 0.5km to the north of the viewer. Longer distance views to the north are already screened by rolling topography, hence visual effects are very much localised and contained and therefore not viewed over "*a wide swathe of countryside.*" I have taken into account the openness of views in my original assessment and would therefore maintain that there would not be "*long-term...extensive adverse impacts*" and that effects would be no more than moderate adverse as stated above.

## 7.4 Summary

7.4.1 I have undertaken a review of visual effects taking into account the updated Landscape Masterplan (Appendix 1) and the Inspector's Report. The Inspector focussed on views from footpaths to a southerly and easterly direction and was of the opinion that such views were extensive and adverse and highly dominant. Having reviewed the site once again, I find no reason to increase the long-term effects of the scheme above moderate adverse as judged by the ADAS LVA, The Council's Expert Witness and myself. In my opinion these effects would remain moderate adverse despite the proposed reinforced landscape structure planting.

## 8 SUMMARY AND CONCLUSIONS

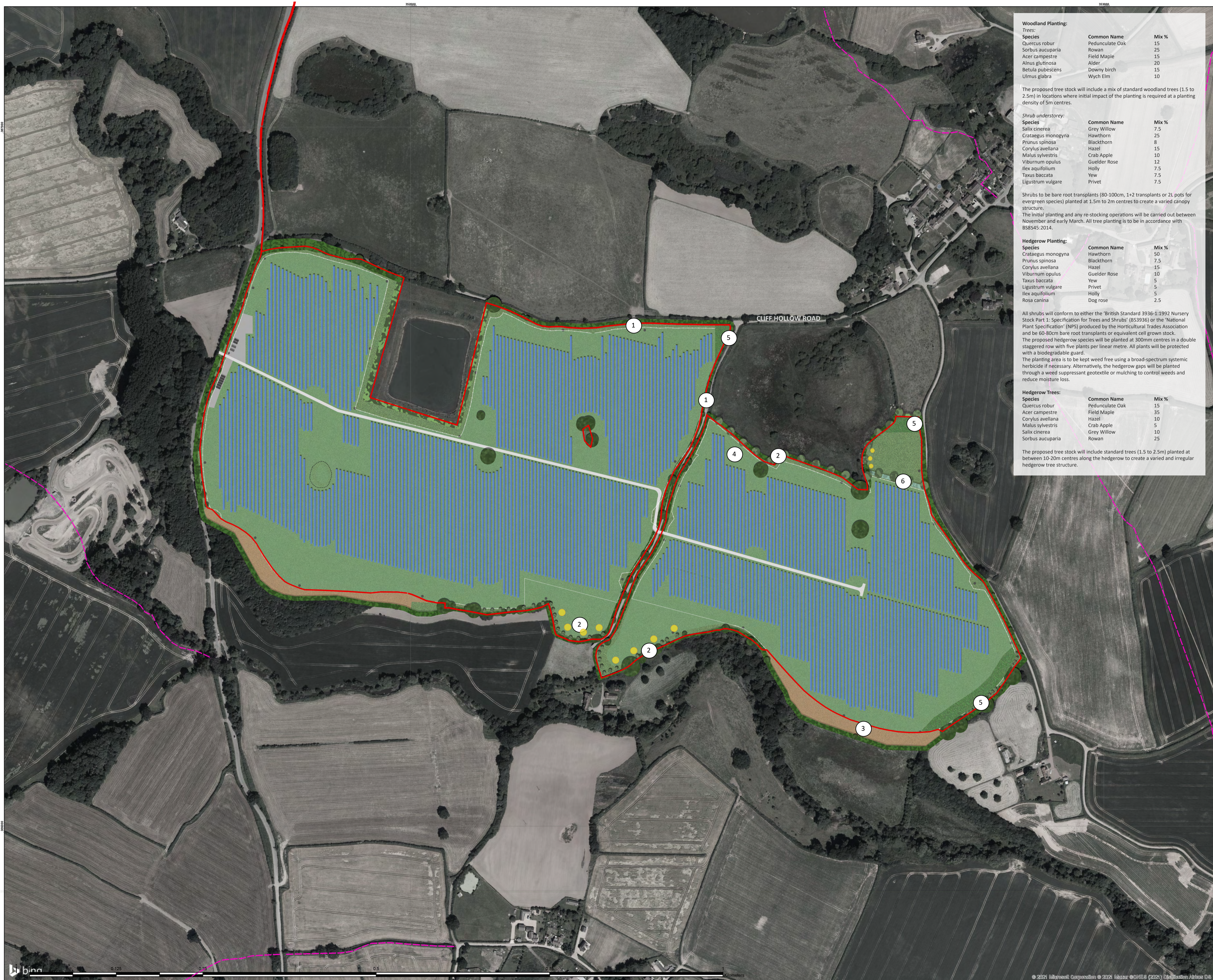
- 8.1.1 National Policy states that, “*Planning policies and decisions should contribute to and enhance the natural and local environment by: ...187.b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services...*”
- 8.1.2 These requirements are recognised in the Shropshire Council Local Plan in Policy CS 17 which states that development should protect and enhance local character and not adversely affect the visual or recreational values of the landscape. Further to this draft policy DP12 states that the Council will, “*Encourage new development to plant trees, woodlands and hedgerows...*”, and that proposals ensure “*...that native species hedgerows are retained on development sites.*” The Landscape Masterplan has been updated following further discussions with the Rule 6 Party with additional hedgerow, woodland and shrub understorey planting included to strengthen landscape structure and improve screening. The Proof of Evidence of Mr James Packer and Mr Howard Fearn (CD 16.5) sets out how the proposed enhanced Landscape Masterplan would be beneficial to the wider environment delivering a 65.67% net gain in habitats and 61.34% net gain in hedgerows. The Rule 6 Party has now removed its objection to the Appeal scheme. In my opinion, I consider these amendments demonstrate a level of change likely to be material in the decision-making process.
- 8.1.3 This Landscape Appeal Statement has specifically addressed Refusal Reason 2 in so much as it concerns the changes to the baseline landscape character of the appeal site and how these changes would affect landscape and visual amenity taking into account the enhanced mitigation proposals. I have focussed on those adverse aspects of the appeal scheme identified as of most importance within the Inspector’s Report. The Inspector agreed that any harmful effects from the local road network would not amount to ‘*a visually oppressive effect*’ such as those described in Refusal Reason 2 for the users of the lane to Cantlop Mill. I have therefore focused on effects to within the local landscape and to three local footpaths to the south and east of the site.
- 8.1.4 As previously submitted, the ADAS LVA (para. 10.4-10.5, CD 1.18) concluded that there would be no permanent adverse landscape effects greater than slight adverse within the Estate Farmlands LCT and no permanent visual effects greater than moderate adverse. The Planning Officer has noted agreement to these effects as described in the submitted planning report as did Mr Hurlstone in his Proof of Evidence submitted on behalf of the

Council. I have reviewed the Inspector's Report and found no reason to amend my own assessments that permanent adverse effects would be at most moderate/minor to within the local landscape and moderate for walkers on the local footpath at Cantlop.

- 8.1.5 Whilst I agree with the Inspector that there would be a substantial change to the character of the site itself, I would disagree that the openness of the landscape would be substantially diminished or its continuity fractured. Whilst some adverse landscape impacts would be experienced at a local level to the south and east, I have found no reason to amend my assessment that adverse effects would be other than moderate initially. These effects would reduce to moderate/minor as the proposed landscape enhancements would help to incorporate the appeal proposals into their local setting in the medium to long term.
- 8.1.6 Only the users of the public footpath in the vicinity of Cantlop to the south and east of the site would experience any visual effects greater than Moderate/Minor adverse on the completion of the appeal proposals. These effects are judged to be at most moderate adverse on completion and would remain at most moderate adverse for the duration of the solar farm lifetime.
- 8.1.7 In relation to effects on landscape character and visual amenity, in my professional opinion, I conclude that there is insufficient landscape justification for refusal.

# Appendix 1: Landscape Masterplan





**Woodland Planting:**

Trees:

Species	Common Name	Mix %
Quercus robur	Pedunculate Oak	15
Sorbus aucuparia	Rowan	25
Acer campestre	Field Maple	15
Alnus glutinosa	Alder	20
Betula pubescens	Downy birch	15
Ulmus glabra	Wych Elm	10

The proposed tree stock will include a mix of standard woodland trees (1.5 to 2.5m) in locations where initial impact of the planting is required at a planting density of 5m centres.

Shrub understorey:

Species	Common Name	Mix %
Salix cinerea	Grey Willow	7.5
Crataegus monogyna	Hawthorn	25
Prunus spinosa	Blackthorn	8
Corylus avellana	Hazel	15
Malus sylvestris	Crab Apple	10
Viburnum opulus	Guelder Rose	12
Ilex aquifolium	Holly	7.5
Taxus baccata	Yew	7.5
Ligustrum vulgare	Privet	7.5

Shrubs to be bare root transplants (80-100cm, 1+2 transplants or 2L pots for evergreen species) planted at 1.5m to 2m centres to create a varied canopy structure. The initial planting and any re-stocking operations will be carried out between November and early March. All tree planting is to be in accordance with BS8545:2014.

Hedgerow Planting:

Species	Common Name	Mix %
Crataegus monogyna	Hawthorn	50
Prunus spinosa	Blackthorn	7.5
Corylus avellana	Hazel	15
Viburnum opulus	Guelder Rose	10
Taxus baccata	Yew	5
Ligustrum vulgare	Privet	5
Ilex aquifolium	Holly	5
Rosa canina	Dog rose	2.5

All shrubs will conform to either the 'British Standard 3936-1:1992 Nursery Stock Part 1: Specification for Trees and Shrubs' (BS3936) or the 'National Plant Specification' (NPS) produced by the Horticultural Trades Association and be 60-80cm bare root transplants or equivalent cell grown stock. The proposed hedgerow species will be planted at 300mm centres in a double staggered row with five plants per linear metre. All plants will be protected with a biodegradable guard. The planting area is to be kept weed free using a broad-spectrum systemic herbicide if necessary. Alternatively, the hedgerow gaps will be planted through a weed suppressant geotextile or mulching to control weeds and reduce moisture loss.

Hedgerow Trees:

Species	Common Name	Mix %
Quercus robur	Pedunculate Oak	15
Acer campestre	Field Maple	35
Corylus avellana	Hazel	10
Malus sylvestris	Crab Apple	5
Salix cinerea	Grey Willow	10
Sorbus aucuparia	Rowan	25

The proposed tree stock will include standard trees (1.5 to 2.5m) planted at between 10-20m centres along the hedgerow to create a varied and irregular hedgerow tree structure.

**LEGEND**

- Existing hedgerow retained with infill planting
- Grassland under solar panels
- Existing trees retained
- Proposed hedgerow
- Proposed individual tree planting
- Existing pond
- Existing bird cover crop
- Public Right of Way (PRoW)
- Beehive opportunity points
- Woodland Planting

1. Preserved existing hedgerow with additional planting in sparse areas to enhance density and continuity. Proposed hedgerow in the gap along the northern boundary to screen views from Cliff Hollow road.
2. Proposed tree and shrub planting to increase screening into the site by reinforcement of existing hedgerow field boundaries.
3. Existing bird cover crop.
4. Grassland seed mix in areas around Big Bog to be Emorsgate meadow mix for wetlands EM8 or similar.
5. Proposed native woodland planting to 25m depth, selected mix of native deciduous and evergreen trees and shrubs, designed to provide year-round screening. Features a dense understorey of shrubs along the edge and varied tree heights for immediate visual impact.
6. Proposed linear hedgerow. Reinstatement of a historic hedgerow line north of the proposed fence line, integrating new vegetation to enhance and connect with the existing green network.

Notes: Please note this plan does not include the proposed cable route extent.

20	Amendments	10/12/2024
19	Amendments	09/12/2024
18	Layout Amendments	20/11/2024
17	Layout Amendments	29/10/2024
16	Layout Amendments	16/02/2024
15	Layout Amendments	27/04/2023
14	Layout Amendments	27/02/2023
13	Layout Amendments	06/02/2023
12	Minor Amendments	20/01/2023
11	Minor Amendments	09/01/2023
10	Text Amendments	09/01/2023
09	Layout Amendments	06/01/2023
08	Layout Amendments	21/12/2022
07	Amendments	17/08/2022
06	Amendments	01/07/2022
05	Amendments	23/05/2022
04	Layout Amendments	17/05/2022
03	Layout Amendments	14/05/2022
02	Boundary Amendments	15/03/2022
01	-	12/01/2022
Rev.	Issue Details.	Date.

Client:  
**Econergy International LTD**

Project:  
**Berrington Solar Farm**

Drawing Title:  
**Illustrative Landscape Masterplan**

Drawing No. 1051487-ADAS-XX-XX-DR-L-8001

Scale: 1:2,500 at A1

Drawn by: IH Date: 12/01/2022

Checked by: DH Date: 12/01/2022

© Crown copyright and database rights (2022) OS 0100058606  
 For reference purposes only. No further copies may be made.

ADAS, 11d Park House, Milton Park,  
 Milton, Abingdon, Oxford, OX14 4RS  
 Tel: 01235 355630



© RSK ADAS LTD

