

# Landscape Proof of Evidence

Land to the West of Wood Lane and Stocking Lane,  
Kingston Estate, Gotham

On behalf of Renewable Energy Systems (RES) Ltd

Date: 23 April 2024 | Pegasus Ref: P24-0106

PINS Ref: PO340/W/23/3329235 | LPA Ref: 22/OO319/FUL

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## Document Management.

Version	Date	Author	Checked/ Approved by:	Reason for revision
1	28.03.2024	AC	AC	-
2	14.04.2024	AC	AC	Team Comments
3	17.04.2024	AC	AC	Edits
4	18.04.2024	AC	AC	Final edits
5	23.04.2024	AC	AC/CR	Core document references



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# 1. Witness Particulars

- 1.1. My name is Andrew Cook and I hold a Bachelor of Arts degree in Geography (BA Hons) and a Masters Degree in Landscape Design (MLD). I am a Chartered Landscape Architect, Chartered Member of the Landscape Institute (CMLI), Chartered Environmentalist (C Env) and Member of the Institute of Environmental Management and Assessment (M IEMA).
- 1.2. I am one of the founding Executive Directors of Pegasus Group which was established in 2003. Since then, the company has grown, establishing sixteen offices across the UK, employing approximately 420 planning and environmental planning professionals and staff. I jointly head the environmental planning division in which planning for solar development accounts for a significant part of the business. The company is a corporate member of the Institute of Environmental Management and Assessment (IEMA) and was a founding member of IEMA's Quality Mark scheme, under my direction.
- 1.3. I have gained over 35 years of landscape planning consultancy experience. Prior to Pegasus, I was an Environmental Director at RPS (formerly Chapman Warren Planning Consultants) where I specialised in addressing landscape planning issues related to a wide range of renewable energy projects. I have had considerable experience of and involvement in a wide range of residential development and built infrastructure projects throughout the UK, many of which have involved sites in Green Belts as well as statutory protected landscapes including National Parks (NP), Areas of Outstanding Natural Beauty (AONB) as well as non-statutory landscape designations such as a Special Landscape Areas (SLAs), as 'this d landscapes'. I have presented evidence at public inquiries on many occasions to address various landscape planning, design and visual issues, as these relate to landscape character and appearance.
- 1.4. I am based in the Cirencester office of Pegasus where I manage a team of 28 environmental planners and landscape architects. I and the landscape architects within my team at Pegasus undertake their work in compliance with the Landscape Institute's Code of Standards, of Conduct, and Practice for Landscape Professionals (May 2012).
- 1.5. This landscape proof of evidence is based on my own professional judgement and is presented in accordance with the guidance of my professional institution, the content of which is true to the best of my knowledge and belief and is presented irrespective of by whom I am instructed.



## 2. Introduction and Scope of Evidence

### Introduction

- 2.1. I am instructed on behalf of Renewable Energy Systems (RES) Limited, hereafter referred to as the Appellant, to present evidence relating to landscape and visual matters in respect of a planning inquiry concerning the construction of a solar farm together with associated works, equipment, and necessary infrastructure on land to the west of Wood Lane and Stocking Lane, Kingston Estate, Gotham. This evidence should be read in conjunction with the planning proof of evidence prepared by Nigel Cussen which elaborates upon the Appellant's Statement of Case (CD7.6).
- 2.2. An application for full planning permission (ref: W/22/00319/FUL) was submitted to Rushcliffe Borough Council (RBC or the LPA) and validated on the 18<sup>th</sup> February 2022. Contrary to the Case Officer's recommendations for approval for planning permission (CD2.1), the Planning Committee resolved that the application should be refused for the reason as set out below:

***“The proposals would result in substantial harm to the Green Belt by reason of adverse impact on openness, visual amenity and impact on amenity of users of the well-connected nearby Public Rights of Ways and Bridleways which cross or lie adjacent to the application site. The proposed Very Special Circumstances of the wider benefits of renewable energy generation associated with the application (and other wider environmental benefits) do not outweigh the harm to the Green Belt contrary to paragraph 149 of the NPPF which requires substantial weight to be given to any harm to the Green Belt. In these circumstances, the proposed development is therefore considered to be contrary to Policy 16 – Renewable Energy and Policy 21 – Green Belt of the Rushcliffe Borough Local Plan Part 2: Land and Planning Policies together with paragraphs 147, 148 and 149 of the NPPF.”***

### Scope of Evidence

- 2.3. I note the wording in terms of the single Reason for Refusal is quite specific. Firstly, it notes that there would be substantial harm to the Green Belt by reason of adverse impact on three aspects, firstly openness, visual amenity and the amenity of users of public rights of way that cross or lie adjacent to the site. I note that there is no reference to harm to the character of the landscape which is quite separate to visual amenity (appearance). Furthermore, the reference to visual amenity only relates to public rights of way either adjacent to or pass through the site. In other words, there is no alleged harm to visual amenity beyond the immediate boundary of the site. I have set out in my proof my analysis and professional



judgement as to how the proposal would have a bearing upon both landscape and visual aspects as these relate to character and appearance.

2.4. In line with the Appellant's Statement of Case (CD7.6), I shall discuss the following in my proof:

- How the proposed scheme relates to the aim of the Green Belt, its essential open characteristics and the five purposes of Green Belts
- Aspects of Green Belt openness
- How the character of the site, coupled with the typology, temporary and reversible nature of the scheme, and proposed planting mitigate the harm
- Effects on landscape character
- Effects on visual amenity
- Long-lasting benefits of the proposed planting and its positive contribution to landscape character
- Landscape related planning policies

2.5. In short, my landscape proof explains how the proposal would affect landscape elements, landscape character and visual amenity, and in particular how these aspects relate to the sense of openness and the Green Belt purposes.

2.6. I also rely upon the Statement of Common Ground (SoCG) (CD7.9) where it considers landscape and visual issues and reflects where the parties have reached an agreement. In preparing my evidence, I have reviewed the following documents to inform my professional judgement.

- Planning Committee Decision (CD2.2)
- Committee Report (CD2.1)
- Landscape consultation response (CD6.12)
- Landscape and Visual Assessment (LVA) (CD1.22)
- Arboricultural Impact Assessment (CD1.31)



- Design and Access Statement (CD1.2)
- Planning Statement (CD1.3)
- Relevant planning policies
- Relevant Core Documents

2.7. Where appropriate, I draw upon relevant information from these documents. However, in presenting my evidence and in the interests of brevity, I do not unnecessarily state detailed amounts of information where this has been previously documented. I have reviewed the scheme with reference to the application LVIA viewpoints surrounding the site. I have set out my own analysis with regard to the scheme in this proof of evidence. Whilst I note that a Landscape and Visual Assessment was prepared for the application, in preparing for this Inquiry I have undertaken my own analysis which has assisted me in forming my professional judgements. I rely upon my own analysis which supersedes the LVIA.

## **Landscape Masterplan**

2.8. The proposals have been subject to an iterative design process and in response to the LPA's feedback, the scheme was reduced compared to the original planning application drawings, achieving the best fit as an alternative. My landscape proof has been prepared with regard to the latest revision of the Landscape and Ecological Management Plan (Revision E). Having reviewed these drawings, I have prepared a similar set of drawings referred to as Landscape Masterplan (north and south) primarily to provide clarification with regard to what is proposed, see Appendix 2.

2.9. The Landscape Masterplan (north and south) prepared by Pegasus Group (Drawing number P24-0106\_EN\_OI\_E\_O2) presented at Appendix 2 of this proof of evidence reflects the Landscape and Ecological Management Plan (LEMP) Revision E (Drawing number NEO00763\_047I\_C) prepared by Neo Environmental which was submitted in February 2023 as part of the additional information provided to reflect the removal of further solar infrastructure from field 15. This LEMP was the final iteration of three LEMPs submitted during the application process.

2.10. Prior to the submission of Revision E of the LEMP, there were two previous iterations to the LEMP: Revision D (Drawing number NEO00763\_047I\_D) that was submitted as part of the



additional information submitted in December 2022 to reflect the removal of all solar infrastructure from field 16 as well as from the southern portion of field 15 and; Revision C of the LEMP (Drawing number NEO00763\_047I\_C) was submitted as part of the original application documents in February 2022.

- 2.11. Whilst preparing the Landscape Masterplan (north and south) (Drawing number P24-0106\_EN\_OI\_E\_02) (Appendix 2) it was noted that there were landscape proposals included on previous iterations of the LEMPs which were not carried through to Revision E. The Landscape Masterplan prepared by Pegasus for the appeal therefore took the opportunity to rectify these omissions and represents the intended landscape proposals for the site, made up of an amalgamation of the landscape proposals which were shown on one of the three revisions of the LEMPs during the application process. It should be noted that the built form illustrated on the Landscape Masterplan (Drawing number P24-0106\_EN\_OI\_E\_02) is an exact copy of what is shown on Revision E of the LEMP (Drawing number NEO00763\_047I\_C).

## **Representative Viewpoints and Visualisations**

- 2.12. I consider that the LVA photographs (CD1.22.6 to 1.22.13) and those additional photographs I have included at Appendix 10, as being representative viewpoints of the landscape surrounding the site are appropriate and suitable for this Inquiry, and the Inspector's consideration. It is anticipated that the Inspector would visit these representative viewpoints and use all the visualisations including photomontages that have been provided as an aide memoire.
- 2.13. It should be recognised that it is not practical to include viewpoints from every possible location. The viewpoints which have been selected illustrate a range of visual receptors at different distances and directions from the site. The locations of the viewpoints have been carefully considered and the photography has been undertaken when atmospheric conditions and visibility were good. I consider that the photography is appropriate given the type and scale of development. The representative viewpoints and visualisations have been prepared mindful of the Guidelines for Landscape and Visual Impact Assessment 3rd Edition (GLVIA3) (CD3.21) and Landscape Institute guidance relevant (CD3.24) at the time of production, however, it is recognised that there is no substitute for visiting the viewpoints in the field to gain a first-hand appreciation of the viewing context.

- 2.14. With this information, the Case Officer and members of the Planning Committee were fully informed of the visual implications of the proposal and its acceptability.

## Professional Judgement

- 2.15. Mindful of the GLVIA3 (CD3.21) I have reviewed the scheme based on the viewpoints as part of my field work and site visits. This has allowed me to ascertain both the landscape and visual effects and make informed professional judgements concerning these matters and establish the level and nature of change from a landscape and visual perspective. My assessment was based on winter views, given the Inquiry timetable, representing the worst-case scenario in terms of visibility with the site.
- 2.16. The degree of landscape or visual effect is identified by means of a descriptive scale as per the GLVIA3 guidance (CD3.21). However, it is also necessary to consider the nature of the landscape and visual effects. GLVIA3 (CD3.21) assists by noting that with regard to landscape effects paragraph 5.37 states that:

***“One of the more challenging issues is deciding whether the landscape effects should be categorised as positive or negative. It is also possible for effects to be neutral in their consequences for the landscape. An informed professional judgement should be made about this and the criteria used in reaching the judgement should be clearly stated. They might include, but should not be restricted to:***

***The degree to which the proposal fits with existing character.***

***The contribution to the landscape that the development may make its own right, usually by virtue of good design, even if it is in contrast to existing character.***

***The importance of perceptions of landscape is emphasised by the European Landscape Convention, and others may of course hold different opinions on whether the effects are positive or negative, but this is not a reason to avoid making this judgement, which will ultimately be weighed against the opinions of others in the decision-making process.”*** (my emphasis)

- 2.17. With regard to visual effects, paragraph 6.29 (CD3.21) states that:

***“As with landscape effects and informed professional judgement should be made as to whether the visual effects can be described as positive or negative (or in some cases neutral) in their consequences for views and visual amenity. This will need to be based on a judgement about whether the changes will affect the quality of the visual experience for those groups of people who will see the changes, given the nature of the existing views.”*** (my emphasis)



- 2.18. In this instance and for the purposes of this proof, the effects upon the landscape are specifically considered in terms of effect upon firstly landscape elements and secondly landscape character which considers the combinations of landscape elements. The proof also sets out how the proposal would have a bearing upon the general visual amenity associated with the area. The proposed design includes green infrastructure which would be in character and in keeping with the rural area. I am aware that people on the whole generally adopt an adverse reaction to change, particularly with regard to their local environments, with which they are very familiar irrespective of whether it's harmful or indeed beneficial. I have adopted a precautionary approach here and as such, I consider that the proposed solar farm would be adverse in terms of the nature of effect in landscape character and visual terms unless otherwise stated. There would be beneficial effects for some landscape elements.
- 2.19. I have reviewed the LVA that was prepared for the application and note the effects that were identified with regard to landscape character and visual amenity. Notwithstanding this, I have undertaken my own assessment as to how the scheme would have an effect upon landscape elements, landscape character and visual amenity. My assessment is based on a methodology which is set out in Appendix 11 to my proof.
- 2.20. In undertaking this exercise, there are some differences between my analysis and that of the author of the LVA. Overall conclusions are not dissimilar.

## **Rule 6 Parties**

- 2.21. I am not aware of any Rule 6 Party interest with regard to this Public Inquiry at this stage of the proceedings. However, I do recognise that the Inspector is seeking to consider character and appearance from a wider Public Inquiry perspective and therefore, I seek to set out in my proof my professional judgements with regard to these matters, rather than simply focussing on a narrower aspect as set out in in the Reason for Refusal.

## **Officer's Report**

- 2.22. The Case Officer (CO) prepared an Officer's Report (OR) (CD2.1). I note that the OR is not paginated but has the benefit of paragraph numbers, which I cross-refer to in my proof of evidence. I note that the CO refers to specific policies which I do not propose to comment upon, leaving policy interpretation to Nigel Cussen as set out in his proof.



## **Landscape and Visual Effects**

- 2.23. The OR addresses landscape and visual effects from paragraph 103 through to paragraph 133. The CO refers to the LVIA findings from paragraph 107 and notes that the Council commissioned an independent landscape review of the proposals, (para 110). The review concluded that the LVA follows good practice guidance and provides justified conclusions. Furthermore, the external landscape advisor notes that the LVIA methodology accords with GLVIA3 and presents sound conclusions. Furthermore, the LVIA provides a detailed description of the existing site and context and refers to the necessary landscape character studies.
- 2.24. The external landscape advisor noted the proposed development would alter the landscape and result in some localised landscape harm resulting in a moderate major adverse impact on the area's landscape character regarding the operational period. However, the effects are considered temporary as the site could reasonably be returned to its existing state after decommissioning.
- 2.25. Paragraph 114 is concerned with the potential effects of the development on settlements in the locality and notes the proposed scheme would be screened from view. The conclusion drawn is that the impact on settlements would be negligible as concluded by the external landscape advisor.
- 2.26. Paragraph 116 is concerned with views of the solar farm and specifically identifies an existing footpath to the north of the site referred to as BW11, BW12 and BW13. The Report notes that the path would be framed by hedgerows and would grow in height and density and only the tops of the CCTV poles are likely to be visible above the hedges.
- 2.27. In paragraph 119, the CO notes that the proposals were amended to include the landscape advisor's conclusions regarding receptors using the PRoW, reference BW5 Midshires Way and BW13 such that the visual effects would be considerably reduced if the proposed panels were removed from field 16. No development is now proposed regarding field 16.
- 2.28. The CO notes (para 121) that there would be substantial hedgerow improvement with some 2000m of new hedges and gapping up of existing hedges would generate an improved nature corridor which could be enjoyed whilst using the public rights of way network and as such, notes that the PRoW Officer does not object to the proposals on visual or amenity grounds.



In summary, the CO concludes there would be moderate visual harm for the users of the footpath in terms of its amenity.

2.29. In paragraph 126, the CO notes it is not anticipated that the landscape and visual aspects of the proposal would have any impact in the context of road users given its location and being mostly enclosed by woodland. The external landscape advisor agreed with these conclusions.

2.30. In conclusion, the CO notes in paragraph 132 that the visual impact of the proposal would result in moderate harm but that this needs to be viewed in the context that the development is temporary and reversible. Furthermore, moderate beneficial effects would also bring about improvement in relation to trees, scrub/woodland, hedgerows and land cover on the basis of a Biodiversity Management Plan subject to a condition.

#### **Cumulative Effects**

2.31. The OR (CD2.1) refers to cumulative effects, noting that the Officer does not consider that there are any other projects that need to be taken into account with regard to this proposal given the separation distances involved.

2.32. Cumulative effects are addressed in the OR (CD2.1) at paragraph 128 onwards and refer to the LVA stating that there would be no intervisibility between the three proposed sites and, therefore no discernible cumulative visual effects. The external landscape advisor does not believe the scale of landscape change would lead to significant cumulative landscape character effects. I note cumulative effects are not cited in the Reason for Refusal.

#### **Conclusions and Recommendation**

2.33. The CO sets conclusions from paragraph 247 (CD2.1) noting that the environmental and technical reports that form part of the planning application demonstrate that there would be no unacceptable environmental impacts and there are a number of added benefits including habitat creation. The CO goes on to note that the proposed development is located within the Green Belt and is mindful of this designation. In paragraph 250 (CD2.1), the CO concludes having taken into account matters raised, there are no other material considerations which are of significant weight in reaching a decision on this application and as such, it is recommended that planning permission be granted subject to a series of conditions.



## 3. Description of the Proposal

### Introduction

- 3.1. A detailed description of the proposals is set out in the application documentation including the Planning Statement and the Design and Access Statement (DAS) (CD1.2). It is also set out at the start of the Officer's Report to Committee at paragraph 13 (CD2.1) onwards and addresses landscape in particular from paragraph 23 onwards. I rely upon these detailed descriptions rather than repeating this information. Fully conversant with the proposals, I have set out my analysis and professional judgement. In this section of my proof, I proceed to comment upon some aspects of the proposal that are particularly pertinent to landscape character and appearance.
- 3.2. The Appellant seeks planning permission to construct a solar farm (circa 49.9MW) on farmland, albeit the actual land take of the parcels would be smaller as not all the land within the site area would accommodate panels. The solar farm would be a temporary use of the land as the equipment would be removed and the land returned to its former condition when the development is decommissioned 40 years from the date of the first export of electricity to the electrical grid.
- 3.3. The scheme will utilise high-efficiency panels based on a fixed layout design. The solar arrays are arranged in linear rows orientated east-west. This maximises the renewable energy generated and significantly increases the efficiency of the solar arrays. The solar panels would be arranged on simple metal frameworks supported by pile driven steel pins, without the need for concrete foundations.
- 3.4. The arrays are proposed to be spaced to avoid any shadowing effect from one panel to another with topography dictating exact row spacing. There would be space between the bottom of the panels and the ground to allow sheep to graze the land between and amongst the panels. This is common practice for pastoral management and maintenance.
- 3.5. There would be a number of small scale elements of infrastructure such as inverters, transformers, and switchgear stations, housed within green metal containers, and distributed across the scheme.
- 3.6. The application site comprises agricultural land located some 0.7km to the south of Gotham and some 0.75km to the west of East Leake between Stocking Lane to the south and





Kegworth Road to the north. The entirety of the application site comprises a total of 15 fields, totalling some 80.65 hectares (ha). The site is located entirely within an area of the Nottingham and Derby Green Belt.

- 3.7. The site is broadly split into two sections; a northern area and a southern area separated by a large area of woodland called Leake New Wood. Both compartments lie on elevated, gently undulating land, ranging between 87 – 96 m AOD.
- 3.8. The northern compartment extends across a total of 11 rectilinear agricultural fields, largely contained by mature mixed woodlands. These include Gotham Wood to the north, Cuckoo Bush to the east, Leake New Wood to the south and Crownend Wood to the west. It is accessed from Wood Lane.
- 3.9. The southern section comprises 4 fields that are also surrounded by pockets of woodland including Oak Wood, Crow Wood and Ash Spinney. Collectively, these mature woodlands provide a strong sense of enclosure to the surrounding composition of open fields and from the wider landscape, they tend to screen most of the site from the wider landscape. The southern section is accessed from Stocking Lane. The north and south areas are both linked by an existing access track through the woodland that is located between them.
- 3.10. The application site is primarily adjoined by other agricultural fields and large areas of dense woodland. Rushcliffe golf course and associated clubhouse are located to the north and east of the site. The surrounding area is also by individual farmsteads and sole dwellings.
- 3.11. On the northern site, there is an existing agricultural machinery business and associated dwelling located on the opposite side (north) of Wood Lane. Directly alongside the site (west) is Cuckoo Bush Farm which forms an unoccupied house and farm buildings. There is a detached dwelling known as Pine Lodge that faces towards the western parcel of land and is also accessed from Wood Lane.
- 3.12. Near the southern site, there is a detached dwelling known as Stone House, another named The Cottage which would be in proximity to the proposed development. Some 130m to the south of the site are Fox Hill Farm and Fox Hill Barn. It should be noted that Cuckoo Bush Farm, Stone House and The Cottage all fall within the landowner's ownership, nevertheless, it does not limit consideration of the effects of the proposal on their respective residents (tenants



of an involved party) owing to the proposed 40-year period which the installation would be operational for.

- 3.13. The site and surrounding local landscape also accommodate a well-connected network of recreational routes, including a number of Bridleways (BW) that cross or lie adjacent to the site. These include Gotham BW10, BW11 and BW12 and West Leake BW5 and BW13 (CD1.20). West Leake BW5, also known as the Midshires Way, is also a Long-Distance Walking Association (LDWA) Route bordering the boundary of the southern part of the site (Field 15) (Appendix 1).
- 3.14. There are no statutory landscape designations covering the site or its immediate surroundings although there are three Registered Parks and Gardens and one Country Park within the wider landscape.

## **Proposed Solar Farm**

- 3.15. The site would be accessed from Wood Lane which is an unadopted road (and bridleway) which connects the site to Kegworth Road to the north-west. The junction of Kegworth Road would require widening with a temporary surface area to ensure the largest construction vehicles could access the site. It would allow vehicles to wait at the junction as any traffic off Kegworth Road passes it.
- 3.16. The proposed development would take approximately six to nine months to complete. This includes the preparation of the site, erection of security fencing, assembly and erection of the PV strings, and installation of the inverters, transformers and grid connection. Once installed, it would require infrequent visits for the purposes of equipment maintenance or cleaning.
- 3.17. At the end of the 40-year operational lifespan of the proposed development, the site would be restored back to full agricultural use with all equipment and below ground connections removed (with the exception of the DNO substation). It is envisaged that the decommissioning of the solar farm would take approximately three to six months. The landscape enhancement measures would remain as would the proposed access from the A60 public road (Bunny Hill).
- 3.18. The layout of the proposed development has been designed to ensure that there is minimal works to existing trees and hedgerows within the site. The layout has been designed to

incorporate the existing trees and boundary vegetation into the scheme and to avoid rooting areas of trees within the site. Existing hedgerows would be strengthened and infilled where necessary with native shrubs and/or large-scale 'legacy' hedgerow trees and/or smaller hedgerow trees. The landscape treatment for the proposed development is intended to mitigate potential visual effects. The proposed development would seek to retain and enhance existing landscape elements to further integrate the proposals into the surrounding landscape.

- 3.19. An Arboricultural Impact Assessment (AIA) has also been submitted in support of the application which concludes that one woodland edge and two trees need to be removed or pruned to facilitate the proposals, and some sections of hedgerows are proposed to be removed. It notes that minor removal of sections would be required to hedgerows to enable the erection of the proposed security fence and access roads. Sections of hedgerow are also required to be realigned to accommodate the visibility splays associated with the proposed site access point and from Kegworth Road. It states that these minor changes can be mitigated through new tree/hedgerow planting as detailed in the wider landscaping proposals for the site, which also includes a range of biodiversity enhancements as part of the overall development.

## **Design Iteration and Scheme Reduction**

- 3.20. It should be noted that the size of the overall development has changed since the application was originally submitted. Field 16, which comprises the easternmost field and measures some 6.6 hectares, has been removed from the proposals and development is not proposed in this field. Similarly, development has been reduced by around 50% in field 15 which adjoins Stocking Lane and the associated footpath. It is noted that a long-distance waymarked route known as the Midshires Way runs alongside the south-eastern boundary of the site adjacent to field 16 and is associated with bridleway reference no BW5 which forms a T-junction with another bridleway reference BW16 which heads eastward towards Rushcliffe Halt. This is the only long-distance waymarked trail in the locality. By removing the solar arrays from all of field 16 and the southern half of field 15, the solar farm would now be set back some considerable distance from the Midshires Way such that visual effects upon this short section of the route would be substantially reduced as a result of a more distant viewing context with regard to the solar farm. This effective mitigation is best illustrated by reference



to viewpoints 6 and 7. This notable reduction in the geographical extent of the scheme was taken into account in the Officer's analysis and findings.

## Proposed Green Infrastructure

3.21. The vision for the solar farm includes green infrastructure that would provide a network of green spaces to reinforce the character of the local farmed landscape.

3.22. At a macro level, the proposed green infrastructure would ensure that the development would:

- Conserve and reinforce local landscape character
- Protect and enhance existing green infrastructure assets namely the trees and hedgerows so that they can be appreciated and valued by everyone for future generations
- Protect and create habitats to enable biodiversity habitats and flora and fauna species to thrive
- Provide a resilient and adaptive environment in the face of climate change

3.23. The green infrastructure would deliver many benefits which would include:

- Climate change adaptation and mitigation
- Investment in the proposed green infrastructure brings benefits to wildlife and the environment generally
- Protecting and enhancing landscape character and biodiversity by using land improvements and management to deliver biodiversity gain and overall landscape enhancement

3.24. The proposed site accesses would serve the entire site and would be connected to a network of internal tracks within the site.

3.25. Landscape mitigation and enhancement works are also proposed (mitigation planting, including new infilled hedgerow planting, tree planting and enhancement of field margins though proposed species-rich grassland). Particular aspects include the following:

- Retention, protection and enhancement of the existing network of trees and hedgerows along field boundaries
- Provision of new native infill planting where gaps are present in the existing field boundary hedgerows, to define site boundaries and provide additional visual enclosure
- Provision of new native hedgerows to define field boundaries where none are present, or have been lost over time, including the incorporation of standard trees where practical and feasible

- All existing and proposed native hedgerows managed to a height of 3m + to enhance visual enclosure
- Provision of new native tree planting adjacent to existing field boundaries to improve the visual enclosure
- Provision of new native woodland belts to provide additional visual enclosure
- Enhancement of site boundary margins and areas underneath solar panels, through proposed species-rich grassland in line with ecological requirements
- Ongoing landscape management of planting during the lifetime of the solar farm
- Proposed ecological features such as bat and bird boxes, hibernacula, hedgehog houses, bee banks and invertebrate 'hotels', located at various locations across the site.

3.26. Extensive green infrastructure is proposed for the scheme, which I proceed to describe with reference to the Pegasus Landscape Masterplan (Appendix 2), based on the numbering shown at Figure 3 of the application submission. The fields are numbered 1 to 15, starting from the west and moving eastward. I proceed to comment upon each of the fields that comprise the site and form the proposed solar farm.

#### **Field 1**

3.27. Field 1 is broadly triangular in shape and it is framed by mature tree cover which wraps around the north-western boundary and the southern boundary which would be retained. The north-eastern boundary is defined by an existing gappy hedge which would be infilled with new indigenous shrub species to create a continuous hedge in the medium and long term. These three field boundaries would continue to define the boundary of this field and it would be managed as grassland. The panels would be set back from the field boundary to create wide grass margins around the perimeter of the field. The field is currently managed as grassland and it would be retained for pastoral use.

#### **Field 2**

3.28. Field 2 is broadly rectangular in shape. The northern and southern boundaries of the field are defined by woodland which would be retained. The western boundary is defined by an existing gappy hedge which would be infilled to create a continuous hedge to physically separate field 1 from field 2. The eastern boundary is defined by a hedgerow which would be retained with a few gaps infilled by indigenous shrubs to create a continuous hedge. The



existing grass sward would be retained and managed as a wildflower meadow with wide grass margins to the perimeter of the field.

### **Field 3**

- 3.29. Field 3 is broadly square in shape. Its existing grassland use would be retained and managed as a grassland meadow with wide grass margins. All four boundaries are defined by mature hedgerows which would be retained and managed.

### **Field 4**

- 3.30. With regard to field 4, the northern part of this broadly square field would accommodate solar panels where the gradient is less steep. The existing grass sward would be retained and managed as a wildflower meadow with wide grass margins. The south-western and south-eastern boundaries of the field are defined by woodland which would be retained. The north-western boundary and north-eastern boundaries are defined by mature hedgerows which would be retained as part of the green infrastructure.

### **Field 5**

- 3.31. Field 5 is broadly square in shape. The south-eastern and south-western boundaries are defined by mature hedgerows which would be retained. There is a group of trees and scrub in the eastern corner of the site which would also be retained. The eastern and northern boundaries are also defined by mature hedgerows which would also be retained. All these hedgerows would be subject to infilling where gaps currently exist. The northern part of the field would be subject to an area of proposed wood planting comprising a range of tree sizes ranging from feathered to heavy standard size, together with understorey shrub planting which would provide physical and visual containment with regard to Hillside Farm to the north of this planting. This farm complex is currently in a derelict state and uninhabited. Field 5 is currently managed for pasture and would be retained for grazing.

### **Field 6**

- 3.32. Field 6 is broadly a diamond-shaped field and is currently managed for pasture and would be retained. The western and southern boundaries are defined by mature woodland which would be retained. The other eastern and northern boundaries are defined by mature hedgerows which would be retained and infilled where necessary and managed at 3 – 4m in height. The existing grassland would also continue to remain and be managed as meadowland



through grazing. An arc of woodland planting is proposed comprising native trees and shrubs using a range of sizes up to heavy standards which is designed to provide a screen with regard to the visual amenity of a farmhouse access via a bridleway. The enclosed half-moon shape of this field would continue to be managed for grazing.

#### **Field 7**

- 3.33. Field 7 is broadly rectangular in shape. The southern boundary of the field is defined by a mature woodland which would be retained. The hedgerows which define the western and eastern boundaries would also be retained. The field is currently managed as meadowland for sheep grazing which would be retained. The northern boundary is defined by a bridleway track and woodland hedge associated with Cuckoo Bush Wood. The bridleway would be retained along its existing alignment and set within a wide green lane. Between the bridleway and the solar panels, a tree belt is proposed to form the northern boundary of the field which would comprise native shrubs and trees. Upon its establishment and early years of growth, this would screen the solar panels from this bridleway. The security fence would be on the field side of the tree belt. The existing sheep grazing function of the field would continue to prevail with the proposed scheme in place. The southern boundary of the field is defined by woodland. It is proposed to introduce a permissive path along this boundary which would be framed by existing wood to the south and a new native hedge on the north side of the path to create a green lane for users. The solar panels and security fence would be screened by the proposed hedge which would be managed at 3 – 4m in height.

#### **Field 8**

- 3.34. Field 8 is broadly rectangular in shape. The southern boundary of the field is defined by a mature woodland which would be retained. The hedgerows which define the western and eastern boundaries would also be retained. The field is currently managed as meadowland for sheep grazing which would be retained. The northern boundary is defined by a bridleway track and woodland hedge associated with Cuckoo Bush Wood. The bridleway would be retained along its existing alignment and set within a wide green lane. Between the bridleway and the solar panels, a tree belt is proposed to form the northern boundary of the field which would comprise native shrubs and trees. Upon its establishment and early years of growth, this would screen the solar panels from this bridleway. The security fence would be on the field side of the tree belt. The existing sheep grazing function of the field would continue to prevail with the proposed scheme in place. The southern boundary of the field is defined by

woodland. It is proposed to introduce a permissive path along this boundary which would be framed by existing wood to the south and a new native hedge on the north side of the path to create a green lane for users. The solar panels and security fence would be screened by the proposed hedge which would be managed at 3 – 4m in height.

#### **Field 9**

- 3.35. Field 9 is broadly rectangular in shape. The southern boundary of the field is defined by a mature woodland which would be retained. The hedgerows which define the western and eastern boundaries would also be retained. The field is currently managed as meadowland for sheep grazing which would be retained. The northern boundary is defined by a bridleway track and woodland hedge associated with Cuckoo Bush Wood. The bridleway would be retained along its existing alignment and set within a wide green lane. Between the bridleway and the solar panels, a tree belt is proposed to form the northern boundary of the field which would comprise native shrubs and trees. Upon its establishment and early years of growth, this would screen the solar panels from this bridleway. The security fence would be on the field side of the tree belt. The existing sheep grazing function of the field would continue to prevail with the proposed scheme in place. The southern boundary of the field is defined by woodland. It is proposed to introduce a permissive path along this boundary which would be framed by existing wood to the south and a new native hedge on the north side of the path to create a green lane for users. The solar panels and security fence would be screened by the proposed hedge which would be managed at 3 – 4m in height.

#### **Field 10**

- 3.36. Field 10 is broadly rectangular in shape. The southern boundary of the field is defined by a mature woodland which would be retained. The hedgerows which define the western and eastern boundaries would also be retained. The field is currently managed as meadowland for sheep grazing which would be retained. The northern boundary is defined by a bridleway track and woodland hedge associated with Cuckoo Bush Wood. The bridleway would be retained along its existing alignment and set within a wide green lane. Between the bridleway and the solar panels, a tree belt is proposed to form the northern boundary of the field which would comprise native shrubs and trees. Upon its establishment and early years of growth, this would screen the solar panels from this bridleway. The security fence would be on the field side of the tree belt. The existing sheep grazing function of the field would continue to prevail with the proposed scheme in place. The southern boundary of the field is defined by

woodland. It is proposed to introduce a permissive path along this boundary which would be framed by existing wood to the south and a new native hedge on the north side of the path to create a green lane for users. The solar panels and security fence would be screened by the proposed hedge which would be managed at 3 – 4m in height.

#### **Field 11**

- 3.37. Field 11 is broadly triangular in shape and is currently managed for sheep grazing which would continue with the proposed scheme. The southern boundary is defined by mature woodland which would be retained. The northern boundary is defined by a mature hedge with the occasional gap infilled and managed at 3 – 4m in height. The bridleway on the north side of this hedge would be physically unaffected by the proposal. The western boundary is defined by a mature hedge which would be retained. A bridleway runs along the western boundary within the field and would be retained within a green lane with a further new hedge running along the eastern side of the bridleway, beyond which would lie a security fence and solar field 11. The north-western apex of the field would be managed as a wildflower meadow area and also framed by a new hedge.

#### **Field 12**

- 3.38. Field 12 is currently irregular in shape and currently managed for arable use and is proposed to be converted to pasture for sheep grazing. The field is framed on three sides by existing woodland which would be retained, as would an existing hedgerow along the southern boundary. The southern part of the field is proposed to accommodate a new native instant hedge to provide visual containment and would be managed at 3 – 4m in height and would run alongside a strip of wildflower meadow.

#### **Field 13**

- 3.39. Field 13 is currently irregular in shape and currently managed for arable use and is proposed to be converted to pasture for sheep grazing. The eastern part of the field is proposed to accommodate a new tree belt, whilst the western boundary to the solar field would accommodate a new instant hedgerow with the existing woodlands to the west and to the south retained.



#### **Field 14**

- 3.40. Field 14 is currently irregular in shape and currently managed for arable use and is proposed to be converted to pasture for sheep grazing. The eastern part of this field would accommodate a new instant hedge to provide visual containment for the benefit of a nearby residential property known as The Cottage. The northern part of the field would accommodate a tree belt to provide physical and visual containment for the benefit of a nearby property, Stone House. The existing and mature hedge along the southern boundary of the field would be retained as would be the case regarding woodland to the west known as Ash Spinney. The north-western boundary of this field is defined by mature double hedgerows which would be retained and managed at 3 – 4m in height.

#### **Field 15 (Reduced Area for Determination)**

- 3.41. Field 15 is broadly diamond-shaped and is currently in arable use which would be converted to pasture for sheep grazing. The northern and western boundaries defined by woodland would be retained. The south-eastern boundary would be defined by a new instant mature hedgerow with some proposed native tree planting in the eastern corner of the field. A strip of grassland is proposed along the eastern boundary with the solar panels and deer fencing set back from the bridleway which would be retained. The existing hedgerow along the western side of the bridleway would be retained, infilled and managed at 3 – 4m in height.

#### **Field 16**

- 3.42. Field 16 is an elongated rectilinear field. This is framed by a series of woodlands to the north. The north-eastern and south-western boundaries of the field are defined by hedgerows, whilst the eastern boundary is defined by a farm access track and long-distance route known as the Midshires Way. This field was removed from the scheme during the determination period mindful of its proximity to Fox Hill Farm, and its access track and associated long distance trail.

### **Decommissioning**

- 3.43. I note that the solar farm comprises a range of built infrastructure in addition to the solar arrays including transformation units, access tracks and grid connection compound. All of the infrastructure associated with the proposed scheme including the construction and maintenance tracks would be removed as part of the decommissioning stage to ensure that



the landscape reverts back to its original state prior to construction. The mitigation and enhancement planting with regard to hedgerows would remain in place. Where built form is removed, the land will be reinstated as grassland to marry in with the existing pastoral fields. The landowner post-decommission stage will have the opportunity to either continue to practice pastoral farming or convert to arable use where such decisions do not require any planning permission.

- 3.44. The OR specifically addresses decommissioning in paragraph 191 noting that at the end of the operational lifespan (40 years), the solar panels and the majority of other infrastructure would be removed, and the site restored back to agricultural use. A small quantity of foundations, hard surfacing and associated infrastructure, in combination with retaining the majority of the site as grassland, means that the land would be relatively straightforward to restore. The restoration process would ensure that over time the land is restored to the same quality as it was previously, and in the event that planning permission was granted this could be secured through a suitable condition.

## 4. Effect on Landscape Elements

### Introduction

- 4.1. This section of my proof assesses the effects on those landscape elements (features) that currently characterise the site itself. It particularly considers the introduction of the new elements that make up the scheme and how these will physically affect the existing features present within the site. It also explains why the scheme would in overall terms result in a beneficial effect as far as some landscape elements are concerned.

### Topography

- 4.2. The site is located in an undulating landscape formed of rounded ridges and wide valleys. The existing generally gradually sloping gradients across the site mean that only limited earthworks would be necessary to accommodate the proposed scheme. The susceptibility of the topography to the type of development proposed is considered to be medium which combined with a medium value, would result in a medium sensitivity.
- 4.3. Changes to the topographic profile would generally be reversible and would be only very localised and relate to the construction of tracks and foundations such as the platforms for the inverters and substation. Consequently, there would not be any requirement for large-scale remodelling of the existing landform within the site. I consider that the overall magnitude of change to the ground profile of the site would be negligible. With a medium sensitivity and a negligible magnitude of change, the overall effect on the topography would be negligible (adverse) in terms of the scale of effect.

### Trees / Tree Cover

- 4.4. Trees and tree cover are significant landscape components along much of the periphery of the site, with well-established woodlands such as Gotham Wood, Kingston Spinney, Crownend Wood, Cuckoo Bush, Leake New Wood and Ash Spinney being located adjacent to parts of the site's boundary. Internally within the site, there is the occasional scattered hedgerow tree, a small clump of trees in the eastern corner of field 5 and a second small group of trees on the northern boundaries between fields 8 and 9. The existing tree resource is considered to be of high value in overall terms and of high susceptibility to changes arising from the development proposed. With a high value and susceptibility, the overall sensitivity



of the tree resource is considered to be high. As illustrated in the Landscape Masterplan (Appendix 2), there is significant tree cover around the site, a number of hedgerow trees within the internal hedgerows and small tree groups which would be retained as part of the green infrastructure. This would, however, be reinforced with new tree belts comprised of native heavy standard and feathered trees. A Detailed Planting Plan can be secured by means of a suitably worded condition. The Arboricultural Impact Assessment (AIA) (CD1.31) in paragraph 10.30 states that, “...**one woodland edge and two trees need to be removed / pruned in order to enable installation of new / widening of access roads and tracks for build and maintenance, and to accommodate the new Permissive Path**”. Overall, the magnitude of change is assessed as low, which when combined with a high sensitivity results in a moderate (beneficial) effect on the tree resource of the site.

## Hedgerows

- 4.5. Across the site, there are a number of hedgerows of varying heights which demarcate the field boundaries. While many of these are in good condition, where there are existing gaps, these would be ‘gapped up’ with indigenous shrub species and complimented with some entirely new hedgerows to aid in screening views and assimilating the proposals into the landscape. The AIA (CD1.31) identifies where sections of hedgerows are to be realigned to accommodate the site access and a number of locations across the site where short sections of the existing hedgerow are proposed to be removed to accommodate access tracks and security fencing. In contrast, a large quantity of new hedgerows are proposed (Appendix 2) resulting in a low magnitude of change. The susceptibility of the hedges is considered to be high and with a high value, results in a high sensitivity. Combined with a low magnitude of change would result in a moderate beneficial degree of effect.

## Land Use / Land Cover

- 4.6. GLVIA3 (CD3.21) makes it clear that consideration should be given to landscape elements which includes land cover which reflects land usage, therefore I proceed to address this particular aspect here in terms of management of the land as it would relate to the proposed solar farm as it ultimately has a bearing upon both landscape character and appearance. There would be an inevitable change in the existing land cover of the site with the proposed scheme in place; with any land currently used as arable farmland having the potential to be converted to pastoral use. Therefore, to accommodate the solar farm, the land would retain



its agricultural function managed as pasture, whilst still accommodating the solar array infrastructure. The notable point here is that there would be a very limited loss of agricultural land throughout the operational years and upon decommissioning, would allow arable to be reintroduced. Switching between pastoral and arable use is an integral part of farm management either short or long term and does not require planning permission.

- 4.7. The grazing density for sheep within a solar farm is not materially different to general grazing densities. By conversion to pasture, the land would not only have the opportunity to rest, but there would be an improvement in agronomy terms through sheep being kept on the land with associated increased nutrient levels. With a medium susceptibility and medium value, resulting in a medium sensitivity combined with a medium magnitude of change (retained fields with solar panels which would remove some sense of openness across the pastoral fields) would result in a moderate (adverse) degree of effect with regard to land cover associated with the site.
- 4.8. My analysis which I have set out above is based on a number of considerations relating to this aspect of the scheme and is noted in the following paragraphs.
- 4.9. Part of the site is currently farmed as arable land, the other half is classified as improved grassland in the Habitat Survey Map (which accompanied the application). The land management can change from arable to pasture as good farming practice without the requirement for planning permission.
- 4.10. With the scheme as proposed, the land would be managed as pasture where the solar panels are located within the existing fields.
- 4.11. This land cover would be retained across the entire site, with the solar panels superimposed over this managed grassland, in contrast to development that sits in the land and is permanent.
- 4.12. This would be farm managed with sheep grazing to ensure that the grassland is appropriately managed and maintained for the lifetime of the project. Sheep are able to effectively graze across any of the grassland whether it is under the panels or between the panels themselves.
- 4.13. Throughout the life of the project, the land would be farmed based on sheep grazing and therefore would remove any intensive arable farming practice.



- 4.14. The amount of actual loss of agricultural land as a result of the scheme would be negligible given the overall size of the site. Apart from the substation and inverter units the only other infrastructure that would be superimposed over the grass sward would be the steel supports for the solar panels.
- 4.15. It is good practice to break the agricultural cultivation of the land with the land left fallow and retained as pasture to allow the soil ecology to recover. This scheme would allow the land to effectively rest from arable use for the life of the project. If the land were managed for grazing the sheep droppings as humus would allow the soil to become more enriched in soil habitat terms. At the end of the period, the soil resource would be a better-quality enriched resource for farming as a consequence. There will be as a result, long-term benefits for the soil from being rested for 40 years. Furthermore, if the land were managed for pasture with sheep grazing present, the proposal would allow carbon sequestration with regard to the soil resource within the site.
- 4.16. The physical form of grassland would remain with the solar panels in place.
- 4.17. The fields are currently free of built development and therefore have a sense of openness associated with the field units. The introduction of the solar panels whilst extending across the topography at a maximum height of 2.8 metres above ground, would nonetheless result in some reduction concerning the sense of openness associated with the field units. It is this particular aspect that would result in an adverse nature of effect as it relates to land cover, as the actual physical impact and loss would be limited in scale across the entirety of the site as described above.
- 4.18. The installation of the solar arrays would not seal the land, nor The installation and decommissioning process would not have any significant or long-term adverse effects on soils subject to the proposal following good practice in terms of pasture management and maintenance.

## **Public Rights of Way**

- 4.19. There are a number of public rights of way in the locality (Appendix 1) and all those beyond the site would be physically unaffected with the scheme in place.

4.20. With regards to the on-site PRow, no diversions of any footpaths are required to facilitate the proposed scheme, with the existing routes retained on their current alignments. PRows are considered to be high susceptibility, value and sensitivity, which when combined with no magnitude of change, result in no physical degree of effect on the public right of way as a resource and facility. Effects upon uses of the PRows are considered in Section 6 of this proof of evidence which deals with visual amenity. New permissive footpaths are proposed as part of the scheme to connect to existing PRows and in order to extend the PRow network. With a high susceptibility, value and sensitivity which when combined with a low magnitude of change, would result in a minor beneficial degree of effect with regard to this resource.

### Water Features

4.21. Technical Appendix 4: Flood Risk and Drainage Impact Assessment (CD1.25) submitted as part of the application identifies a number of short sections of watercourses within the site, which is typical in the locality. Due to the characteristic nature of features within the site when compared to the surrounding area, they are considered to have a medium susceptibility, value and sensitivity to the type of development proposed. The proposals have been designed to allow a separation buffer between these features and the proposed infrastructure. In short, the existing water features would be retained and not physically affected which results in a negligible magnitude of change. As a result, the effects would be negligible beneficial with regard to water features within the site.

### Summary of Effects upon Landscape Elements

4.22. The scheme would result in some beneficial effects upon the landscape elements within the site when considered in the round, as summarised in Table 1 below.

<b>Table 1: Summary of Effects on Landscape Elements</b>	
<b>Element</b>	<b>Landscape Effect</b>
Topography	Negligible (adverse)
Trees	Moderate (beneficial)
Hedges	Moderate (beneficial)

Land Cover	Moderate (adverse)
Public Rights of Way	Minor (beneficial)
Water Features	Negligible (beneficial)

- 4.23. In overall terms, the scheme would result in some beneficial effects with regard to the landscape elements that currently define the landscape character of the site, which would change from a series of arable and improved grassland fields to one of a solar farm set within grassland and structural vegetation. However, the elements that currently contribute to defining the character of the site, namely trees and hedgerows would be retained and enhanced to form a more robust collection of landscape elements, albeit set within the context of a solar farm with the land managed for pasture.
- 4.24. It is also worth reiterating that the scheme can be described as long term in nature (i.e., 40 years), with the land cover being temporary; meaning that it will be possible for the land to be returned to its previous arable use. Solar energy developments are characterised by their low profile, light footprint, and reversible nature. The timescale of 40 years is similar for some other elements in the landscape such as timber crop production.
- 4.25. The proposal is time-limited for 40 years and therefore with the decommissioning stage all infrastructure, with the exception of the customer substation would be removed. However, all the new planting introduced would have matured along with the ongoing management and maintenance of the other retained features and as a result, there would be a clear beneficial legacy from this project in terms of landscape elements which collectively would also enhance landscape character as advocated in the published Landscape Character Assessments.
- 4.26. I recognise that the scheme would bring about an unavoidable change to the character of the site itself, introducing solar panels and associated infrastructure superimposed over grassland which can be managed for pasture and grazing. However, such a change would in physical terms be confined within the site boundaries.

## 5. Effect on Landscape Character

### Introduction

5.1. This section of my proof explains how the scheme would have a bearing upon the landscape character of the surrounding area. As defined in the GLVIA3 glossary landscape character is defined as ***“A distinct, recognisable and consistent pattern of elements in the landscape that makes one landscape different to another...”***.

5.2. To further clarify a distinction in the use of terms, Landscape Character Areas (LCAs) are discrete geographical areas of a particular landscape, as opposed to Landscape Character Types (LCTs), which are defined in GLVIA3, page 157 as follows:

***“These are distinct types of landscape that are relatively homogeneous in character. They are generic in nature in that they may occur in different areas in different parts of the country, but wherever they occur they share broadly similar combinations of geology, topography, drainage patterns, vegetation and historical lands use and settlement pattern, and perceptual and aesthetic attributes.”***

5.3. A number of landscape character assessments have been undertaken in recent years to identify landscape character types and areas and published to assist professionals in understanding how development can affect landscape character.

### Effect on the Character of the Site

5.4. Further to my own assessment, I have provided in the preceding chapter some narrative to explain how the proposed scheme would have a bearing upon the landscape character of the area. With regard to the site itself, I consider this to be quite unremarkable in landscape character terms and in this regard consider the site to be of medium value and of only medium susceptibility and sensitivity with regard to this proposal. This combined with a low magnitude of change (given the retention and enhancement of green infrastructure combined with the limited built form) would result in an overall minor adverse effect upon the character of the site itself. I proceed to consider the landscape character of the landscape beyond the site itself.



## National Level – National Character Area 74: Leicestershire and Nottinghamshire Wolds

5.5. The site and the surrounding area are located within the National Character Area (NCA) 74: Leicestershire and Nottinghamshire Wolds (CD3.28, Appendix 13). This NCA forms part of an assessment of the character of England's landscape, first undertaken by the Countryside Agency but now the responsibility of Natural England. The key characteristics of this NCA are described on page 6, those which are relevant to the site, the locality and the scheme include:

- *'A range of rolling hills, with elevated plateaux, narrow river valleys and distinctive scarp slopes*
- *Jurassic mudstones (towards the west), limestone, sandstone and ironstone overlain by glacial till throughout much of the area produce moderately fertile soil*
- *Woodland cover is generally sparse, except for some wooded scarps and in the Wreake Valley and adjacent to Rutland Water. Elsewhere, spinneys, fox coverts, hedgerows, hedgerow trees and streamside trees provide moderate cover*
- *Agricultural land use dominates with arable farming on the plateaux tops and pasture on steep sloping valley sides*
- *Agricultural land use has diminished semi-natural habitat although important habitats do remain, including species-rich neutral grasslands, wet meadows, parkland, reservoirs, rivers and streams*
- *The centrally elevated Wolds form a watershed between the rivers Wreake, Soar and Trent, draining streams downwards in a radial pattern to each of these rivers, which together with Rutland Water, provide significant biodiversity and recreation assets*
- *Urban influences include overhead lines, mineral extraction sites, airfields and the busy A46 and A60 although these do not weaken the rural character.'*

5.6. All of these key characteristics identified above would remain and prevail beyond the site itself with the scheme in place. Any landscape effects would be negligible beyond the environs of the site.

5.7. I also note that the following Statements of landscape opportunities are identified within the document relating to NCA 74 Leicestershire and Nottinghamshire Wolds:

***"Manage the areas of neutral grassland, the most common type of unimproved grassland that is threatened by agricultural practices. The neutral grassland is often associated with ancient ridge and furrow patterns***

*and characterised by a rich flora; a valuable habitat and an important historic asset and educational feature.*

*Manage and plan to extend the network of hedgerows. The existing field pattern is commonly bounded by hedgerows displaying the rectilinear pattern of 18th- and 19th-century enclosures which could be threatened by commercial agriculture. Plan to augment the over-mature hedgerow trees that are a distinctive feature.*

*Manage and conserve the predominant tree species that include ash, oak, sycamore and white willow and crack willow in wetland areas. Consider successional planting to conserve the tree canopy in existing woodland.*  
(underlining is my emphasis)

- 5.8. The proposed scheme would involve the management of extensive areas of grassland across the vast majority of the site above which the solar arrays would be located. Furthermore, the proposal would retain the existing network of hedgerows and extend this network in some locations. The proposal would also introduce trees and woodland planting. All of these aspects are identified as opportunities for the NCA 74. The scheme would retain and enhance the existing field boundaries as well as increase tree and woodland cover, and the scheme responds positively to the above quoted landscape opportunities.
- 5.9. Furthermore, the field pattern, hedgerows and hedgerow trees and the grain of the landscape would all remain in place. The site would still be in agricultural use just not so obvious given the solar panels and associated infrastructure. There would be no net loss of any features other than the current arable land use, the only difference is that the solar panels would be introduced along with the other infrastructure within the framework of the fields. In character terms, beyond the site and its immediate environs, there would be no material change to the physical and experiential characteristics of the landscape.
- 5.10. In summary, I note that the overall key characteristics of the NCA reveal a settled and managed landscape with specific references to urban influences. It acknowledges (page 8 of the document) that modern influences include, "landscape "...**pylons, airfields and the busy A46.**" This Natural England document is inevitably a high-level character assessment, but it provides a useful overview to understand the character of the local and wider landscape and its surroundings.
- 5.11. At this higher level, it is considered that the scheme would not have any discernible effect with regard to the key defining characteristics of this NCA as identified above. It is more informative to examine the local character assessments.

## East Midlands Regional Landscape Character Assessment (2010)

- 5.12. The East Midlands Regional Landscape Character Assessment was published in April 2010 and was commissioned by the East Midlands Landscape Partnership and prepared by LDA Design Consulting LLP. In the introduction, it recognises that this is a new tier in the landscape character assessment hierarchy in England and the first regional assessment to not only provide a comprehensive and detailed examination of the region's landscape but also to address seascape characterisation. It goes on to note that the character assessment identifies 31 Regional Landscape Character Types (RLCTs) which are split into 11 groups, the purpose of which is to provide a strategic regionwide evidence base to help decision making on issues that will have implications for the landscape and wider environment.
- 5.13. Section 1 provides an introduction to the assessment and notes in section 1.3 that one of the aims of the assessment is to provide protection which seeks action to conserve and maintain the significance of historic features of a landscape, along with management where action from a perspective of sustainable development to ensure the regular upkeep of a landscape to guide and harmonise changes which are brought about by social, economic and environmental processes.
- 5.14. The site and the immediate surrounding area fall within Group 8 and RLCT 8A (Appendix 14), both of which go by the same name of the Clay Wolds. Key characteristics of RLCT 8A relevant to the site and the locality include:
- ***“Broad plateaux overlain by thick mantle of till surrounded by undulating ridges and valleys, and prominent scarp slopes***
  - ***Clay plateaux drained radially by streams occupying narrow valleys creating rolling landform***
  - ***Mixed farming but with mainly arable on the plateau tops and pasture on steep sloping land and along valleys; hedged fields generally medium to large scale, with some evidence of amalgamation***
  - ***Well treed character from hedgerows, hedgerow trees, copses and small woodlands despite limited areas of large woodland***
  - ***Sparse settlement pattern of small villages and farms with little modern development***
  - ***Ironstone and limestone churches and vernacular buildings, but brick the most abundant and -widespread building material***

- *Frequent and prominent ridge and furrow close to villages*
- *Quiet and remote, often empty character with expansive views contrasting with more intimate and intricate areas close to villages*
- *Damming of several valleys to create reservoirs which have localised impact on landscape character.* (underlining is my emphasis)

5.15. Under the heading of 'Landscape Character' on internal page 230, the text states that *"the historic character of the landscape is dominated by hedged fieldscapes dating to the 18th and 19th centuries, albeit overlain onto a much older pattern of sinuous boundaries and routes across the hills. Other influences are limited to occasional rail routes winding through the landscape and reservoirs. In more recent decades, the removal of hedgerows and increased reversion to cereal farming has had a subtle influence on landscape character."*

5.16. Under the heading of 'Physical Influences' the geology of the RLCT is noted, the text goes on to state that the streams which rise on the elevated plateau areas of the RLCT flow into the surrounding river valleys, and that the influence of these valleys on the landscape character is significant as they are in part responsible for creating the undulating landform. The text on internal page 231 goes on to note that widespread improvement and cultivation of the landscape has diminished the nature conservation interest of the agricultural landscape. However, the text notes that the isolated areas of species-rich grassland that remain are noted for their biodiversity value. Woodlands are also noted as being locally important, although not generally dominant features, ancient woodlands are also noted as being limited in scale. Larger scale woodlands are noted as being features of parklands, valley sides and steep sloping scarps. Small geometric broadleaf copses and coverts are also noted as being important landscape features that provide cover for game and other farmland species. The final paragraph under the heading of physical influences states that *"Hedgerow trees, notably oak and ash, and lines of trees fringing watercourses also add to the wooded character of the landscape. Whilst the scale of fields, and therefore the distance between boundaries limits their ability to reduce the open character of the landscape, hedgerows are also locally important, providing visual containment and networks of habitat through the agricultural landscape."*

5.17. Under the heading of 'Aesthetic and Perceptual Qualities' on internal page 232, the text notes that the absence of buildings and people across wider areas of the RLCT results in a remote character, despite it being a productive agricultural landscape close to several large towns.

Colours and textures are noted as being generally simple and muted, mainly as a result of agricultural practices; and large fields of single crops. The text goes on to note that hedgerow removal or the absence of hedgerow management has resulted in a perceived decline in the landscape character. This is in contrast, ***“More intact areas surrounding villages, perhaps displaying arable and pasture farming, wet meadows and areas of woodland, provide an important contrast, particularly where hedgerows are well maintained and form continuous unbroken networks.”***

- 5.18. On internal page 233, under the heading of ‘Landscape Change and Management,’ built development; forces for change; and large-scale modern mixed-use development are noted as being evident on the fringes of larger settlements in the south of the RLCT which creates visual intrusion and extend the urban fringe.
- 5.19. Under the heading of ‘Shaping the Future Landscape,’ the text states, ***“The aim should be to protect the character of the countryside and consider the visual impact of any new development.”*** A specific mechanism for achieving this aim is mentioned as being the planting of new trees to help integrate new development into the landscape.
- 5.20. Under the heading of ‘Energy Provision’ on internal page 233, the accompanying text is in relation to wind farm development, rather than solar. It is worthy of note that whilst wind energy development is referenced, there is no specific reference with regard to solar renewable energy which suggests that this form of development is relatively benign in terms of its effect upon landscape character.
- 5.21. The heading of ‘Agriculture and Land Management’ on internal page 234, the text notes that whilst the rural landscape is a mix of pasture and arable, that there is evidence of agricultural intensification which has resulted in the loss or damage of many typical landscape features including hedgerows and hedgerow trees. under the heading of shaping the future landscape, the text states, ***“The aim should be to protect the structure and unity of the landscape and consider the impact of changes to farming practices. Consideration should be given to the management of those features lost or under threat. In particular the restoration of hedgerows should be given priority, creating a stronger pattern of land use and reinforcing the well-treed character.”*** The text goes on to state that an aim with regard to new agricultural development is that it is appropriate in terms of its type, scale and location. The proposal would accord with this strategy as it would seek to retain the network of hedgerows, reinforce those that exist and propose additional new hedgerows.

- 5.22. Under the heading of 'Forestry and Woodland, Forces for Change,' the text notes that woodland cover does vary across the RLCT, although there is generally more woodland within an upland area, stating that, ***"New woodland planting would therefore generally be appropriate, reinforcing the character and increasing overall woodland coverage in the region. New woodland could also be used in and around settlements to integrate new development into the landscape and contain future growth."*** The proposal would accord with this strategy with regard to trees and woodland.
- 5.23. The text under the heading 'Shaping the Future Landscape,' with regards to forestry and woodland, goes on to state that ***"The aim should also be to manage existing trees and woodland, encouraging new planting to ensure a diverse age and ecological structure. Consideration should also be given to the creation of woodland edge habitats, enhancing their contribution to landscape and biodiversity character, and strengthening links with restored hedgerows and grassland areas."*** The proposal would accord with this strategy with regard to trees and woodland.

## **Greater Nottingham Landscape Character Assessment (2009)**

- 5.24. The Greater Nottingham Landscape Character Assessment forms one of the background documents that supported the preparation of the Rushcliffe Local Plan. The assessment identifies a series of Regional Character Areas (RLA), which are then further broken down into a series of Draft Policy Zones (DPZs).
- 5.25. The assessment locates the site and its locality within the Nottinghamshire Wolds RLA. Key characteristics of the RLA include:
- ***"Defined by a low boulder clay plateau traditionally known as 'wolds' (elevated tracts of open land);***
  - ***Closely associated with a dissected glacial plateau comprising variable thicknesses of boulder clay overlying Lower Lias and Rhaetic Beds;***
  - ***Broad area of low hills which extend to the Soar Valley thinning out to a series of hills in the north. Gotham and West Leake are the most prominent; Rhaetic beds provide a low steeply inclined escarpment which forms a continuous boundary above Cropwell Bishop broken only by the valleys of Fairham Brook and other minor streams;***



- *Soils are predominantly strong clayey matrix containing chalk stones and lenses of fine loamy material which are difficult to cultivate although loamy coarse soils are present to the west of the region;*
- *Erosion by streams has stripped away covering glacial drift to create a series of deep valleys separated by ridges of higher ground. The most prominent is Kingston Brook, a narrow corridor flanked by steeply rising hills;*
- *Most streams flow west towards the River Soar except Fairham Brook which flows north to the River Trent;*
- *Distinctive rural character and feeling of seclusion from urban centres;*
- *Small red brick and pantile roofed villages interconnected by narrow winding country lanes;*
- *Larger commuter settlements with residential estates on their fringes and small older centres within the northern and western parts of the region;*
- *Red brick and pantile roof farmsteads are common within the area although many farms contain larger modern buildings constructed in metal or timber;*
- *Industrial influences have a localised effect on the area such as Ratcliffe on Soar Power Station, and gypsum works at East Leake and Gotham;*
- *Narrow lanes bordered by hedgerows and frequent hedgerow trees (mostly ash with some oak);*
- *Extensive areas of continuous pasture and arable farming;*
- *Well-defined and recognisable pattern of hedged fields and woodland;*
- *Medium to large scale regular and semi-irregular field pattern, this is less distinctive in arable fields; older smaller field patterns are present in pastoral fields close to village fringes;*
- *Ridge and furrow present within pastoral fields;*
- *Hedgerows are mostly hawthorn, most are well maintained and intact although around arable fields their condition is more variable;*
- *Broad-leaved woodland is variable across the area and ranges in size creating areas of high and low enclosure; the most prominent and mature is on high ground covering the hills to the north at Gotham and West Leake and around Cotgrave;*
- *Smaller woodland copses and coverts are common and exert a localised influence particularly where present on high ground;*
- *Hills characterised by large regular blocks of mature broad-leaved woodland, scarp grasslands and pasture and long arable fields which extend down the slopes;*

- *Pockets of wooded parkland provide an element of formality and enclosure within the landscape such as Stanford Hall and Kingston Hall;*
- *Small streams notable through the presence of willows and riparian shrubs; and*
- *Willow pollards are common within this area.* (underlining is my emphasis)

5.26. Guidelines and recommendations for the Nottinghamshire Wolds RCA include:

- *“Enhance the broad-leaved character of existing woodlands;*
- *Identify opportunities for new woodland planting on suitable sites;*
- *Conserve the sparsely settled rural character of the landscape;*
- *Conserve the traditional built form character and pattern of rural settlements;*
- *Conserve all areas of permanent pasture particularly where present close to villages and along streams;*
- *Promote measures for conserving and enhancing the historic features such as ridge and furrow;*
- *Conserve the historic pattern of hedgerows along rural lanes;*
- *Conserve the semi-irregular small to medium scale field pattern around villages and medium to large scale field pattern throughout remainder of the area;*
- *Restore the traditional pastoral character and diversity of scarp grasslands;*
- *Promote measures to enhance the semi-natural appearance of scarp woodland;*
- *Conserve the balance of woodland and farmland on scarp hills;*
- *Conserve the riparian character of stream corridors through retention and replanting of streamside trees and scrub;*
- *Conserve willow pollards where present along stream corridors;*
- *Conserve the character of village side pastoral landscapes; and*
- *Promote measures for achieving a better integration of new and existing development in the countryside.* (underlining is my emphasis)

5.27. At the finest level of the study, the site is located within Draft Policy Zone (DPZ) NW01 Gotham and West Leake Hills And Scarps. Characteristic features of DPZ NW01 include:



- *Series of prominent individual hills with steep sometimes scarp slopes and broad plateaus*
- *Hills are the dissected northern extent of a low boulder clay plateau extending from Leicestershire traditionally known as 'The Wolds'*
- *Rural character although urban elements such as villages, power station, industry and quarrying are frequent in the landscape*
- *Kingston Brook is a localised feature on low ground between hills characterised by riparian woodland and some grazing pasture at its margins*
- *Land use is a mixture of woodland, arable and pasture. Arable is on the lower and more gentle slopes, pasture close to rivers, settlements and scarp grassland where the land is steeply sloping precluding machinery from working the land*
- *Field pattern is mostly modern although pockets of older field systems such as irregular geometric and geometric and those reflecting open fields are present*
- *Field pattern in places sweeps down the slopes and is a distinctive feature*
- *Field boundaries are mostly hedgerows on the slopes with fences often present on higher ground*
- *Woodland is generally on high ground across the hills although there are smaller pockets of woodland on lower ground as establishing scrub and along village fringes/areas of former quarry*
- *Prominent extensive woodland plantation covers the slopes and high ground, often on steep scarps*
- *Rides and areas of open land are interspersed between plantation woodland*
- *Wooded tracks with spring flowering understorey planting along tracks up hills*
- *Large commuter settlements such as Gotham and East Leake and smaller settlements such as West Leake are nestled at the base of the hills on the fringes of the DPZ*
- *Infrequent individual farms within the character area often on the slopes or high ground. A row of individual modern houses is present along Ash Lane. One distinctive red brick and pantile roof farmstead on Bunny Hill is set within gardens with a small orchard*
- *Buildings are mostly red brick with older properties having red pantile roofs*
- *Church towers and spires are prominent within a uniform village skyline*
- *Overhead lines are prominent on low ground between hills*

- ***Small former spring (Wheldon Spring) on Gotham Hill is a localised feature characterised by a depression in the ground and establishing scrub***
- ***Enclosed channelled views on low ground between hills with extensive panoramic views across towards Nottingham City and beyond from high ground*** (underlining is my emphasis)

5.28. With regards to the condition of DPZ NW01, the assessment assigns it a valuation of good, with the explanatory text noting that hedgerows and woodland are well managed, although there is some evidence of field boundary fragmentation in places, and that where hedgerows have been replaced, the timber fencing which replaces them is usually in good condition. The agricultural land is also noted as being well managed, and its features are intact with little sign of decline.

5.29. Under the heading of 'Condition', the assessment also notes that the DPZ comprises a series of distinctive wooded hills with arable fields located on the lower on lower and less steep slopes, with areas of pasture and pockets of grassland on the steeper slopes. The assessment notes that from the high ground within the DPZ views are extensive and often over long distances, which become more enclosed from the lower ground. Urban elements such as Ratcliffe on Soar Power Station and the gypsum works are noted as being urban elements which are frequent within views.

5.30. Continuing under the heading of condition the land use is noted as being a mix of plantation woodland, arable farming and pasture. The field pattern is noted as being mostly medium to large in size although older irregular geometric patterns can be observed near Gotham.

5.31. With regards to woodland, the assessment notes that ***Woodland comprises large geometric field sized blocks of both broadleaved and conifer woodland. On West Leake Hill a large woodland is used for commercial forestry with rides and various belts of different species within woodlands.*** Other vegetation includes smaller frequent copses at the base of slopes and around settlements. Frequent hedgerow trees and intact hedgerows are present across the area. Pockets of regenerating scrub are often around village fringes or on the base of slopes." (underlining is my emphasis)

5.32. Under the heading of 'Landscape Strength', the strength of character is assessed as 'strong', with the explanatory text noting that, ***The hills are distinctive and consistent features across the landscape and exert their influence within the surrounding area. The pattern of arable, pasture and woodland is also consistent with moderate sized villages and***

***some expanding commuter villages present on low ground.***” The text also notes that the DPZ includes a series of distinctive hills which are prominent within the surrounding area and often form the backdrop in views from the southern edges of Nottingham; there are also locations from the high ground where views back towards Nottingham to the north are also possible.

5.33. The assessment assigns DPZ NWO1 an overall landscape strategy of ‘conserve’ with the explanatory text stating that, ***“where the landscape quality is considered to be good (due to good condition and strong character) and there should be an emphasis on protecting or safeguarding the key features and characteristics of the landscape in their present form.”***

5.34. Landscape actions for DPZ NWO1 are listed as:

***“Landscape features***

- ***Conserve the distinctive pattern of hills with large blocks of woodland on high ground***
- ***Conserve the older field patterns within the character area such as those reflecting open systems and the irregular and regular geometric patterns***
- ***Conserve the balance of arable farming on lower slopes and pasture on steeper and higher slopes***
- ***Conserve field patterns which sweep down the hills***
- ***Conserve the landform of the former Wheldon Spring***
- ***Conserve the diversity of broadleaf and large-scale woodland plantations on hills***
- ***Ensure new conifer planting includes belts of broadleaf woodland and woodland edge along its fringes***
- ***Any new woodland planting should be small in scale along the base of slopes becoming larger and of field size on higher slopes***
- ***Conserve the small rides and various ages of woodland within the character area***
- ***Conserve the wooded tracks along the ridgelines***
- ***Conserve hedgerows and encourage infill planting within gaps rather than erection of timber fencing***
- ***Conserve areas of rough grassland where present on steeper scarp slopes***

### ***Built form***

- ***Conserve the frequency of small farmsteads and outbuildings throughout the landscape; any new barn developments should be small scale and fit within the existing pattern and vernacular styles***
- ***Conserve the small linear and vernacular character of West Leake***
- ***Conserve the uniform roofline of villages with prominent church spires***
- ***Encourage the use of red brick and red pantile roofs for new buildings and extensions***
- ***Conserve the nucleated character of larger villages***
- ***Minimise the influence of larger settlements such as East Leake through small-scale woodland planting to reduce the scale and frequency of urban edges within views***

### ***Other development/ structures in the landscape***

- ***Conserve the winding character of rural lanes with expansive channelled views between hills***
- ***Ensure any new industrial development is nestled on low ground and has well wooded boundaries which integrate with woodland on higher ground to reduce its visibility*** (underlining is my emphasis)

5.35. The landscape proposals for the scheme would reflect the landscape actions for the NW01 Gotham and West Leake Wooded Hills and Scarps. The proposal would retain the distinctive pattern of large blocks of woodland as well as conserve the existing field patterns. The existing mix of pastoral and arable fields would be converted to pasture. The proposed new woodland planting would be small in scale. Existing hedgerows would be infilled. All of these elements would relate to the site and the proposals.

## **Rushcliffe Landscape Sensitivity/Capacity Study for Solar Farm**

5.36. I am informed that the Council intend to issue a Landscape Capacity Study with regard to solar development. When this is issued I will review and comment upon the findings of the document with regard to this appeal scheme and reserve the right to prepare a rebuttal proof to address this matter should the document be issued after the submission of my proof.

## **Analysis Concerning Effect on Landscape Character**

5.37. At the National Character Areas (NCAs) and the regional and local landscape level, the proposed solar installation would not change existing topography, vegetation, or drainage



pattern, would not change the local distinctive nature of these features and would be imperceptible at this scale.

- 5.38. The proposed development would represent a change from arable fields to pastoral fields containing solar panels. The proposed development would be contained within the existing landscape pattern and scale. Existing hedgerows would be retained with opportunities for enhancement to maintain and develop the key characteristics of the landscape.
- 5.39. I assess that the landscape has a medium susceptibility to change. Hedgerows and tree cover delineating field boundaries, the medium scale patterns of the fields, and the open views from elevated positions would remain physically unaffected.
- 5.40. I assess that the landscape has a medium value. This is due to it exhibiting a positive character with scenic value, but being generally of medium recreational value, with no landscape designations, little inter-visibility and a generally high level of enclosure.
- 5.41. Following a review of published local character assessments and review of the landscape sensitivity assessment, as well as considering the medium susceptibility to this change, and the medium value of the landscape, I assess, at a local level, that the site has a medium sensitivity to the proposed development.
- 5.42. The proposed development would bring about a low magnitude of change to the local landscape character. The proposed development would introduce some built form but not a major feature into the landscape. This would have little effect upon the wider landform or pattern of the landscape.
- 5.43. With a medium sensitivity to change and an overall low magnitude of change, there would be a minor (adverse) effect on the site and no material change to the wider landscape character beyond the site due to the containment provided by the woodland.
- 5.44. Following decommissioning at the end of the operational life of the panels, the site would be returned to its current condition. However, the landscape enhancements would remain. There would be minor long-term benefits to the local landscape character arising from the mitigation measures, the enhancements to the landscape elements and biodiversity within the site.

5.45. Given the proposed infill hedgerow planting and the arrangement and orientation of the proposed solar panels, the development would avoid adding any conspicuous new elements into the landscape post-operational stage. Consequently, it is concluded that the development would not have any significant residual effects on the character of the wider area.

## Summary

5.46. In overall terms, I consider that there would be a minor adverse effect upon the landscape character of the site itself. No off-site works are required to enable this scheme to be implemented. The physical character of the surrounding landscape would remain and prevail unchanged with the proposed solar farm in place.

5.47. In terms of landscape character associated with the site, this is defined by the combination of various landscape elements principally topography and land cover, hedgerows, tree cover and the configuration of the fields themselves. The field pattern is sometimes referred to as the "grain" of the landscape. With the exception of some small areas of development such as the substation and inverters which would require the loss of some agricultural land, all of these landscape elements would be retained and remain as part of the landscape whilst the scheme is in place. It is accepted that where the panels would be located the continued agricultural use would be in the form of grazing rather than arable use.

5.48. The hedgerows would be reinforced with further hedgerow planting and the tree cover resource associated with the site would also be reinforced with additional tree planting. The hedgerows would be managed such that some of them would be maintained at a slightly higher level than is currently the case.

5.49. The trees over the project lifetime, both those existing and those introduced as part of the landscape proposals would all continue to grow developing larger canopies apart from those trees that are already fully mature. This growth over a 40-year period which is a significant period of time for both hedgerow and tree growth would result in reinforcing the defining positive characteristics of the site, with regard to these features. Furthermore, the increased vegetation growth would create a stronger sense of physical and visual containment associated with the site. This change would reduce the visual effects that would come about over the project timescale.

- 5.50. Upon completion of the decommissioning phase, all built infrastructure would be removed both above and below ground across the entirety of the site. The management and growth of the hedgerows and trees across the site would continue to remain as part of the landscape post decommissioning phase and would leave a positive legacy in terms of landscape character given that trees and hedgerows contribute to the landscape character locally.
- 5.51. Beyond the environs of the site, the landscape character of the area would remain materially unchanged. With the proposed scheme in place, the character of the fields within the site would change as they would now accommodate solar arrays, but the underlying character of the fields would still be there and would fully return with the decommissioning of the solar farm in the longer term. However, it is proposed that as an integral part of the scheme, new hedgerows and tree planting would be introduced, and meadows created with arable land converted to pasture as advocated in the Council's own landscape character documents. All of these elements could and would remain after decommissioning as a positive legacy of the scheme and bring about enhancement to the landscape character in the long term.
- 5.52. The proposed scheme involves solar arrays and some associated infrastructure located in several adjacent fields. Some of these are managed for arable use. However, depending on farm management and maintenance and crop rotation, these fields could revert to pasture for a fallow period without any recourse to planning and similarly, grazed as pasture, again without any recourse to planning, such is the minor consequence of such a change of use in farming circumstances. It is intended that whilst the solar arrays would be installed and operational, the fields would continue to function as fields and accommodate grazing stock for the whole duration of the lifetime of the project. The site would continue to have an agricultural use.
- 5.53. The existing landscape elements, vegetation, trees, and hedges would continue to remain and be reinforced. Therefore, the general agricultural character of the fields would remain accepting that they would also accommodate a solar farm, a renewable energy generating installation and as such, would change the current existing character of those developed fields. Some parcels of land within the red line would remain materially unchanged in terms of their character as farmland and beyond the confines of the red line site boundary, again there would be no material change to the physical fabric of the landscape character of the area beyond the site. The site itself is to a substantial degree framed by a mosaic of woodland areas. The physical character of these woodlands would not change with the proposed



scheme in place, nor would the general character of the countryside beyond the site and these woodlands. This point can most readily be illustrated by means of reference to figure 3 (LVA) (CD1.22) which provides an aerial view of the site and surrounding landscape. This existing woodland framework enables the site and the proposals to benefit from a high degree of physical and visual containment from the rest of the surrounding countryside. In my experience, having been involved with numerous solar farm sites, it is highly unusual to see such a high degree of containment due to the presence of such substantive woodland cover.



## 6. Effect on General Visual Amenity

- 6.1. To reiterate, character and appearance are two different aspects. The physical character of the surrounding landscape would remain unaltered with the scheme in place.
- 6.2. In order to gain a better understanding of the extent and nature of the change brought about by the scheme on the appearance of the local landscape, I examine the effect of the proposed scheme on the general visual amenity of the landscape and the perception of those visual receptors (people) using the landscape.
- 6.3. My assessment relates to the representative LVIA viewpoints (CD1.22) and additional context viewpoints (Appendix 10).
- 6.4. Visual amenity is defined on page 158 in the Glossary of Guidelines for Landscape and Visual Impact Assessment – Third Edition (April 2013) as:
- “The overall pleasantness of the views people enjoy of their surroundings, which provides an attractive visual setting or backdrop for the enjoyment of activities of the people living, working, recreating, visiting or travelling through an area.”**
- 6.5. The LVA analysis demonstrated that much of the landscape within the locality would be visually unaffected by the proposed scheme. In reality, the actual visual envelope from where the proposed scheme would be seen would be very limited and highly localised owing to the layering effect of vegetation, principally the extensive woodlands in the intervening landscape between the visual receptor (person) and the site boundary. Detailed analysis is set out in the LVA and visualisations which I do not repeat in my proof. Notwithstanding this analysis, I have undertaken my own analysis to provide further context to this LVA analysis.
- 6.6. The appreciation of views from the countryside is mainly gained from vantage points accessible to the public. The two main ways in which members of the public can gain an appreciation of views when in the countryside are primarily from public highways and by using the various public rights of way that pass through the landscape.
- 6.7. Within the local area, the network of public highways is limited. It includes a number of unclassified roads (Appendix 8) that connect the various settlements in the landscape. The typical character of these minor roads tends to be narrow, with hedgerows, hedgerow trees and built form situated immediately beyond the metalled surface of the carriageway.

Consequently, within the local landscape, the presence of such roadside vegetation and built form means that a road user using these highways often has only a restricted opportunity to gain views of the countryside. The view of the user is most often channelled along the lane itself in the direction of travel. The user's appreciation of the wider countryside is very much limited to the direction of travel and to a narrow landscape corridor associated with the highway in front of the vehicle. Thus, the opportunity to gain a panoramic appreciation of the landscape and of the proposed solar farm within the site would be very restricted.

- 6.8. The detailed analysis is set out within the LVA. I comment here to provide a further narrative to that analysis. There are a number of public highways and rights of way in the vicinity of the site which I proceed to address with regard to the cardinal points of the compass.

### **Views of the Solar Farm from the Countryside to the North**

- 6.9. There is a network of roads to the north of the site including a number of minor roads together with the major highway, the A453. There is a road a short distance to the north of the site which is called Kegworth Road and is orientated north-east to south-west linking the settlement of Gotham to the north with Kingston on Soar to the south. This is the closest road to the north of the site, however, there would be no opportunity to observe the proposed scheme from this highway due to a combination of topography and tree cover. For the same reasons, there would equally be no opportunity to observe the solar farm from roads further north including the major highway, the A453 linking Kingston to the north with Lockington to the south. There are a number of other roads in the River Trent valley in the vicinity further north of the A453. However, none of these routes would be visually affected by the proposals due to the substantial woodland, Gotham Wood which wraps around the northern part of the solar farm.
- 6.10. There is a network of public rights of way across the countryside lying to the north of the site as seen on the plan at Appendix 1. These tend to be concentrated across an area of local high ground forming a ridge known as Gotham Hill which lies due north of the site. Whilst many of the PRowS extend across this local high ground, none of these would be visually affected by the proposal due to the visual containment of Gotham Wood immediately to the north of the site. There is a bridleway which is broadly orientated north-west to south-east. South of Kegworth Road this bridleway extends across rising ground in a southward direction towards the site. There would be no opportunity to observe the proposed scheme from this section

of the route until alongside the site itself where there is an existing field access point into the site itself. The screening effect of the proposal is due to the presence of tree cover and hedgerows flanking Wood Lane bridleway itself.

- 6.11. In summary, there would be no actual location to the north of the site which would afford visibility of the solar farm and as such, benefits from a high degree of physical and visual enclosure.

### **Views of the Solar Farm from the Countryside to the South**

- 6.12. There are few public highways in the immediate vicinity to the south of the site. The nearest one being a country lane lying approximately 1km south and orientated east-west linking East Leake to the east with West Leake to the west. There would be no opportunity to observe the proposed scheme from this highway and as such, no roads would be visually affected in the countryside to the south.
- 6.13. There are a few PRowS to the south of the site. The principal route is the local promoted route known as the Midshires Way which links West Leake to the west to East Leake to the east. Much of this route follows a local ridge line of high ground and passes relatively close to the site. However, surrounding woodland comprises Foxhill Wood, Fir Dale Plantation and Crow Wood in the intervening landscape and frame much of the southern part of the solar farm such that there would be no opportunity to observe the proposal from this route. There are a number of other public footpaths located south of the Midshires Way, however, these are located across lower elevated land and again, would be visually unaffected by the proposals.
- 6.14. In summary, the proposal benefits from a high degree of visual containment due to topography and woodland such that the local public rights of way and highways to the south of the site would be visually unaffected.

### **Views of the Solar Farm from the Countryside to the East**

- 6.15. To the east of the site lies a local escarpment slope beyond which lies a large vale of low-lying land which accommodates a network of country lanes, particularly focused on the village of Gotham and also East Leake. The nearest road is a country lane which links Gotham to East Leake. This route and connecting adjacent highways would be visually unaffected by



the proposal due to a combination of topography and woodlands. This would also be the case for other public highways located across the vale landscape to the east.

- 6.16. In terms of public rights of way, there is a bridleway which runs along the north-eastern boundary of the site. More specifically, it lies adjacent to field number 15. However, this route is flanked on its western side by a mature hedge which would restrict the opportunity to observe the proposed scheme. There are currently some gaps in this hedgerow which are proposed to be planted up and reinforced such that the hedgerow would be continuous in length without any breaks. Once established and grown, it would provide a continuous screen maintained at a height of 3m + such that in the medium term (5 years) there would be very limited opportunity to observe the proposed scheme associated with field number 15 where this route passes this field.
- 6.17. A bridleway runs into Wood Lane along the north-eastern boundary of a number of solar fields. This route runs alongside a triangular field reference number 11. However, there is a mature hedgerow running along the southern side of the bridleway between the route and the field which is mature and virtually continuous in length and as such, there would be little opportunity to observe the proposed scheme from this bridleway. There are a few gaps along this hedgerow and where they exist, these would be filled with native shrubs to provide a continuous length of hedge so as to prevent opportunities to observe the proposed solar farm.
- 6.18. Field reference numbers 7 to 10 comprise four broadly rectangular fields, the northern boundaries of which are generally open in nature currently and as such, currently, there are views from the adjacent bridleway into these four fields. It is proposed as part of the scheme, that a mature instant hedge would be introduced along these four field boundaries to provide visual containment. Once established and grown, within a couple of years there would be very limited opportunity to observe the proposed solar farm except where there are access points along the hedgerows which would afford fleeting views along this section of bridleway. The bridleway also runs alongside the northeastern boundary of fields 5 and 6. However, this route is framed on its western side by mature hedgerows and tree cover. The few gaps that exist in the hedgerow would be planted with native shrubs to create continuous lengths of hedges such that there would be no opportunity to observe the proposed solar farm from this route with the hedgerow managed at a height of 3 - 4m. The management of the

hedgerows can be secured by means of a planning condition. This is the only PRoW which lies to the east of the site which would be visually affected to a limited degree.

6.19. There is a further bridleway in the vicinity of Cuckoo Bush Wood which descends the local escarpment leading into Gotham, though this route would be visually unaffected due to topography and tree cover. Other PRoWs in the vale further east would be visually unaffected due to topography and tree cover in the intervening landscape.

6.20. The visual envelope associated with the scheme lying to the east of the site is restricted to a single bridleway which runs along the boundary of the site beyond which there would be no visual effects associated with the solar farm for both public highways and rights of way.

## **Views of the Solar Farm from the Countryside to the West**

6.21. There is a network of public highways in the undulating landscape to the west of the site which connect various villages including Kingston on Soar, West Leake and Sutton Bonnington. All of these unclassified country lanes would be visually unaffected by the proposal due to topography and tree cover comprising a number of woodlands which wrap around the western side of the solar farm and includes Kingston Spinney, Crownend Wood, West Leake Hills, Ash Spinney and Foxhill Wood. All of these woods collectively wrap around the western side of the proposed solar farm.

6.22. In terms of public rights of way, there are a few routes which extend across the countryside to the west and provide connections between the various villages like the public highways. There are also several bridleways which are broadly orientated north-south which extend northwards from the village of West Leake and ascend a local wooded escarpment passing through woodlands including West Leake Hills Wood and Crownend Wood. South and west of the site, these routes would be visually unaffected by the proposal due to woodland cover and topography in the intervening landscape.

6.23. In summary, the actual visual influence of the solar farm would not affect public highways and only PRoW adjacent to or within the site reflecting a high degree of visual enclosure as a result of the extensive woodland wrapping around the site.

## PRoWs Across the Site

- 6.24. There are two bridleways which pass through the site itself in the vicinity of Cuckoo Bush Farm. The western bridleway of these two is orientated north-south and is located and accommodated within a green lane. This route is flanked by mature continuous hedgerows on both sides. These hedgerows substantially limit the opportunity to observe the adjacent fields and given that they continue to be managed at a height of 3m +, would ensure that there would be no opportunity to observe the adjacent solar farm fields along this section of the bridleway.
- 6.25. The eastern bridleway is also orientated north-south through the site. The western side of this route is framed by a mature hedge which would prevent views of the solar farm field to the west. The eastern side of the route is currently undefined with open views of a triangular field. It is proposed that the eastern side of this route would be planted with a mature hedge such that within a short time period, views would be channelled along a green lane much like the other bridleway through the site with a mature hedgerow either side screening views of the adjacent solar fields.

## Summary of Visual Effects

- 6.26. It is evident from the LVIA and my visual analysis that the proposed solar farm would be visually well-contained due to the low visual profile of the scheme with the panels at a maximum height of 2.8m. The proposal would be set within existing fields and within a wider field pattern and woodland landscape where field boundaries are demarcated by mature hedges and substantial woodland areas. Where there are gaps in the existing hedges, these would be gapped up, i.e. filled with new planting and the hedges maintained at 3m + in height, which would substantially limit the opportunity to observe the scheme and would reduce the degree of effect to a low level through such measures.
- 6.27. From my analysis, I conclude that visibility would be restricted by a combination of woodland cover and landform, distance from the site and the enclosure provided by intervening vegetation surrounding the site, principally woodland areas. Due to the low profile of the panels, they would not be perceptible in most distant views from publicly available viewpoints and the layering effects of intervening vegetation would successfully integrate them into the landscape.

6.28. Having reviewed this information and assessed the scheme I consider that the geographical extent of visibility associated with the proposal would be very limited and highly localised in close proximity to the site boundaries. Where visible, only small elements of the scheme would be apparent with no opportunity to experience the full extent of the proposal from any one location. The site itself is to a substantial degree framed by a mosaic of woodland areas. The physical character of these woodlands would not change with the proposed scheme in place, nor would the general character of the countryside beyond the site and these woodlands. This point can most readily be illustrated by means of reference to figure 3 (LVA) which provides an aerial view of the site and surrounding landscape. This existing woodland framework enables the site and the proposals to benefit from a high degree of physical and visual containment from the rest of the surrounding countryside. In my experience, having been involved with numerous solar farm sites, it is highly unusual to see such a high degree of containment due to the presence of such substantive woodland cover.

## 7. Effect on Residential Visual Amenity

7.1. It is right to make a distinction between residential and general visual amenity. The latter term from a planning policy perspective usually relates to the public realm and the wider landscape whilst the former is concerned with the private visual amenity of an individual residential property.

7.2. The separation between what is a private interest and what should be considered in the public interest is clear and has no status in terms of being part of statutory documentation, planning policy or guidance. Furthermore, it is noted that no individual has the right to a particular view but there does come a point where, by virtue of the proximity, size and scale of a given development, a residential property or properties would be rendered so unattractive as a place in which to live that planning permission should justifiably be refused. The test relates to the position which would pertain with the proposed scheme in situ, irrespective of the position beforehand. In other words, the test is not whether, in relative terms, a property would become a substantially less attractive place to live, the test is whether viewed objectively and in the public interest, a property would become an unattractive place in which to live. Such a situation if left unchecked would lead clearly to undesirable consequences. It is useful to pose the question:

***“Would the proposal affect the outlook of these residences to such an extent, i.e., be so unpleasant, overwhelming and oppressive that this would become an unattractive place to live?”***

7.3. The test of what would be unacceptably unattractive should be an objective test, albeit that professional judgement is required in its application to the circumstances of each particular case. There needs to be a degree of harm over and above an identified substantial adverse effect on a private interest to take a case into the category of refusal in the public interest. Change in the outlook from a property is not sufficient; indeed, even a fundamental change in outlook is not necessarily unacceptable.

7.4. It is worthy of note that the visual component of residential amenity should be addressed “in the round” taking into account factors such as distance, the direction of the view, the size of the solar farm and its layout, the layout of particular dwellings in terms of their floor plans, their garden environment, and the lines of sight towards the scheme.





- 7.5. I have visited the site and noted that there are some residential properties relatively close to the proposed solar farm.
- 7.6. Given the position of the solar panels and the distances between these and the existing residential properties mindful that there are substantial existing mature trees and hedgerows along the boundary between the properties and the solar farm, and mindful of the proposed additional planting, any effect on the outlook for the elevations of these properties and their garden spaces would not breach the public interest test here.

### **Officer's Report (OR)**

- 7.7. The OR is not paginated but does benefit from paragraph numbers to which I refer. The OR specifically addresses the amenity of nearby properties is set out at paragraphs 158 to 165.
- 7.8. Paragraph 158 addresses Policy 10 which is concerned with 'Design and Enhancing Local Identity' of the LPP1 states that development will be assessed in terms of its treatment of the impact on the amenity of nearby residents.
- 7.9. Paragraph 159 addresses Policy 1 (Development Requirements) of the LPP2 and states that permission for new development will be granted where:

***"There is no significant adverse effect upon the amenity, particularly residential amenity and adjoining properties or the surrounding area, by reason of the type and levels of activity on the site, or traffic generated."***

- 7.10. Paragraph 160 refers to Policy 34 which is concerned with green infrastructure and open space assets.
- 7.11. Paragraph 161 notes that the primary construction phase is estimated to extend over a 16–24 week period. The OR goes on to note in paragraph 162, that in this context, the proposed development is considered to be acceptable in terms of its impact upon residential amenity and accords with relevant planning policy. I note that this is consistent with the Reason for Refusal which does not cite Policy 10, Policy 1 and Policy 34 identified as being relevant with regard to amenity of nearby properties.
- 7.12. Paragraph 164 of the OR is concerned with the impact of noise and disturbance on adjacent residential properties. It goes on to note that the Appellant has submitted a noise assessment which concludes the proposed solar farm is predicted to have a low impact in terms of noise levels. It further notes that the Council's Environmental Health Officer has not

raised any objections but has stated that to ensure the amenity of all neighbouring occupiers are protected a noise condition is submitted and approved by the Planning Authority.

- 7.13. Paragraph 165 notes that during construction, a Construction Method Statement has to be provided to protect amenity and as such, it is considered the proposals would comply with the NPPF and Local Plan with regard to residential amenity.
- 7.14. Overall, the OR considers the visual effects of the proposal would not result in any unacceptable levels of harm. I note that there are no properties immediately adjacent to the solar farm. All the nearest residential properties are either set some distance from the solar farm or are proposed to be framed by vegetation, trees and hedgerows such that the extent of visibility would be very limited. Given this situation, the proposal would not render any properties unattractive places in which to live mindful of the public interest 'Lavender' test.
- 7.15. In terms of the anticipated visual impact the development would have on occupiers of residential properties in the immediate surrounding area, which include Cuckoo Bush Farm, Fox Hill Farm, Stone House and The Cottage, it is likely that from some upper floor rooms, effects are likely to remain significant in the long term but from lower floors, it is likely that once intervening mitigation planting matures, effects would be not significant from most parts of the curtilage. Intervening trees at the Cottage and Fox Hill Farm would also tend to filter views from the main dwelling.
- 7.16. The OR notes that the external landscape advisor concluded that the visual effects of the proposals would be significant however intervening trees at The Cottage and Fox Hill Farm would screen views of the site from the main dwellings and the proposed planting would further limit views from these dwellings.
- 7.17. In respect of the impact on the residents of Cuckoo Bush Farm (aka Pine Lodge), it is noted that there would be a buffer of some 90m from the rear elevation of the existing dwelling to the boundary fence of the site. Similarly, at Stone House, a buffer of some 90m is also proposed. The external landscape advisor recommended that "a greater level of mitigation planting is needed to reduce the visual effects on each property." Subsequently, revised plans were received detailing a 10m buffer of native woodland and scrub alongside nearby visible edges of the site would be formed to limit the visual impact.



7.18. In these circumstances, it is considered that visual amenity has been mitigated. I am mindful that this is a populated and settled countryside with settlements and individual dwellings scattered throughout this landscape. It is worthy of note that there are so few residential properties in the immediate locality of the site and even fewer numbers, just two that whilst in relatively close proximity would not be harmed to any unacceptable degree. Furthermore, these properties are not independent but are tenanted, involved properties associated with the landholding which seeks to host the proposed solar farm.

## 8. Effect on the Openness of Green Belt

### Introduction

- 8.1. Green Belt is addressed in the NPPF (December 2023 section 13). I note that the government attaches great importance to Green Belts with the fundamental aim to prevent urban sprawl by keeping land permanently open with the essential characteristics being their openness and their permanence. I proceed to examine how the proposal would have a bearing upon the appreciation of openness in this section of my proof.
- 8.2. The aspect of openness relates to the landscape having an absence of built form.
- 8.3. I proceed to consider how the proposed solar farm would have a bearing upon the openness with regard to the Green Belt in this locality. In so doing, I consider the scheme in its entirety with regard to its various infrastructure elements including the substation, access tracks, deer fencing, inverters and solar arrays.
- 8.4. Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgement based on the circumstances of the case (see NPPG Reference ID 64-001-20190722). To elaborate, the Courts have identified a number of matters which may need to be taken into account in undertaking any such assessment. These include but are not limited to; openness is capable of having both spatial and visual aspects, in other words, the visual impact of the proposal may be relevant, as could its volume in spatial dimension terms. A further consideration is the duration of the development and its remediability taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness. A further factor relates to the degree of activity likely to be generated, such as traffic generation for instance.

### Other Inspectors' Approach to Openness of Green Belt

- 8.5. A number of Inspectors have considered solar farms in relation to the Green Belt which I proceed to summarise here in terms of their consideration of this particular policy designation as it relates to development affecting the openness of the Green Belt.

**Appeal Decision: Land at Crays Hall Farm, Church Lane, Crays Hill (CD5.11)**

**Appeal Ref: APP/V1505/W/23/3318171**

- 8.6. This appeal related to a solar farm with associated infrastructure where one of the main issues was the effects on the openness of the Metropolitan Green Belt. Paragraph 9 of the IR refers to the National Planning Practice Guidance (PPG) which advises that:

*“The deployment of large scale solar farms can have a negative impact on the rural environment particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.”*

- 8.7. Openness is addressed at paragraph 10 onwards. The area of Green Belt affected consists in the most part of open arable countryside interspersed with farm buildings, industrial structures and isolated individual dwellings, some semi-detached or in loose clusters.
- 8.8. The introduction of solar panels would detract from the openness of a significant part of the central part of the valley and would be seen alongside existing panels comprising the extended Outwood Solar Farm. The effect on openness would be mitigated by the limited field sizes and odd shapes, undulating ground, frequent hedges with mature trees and the proposed biodiversity enhancements. Photomontages indicate that for the great majority of the time the panels are in place, there would be a good level of vegetation cover of a type already consistent with exiting hedges and field boundaries.
- 8.9. The PPG advises that the reversibility of a scheme is a relevant consideration to assessing the impacts on the openness of the Green Belt. The harm to openness for 40 years nevertheless attracts substantial weight.
- 8.10. In light of the Inspector’s analysis, the proposed solar farm was allowed.

**Appeal Decision: Land at Sherbourne, Warwick (CD5.12)**

**Appeal Ref: APP/T3725/W/23/3317247**

- 8.11. This appeal relates to a solar farm (20 MW) near Warwick and is located in the West Midlands Green Belt. The IR notes from paragraph 4 onwards dealing with the Green Belt, that the scheme would have a spatial and visual impact on the openness of the Green Belt. It would be seen from nearby roads and public footpath networks and from these viewpoints would appear as encroachment of manmade structures into the countryside. However, views of the installation would not be widespread and would not have a wide visual impact. The development would be seen in the context of nearby road infrastructure which itself has a



significant effect on the openness and tranquillity of the surroundings. In this context, the additional visual impact of the scheme on the openness of the Green Belt would be relatively limited. The IR goes on to note the appeal site would largely be contained and the scheme would have a relatively small additional impact on the Green Belt.

- 8.12. The scheme would have a 40 year life with the site returned to open land following the decommissioning and removal of the solar farm.
- 8.13. The proposal in practical terms, would cause limited harm to the openness of the Green Belt. This point is reiterated at paragraph 34 noting the impact on the openness of the Green Belt would be limited.
- 8.14. In light of the Inspector's analysis, the proposed solar farm was allowed.

**Appeal Decision: Little Heath Lane, Little Heath, Berkhamsted (CD5.13)**

**Appeal Ref; APP/A1910/W/23/3317818**

- 8.15. The scheme is related to a 25MW solar farm and associated infrastructure. One of the main issues related to the Green Belt with regard to effects upon openness and purposes. Green Belt openness is addressed from paragraph 15 onwards in the IR, where it notes there is no dispute that Green Belt is a spatial planning designation and not a landscape policy. That said, it is clear that openness of the Green Belt has a spatial as well as a visual aspect, so assessment of openness is not just a matter of comparing the current nature of the land, in this case, undeveloped pasture with the proposal. The Reason for Refusal only alleges harm to the visual component of openness, but the Inspector seeks to address both aspects.
- 8.16. From a spatial aspect, the proposal would introduce a substantial amount of development into an open area. This would particularly result from the ground coverage of the arrays and other infrastructure. The development would be relatively modest in mass and footprint in three dimensional terms, as the panels would be limited in height together with other taller elements. The proposal would cause moderate harm to the openness of the Green Belt in spatial terms.
- 8.17. In terms of the visual effect of the proposal, the development would be visually prominent and would appear as an uncharacteristic form of development and cause moderate harm to the openness of the Green Belt.

8.18. It is acknowledged that the proposal is temporary in nature (40 years) and that the development would be removed and the land restored to its former condition and in essence, would be restored at that point. The Inspector did not find the argument to be persuasive in terms of reducing the effect on Green Belt openness. Although the proposal is for a limited period, the length of that period is very substantial. The IR concludes at paragraph 20 that both visually and spatially, the proposed development would result in moderate harm to the openness of the Green Belt.

8.19. In light of the Inspector's findings, this appeal was dismissed.

**Appeal Decision: Land at Cannon Barns Road, East Hanningfield (CD5.14)**

**Appeal Ref: APP/W1525/W/22/3300222**

8.20. This appeal relates to a 49.9MW solar farm and battery storage scheme, together with ancillary infrastructure and is located within the Metropolitan Green Belt. Openness is addressed from paragraph 12 onwards noting that this has both visual and spatial qualities. The site comprised 6 fields currently managed as farmland and enclosed by tree and hedge boundaries, including some woodland areas with the site situated within gently undulating land. The landform and extent of field boundary screening would reduce the overall visual effect of the proposal from wider views. The proposed solar farm would introduce substantial development into the area in terms of ground cover due to the quantity of arrays which with associated infrastructure, would result in additional built form which would further diminish the openness of the Green Belt spatially.

8.21. The solar arrays would be relatively modest in mass and footprint and would be spaced out at regular intervals reducing the overall scale of the development. Furthermore, the scheme would be in place for a temporary 40 year period. It would then be fully demounted and the land returned to its former condition at the end of its use. As such, whilst 40 years is a long period of time, it is not permanent. Therefore, the impact on the openness of the Green Belt would be reduced with the site ultimately reinstated to its former open character. Consequently, both visually and spatially, the proposed development would result in moderate harm to the openness of the Green Belt in both visual and spatial terms.

8.22. In light of the Inspector's analysis, the proposed solar farm was allowed.

**Appeal Decision: Land at Monk Fryston Substation, Selby (CD5.5)**

**Appeal Ref: APP/N2739/W/22/3290256**

- 8.23. This appeal relates to a battery storage facility where one of the main issues was the effect of the proposal on the openness of Green Belt which is specifically addressed from paragraph 4 onwards. The IR notes that there would be considerable change from an agricultural field into a compact industrial style setting with a considerable number of structures which would reduce the openness of the Green Belt from a spatial point of view.
- 8.24. Visually, the site is screened to a good degree with the presence of existing vegetation and the substation itself, but the proposals would modify the nature of the Green Belt surroundings and would be visible from the public right of way such that the visual aspects of the Green Belt would be harmed by the installation.
- 8.25. It is not a short term installation, planned to be utilised for approximately 40 years and the harm to the Green Belt would be long term in nature, even if the site was fully reinstated back to agriculture. The IR found harm to the openness of the Green Belt from both a spatial and visual aspect.
- 8.26. In light of the Inspector's analysis, the proposed solar farm was allowed.

**Appeal Decision: Land at Park Farm, Dunton Road, Herongate (CD5.5)**

**Appeal Ref: APP/V1505/W/22/3301454**

- 8.27. This appeal relates to the installation of a solar farm and associated works with Green Belt being a main issue with regard to openness and purposes which are both addressed from paragraph 8 onwards in the IR where it states that openness has both visual and spatial qualities. The site currently comprises an existing agricultural field demarcated by tree and hedge boundaries and is currently devoid of any buildings or structures. In spatial terms, the proposed development would reduce the openness of the Green Belt. It would be visually prominent within localised views though the undulating landform of the surrounding area together with tree belts would restrict longer range views of the site. The proposed solar arrays would be relatively modest in mass and footprint and would be spaced at regular 3.2m intervals which would reduce the overall scale of the development. Furthermore, the proposed development would be in place for a period of up to 40 years before being fully demounted and the land returned to its former condition at the end of its use. As such, whilst 40 years is a long period of time, it is not permanent. Therefore, the impact on the openness of the Green Belt would be reduced with the site ultimately reinstated to its current open





character. Consequently, both visually and spatially, the proposed development would result in harm to the openness of the Green Belt.

8.28. In light of the Inspector's analysis, the proposed solar farm was allowed.

**Appeal Decision: Land at Wolverhampton West Primary Substation (CD5.6)**

**Appeal Ref: APP/C3430/W/22/3292837**

8.29. This appeal is related to a battery storage scheme with associated infrastructure. One of the main issues related to the Green Belt and the matter of openness is addressed from paragraph 8 onwards. The Inspector's Report (IR) notes that openness is an essential characteristic of the Green Belt that has a spatial as well as visual aspects. It can be considered to be the absence of buildings and development. As such, the introduction of this facility would unavoidably reduce the openness of the Green Belt in both spatial and visual terms. There would be a degree of harm arising from the loss of openness. The IR concludes at paragraph 15, that there would be moderate harm arising from the loss of openness.

8.30. In light of the Inspector's analysis, the proposed solar farm was allowed.

**Appeal Decision: Rawfield Lane, Fairbourne, Selby (CD5.16)**

**Appeal Ref: APP/N2739/W/22/3300623**

8.31. This appeal is related to the construction of an energy storage and management facility at Fairbourne, Selby. The main issues included the Green Belt with regard to openness and purposes. Analysis concerning openness is set out at paragraph 4 onwards. The appeal site is agricultural land within the open countryside with the majority of the site covered with development where there is currently none. Consequently, even though the appeal site forms only a small part of the Green Belt as a whole, the spatial effect on openness would be significant. The appeal site is located within a natural dip, together with surrounding rolling topography and natural vegetation means that visually the proposal is well contained and has limited wider visibility in the landscape. There is nearby electricity infrastructure including a substation, overhead power lines and pylons. However, this does not visually degrade the openness or tranquillity of the Green Belt in this location to such an extent as to reduce the visual impact on openness of this proposed development which would significantly industrialise this open field.

- 8.32. The duration of the development would be 40 years and whilst not permanent, would still be a lengthy period of time over which the openness of the Green Belt would be significantly reduced.
- 8.33. In terms of activity, in the short term, this would be high during the construction phase. However, this would reduce monthly visits for maintenance when operational. There would be no harmful impact on openness in this regard.
- 8.34. Overall, therefore there would be a significant impact on the openness of the Green Belt.
- 8.35. In light of the Inspector's analysis, the proposed solar farm was allowed.
- 8.36. In the context of the Inspector's decisions and how they have handled the concept of openness of the Green Belt, I proceed to set out my own analysis with regard to this site and the parameters set out in the Planning Guidance PPG.

## **My Analysis of Spatial Aspect of Openness**

- 8.37. In terms of the solar farm proposals, there is minimal ancillary infrastructure such as inverters and substation, with the majority of the development characterised by the configuration of solar arrays. These would be orientated east-west based on an axis which enables the panels to face southwards towards the sun. The length of the solar arrays is determined by the panel configurations such that some of these in plan form look irregular in terms of their boundary edges. Between the arrays, the land would be managed as pasture. The arrays would sit within the existing field boundaries.
- 8.38. The arrays would be set back from the boundaries of the fields with wide field margin planting to create wildflower grass corridors between the field boundaries and the solar arrays such that the solar panels would be set into the fields and not up to their boundaries. The panels have also been set back where there are existing trees and tree groups to account for their canopies and associated shadows so as to avoid any pressure to reduce or remove canopies. The panels themselves would be arranged on fabricated steel frame legs such that the arrays would have a very limited physical footprint on the ground itself.
- 8.39. The fields that would host the solar arrays would have wide grass margins between the perimeter hedgerows and the solar farm itself. Furthermore, the panels would be positioned on light steel frames supported by steel legs sitting on the ground. Effectively, the majority

of the solar array structures would be suspended in air space above the fields themselves such that the land underneath the solar panels would continue to be managed as grassland and subject to grazing by sheep. The actual physical footprint that would be placed on the ground would be very small indeed and typically equates to 2% of the area which also includes provision for other infrastructure including access tracks and inverters. Reference to 2% is noted several times in the Best Practice Guidance Concerning Natural Capital and Biodiversity document prepared by Solar Energy UK. As a consequence, the proposed development would have a very light footprint on the ground which is highly unusual compared to most forms of other development and their associated footprints.

8.40. Given all of these design parameters, the proposed solar farm would have a light footprint. A significant proportion of the area would remain free of built infrastructure, equating to over half the site area. Furthermore, the solar farm would not generally extend above 3m in height which is not dissimilar to tall crops like maize and miscanthus. The perimeter hedgerows are currently generally 2 – 4m in height in terms of immediate landscape context. The solar farm equipment will appear as solar arrays accommodated within retained pastoral fields and the openness of these fields would continue to prevail above 3m in height as would be the case with a tall crop (such as miscanthus or maize for instance). So whilst the proposal would introduce built form, this would be limited in spatial terms there would remain a sense of openness as associated with the fields that form the site.

8.41. The introduction of the proposed solar farm would inevitably introduce various elements of the built form and reduce the spatial aspect associated with the site to some degree, though this would be limited given the low-profile nature of the development combined with its light footprint. Given the hedgerows around the perimeter of the site being of a comparable height, the perceived loss of any spatial aspect associated with the fields would be limited resulting in a limited and moderate degree of harm in this regard. The solar farm with its various elements would inevitably reduce the sense of openness of the Green Belt from a spatial point of view.

## **My Analysis of Visual Aspect of Openness**

8.42. In terms of the visual aspect (perception) of openness, there is already a strong sense of enclosure associated with the site. This is due to the substantial presence of extensive woodland areas which frame the site. This aspect of very strong physical and visual enclosure

would continue to remain and prevail with the proposed solar farm in place such that wider area of countryside within the Green Belt beyond the site, there would be generally very little visibility of the proposed scheme and as such, there would be little change to the perceived sense of openness within the locality and this particular part of the Green Belt as a result of the proposed solar farm.

- 8.43. The visual aspect of openness as it relates to the site can be most readily appreciated from locations where members of the public have access to the countryside passing through the environment and therefore, I primarily focus on both public highways and rights of way as well as other public locations and facilities. Mindful of this, I proceed to consider how the sense of openness is appreciated from both public highways and rights of way in the locality to provide further understanding as to how the scheme would affect the visual aspect of openness.
- 8.44. I note that the Reason for Refusal specifically refers to only public rights of way and indeed, the Officer's Report notes that no public highway would be visually affected by the proposals.
- 8.45. The opportunity to observe the solar farm from public locations, i.e. public highways and rights of way in the locality would be very limited. No public highways would be visually affected by the proposals and as such, the perception of openness as appreciated from these routes would also be visually unaffected. There is a network of public rights of way in the locality, however, the site is substantially framed by extensive woodlands and as such, views of the proposal are effectively limited to public rights of way immediately adjacent to the site or that which pass through the site itself with the exception of one viewpoint which is viewpoint 8 near Grange Farm. It is only from these short sections of PRoW where the perception of openness being affected by the proposal is capable of being appreciated.
- 8.46. The proposal is time limited which is a parameter which needs to be taken into account with regard to the magnitude of change as documented in GLVIA3. Furthermore, the actual physical footprint of the development is negligible with the majority of the infrastructure suspended at a low level in the air space of the field. The majority of the proposal would extend no higher than 3m in height not dissimilar to some crops grown by farmers. The space above 3m would remain free of development and perceived as such when looking over hedges of a similar height.

8.47. This proposal is unlike residential development with 2 storey buildings and roofscapes of commercial buildings to eaves and ridge height. As such, mindful of these aspects, and given the significant visual containment achieved by hedgerows, trees and woodland, the general visual effects would be limited and minor and mindful of the proposal's very limited visual envelope, there would be a minor degree of harm with regard to the visual aspect of openness.

#### **Visual Aspect of Openness as Perceived from the Countryside North of the Site**

8.48. The northern and western part of the solar farm is substantially framed by existing extensive woodlands. Gotham Wood lies immediately to the north of the solar farm whilst further woodland around Newhaven provides further visual containment to the north-east. Furthermore, the land drops away steeply to the north into a small valley where the Kegworth Road is located. As a consequence of this vegetation and topography, there would be no opportunity to observe the proposed solar farm from both public highways and rights of way lying to the north of the site and as such, the perception of openness associated with the countryside would remain unchanged with the scheme in place.

#### **Visual Aspect of Openness as Perceived from the Countryside West of the Site**

8.49. Both the western and eastern parts of the solar farm are physically and visually well contained by extensive woodlands wrapping around the southern sides of the solar farm. More specifically, Gotham Wood, the Odells, Crownend Wood, West Leake Hills, Ash Spinney, Foxhill Wood and Crow Wood collectively form this substantial woodland framework. As a consequence, whilst there are a number of public highways and PRow extending across the countryside to the south of the site, none of these routes or their receptors would be visually affected by the proposals with the exception of viewpoint 8 which I will come back to. The sense of openness that can be appreciated from these routes would not change with the proposed solar farm in place. There is one location close to Grange Farm where there is a bridleway at the base of a small dry valley. From a short section, there would be the opportunity to observe some solar panels associated with field 13 which would form a small element in the view but not materially change the composition of the view or the sense of openness. As part of the landscape proposals, it is proposed that a mature instant hedge would be planted along the outside boundary of the solar arrays in field 13 to provide an immediate screening effect. Whilst the solar arrays would extend to the limited horizon line, this would not materially change the profile of the horizon in this local viewing context of a

woodland landscape. The perception of openness with regard to the countryside to the west would not materially change with the proposed scheme in place.

#### **Visual Aspect of Openness as Perceived from the Countryside South of the Site**

- 8.50. To the south of the site, there are no public highways in the immediate vicinity. There is one long distance locally promoted route, the Midshires Way which runs to the south of the site along a local ridge of high ground past Foxhill Farm and Rushcliffe Lodge. Users of this route would be mostly unaffected by the proposal except for a short section close to Crow Wood where there would be a distant view of field 15. The south-eastern boundary of field 15 would be planted with an instant mature hedgerow and as such, the elements of the solar farm that would be visible would form a very small narrow element in the view from a short section of this route close to Crow Wood. When the route is considered in its totality, the change to the perception of openness as appreciated by users of this route would be negligible. This finding accords with the Reason for Refusal which refers to footpaths adjacent to and within the solar farm. The general perception of openness as it relates to the countryside to the south of the solar farm would not materially change with the proposal in place.

#### **Visual Aspect of Openness as Perceived from the Countryside East of the Site**

- 8.51. Immediately to the east of the site, there is a significant amount of woodland around Newhaven and Cuckoo Bush Wood, together with Shiddock's Spinney and Crow Wood Hill all of which are located on a local northeast-facing escarpment. Beyond the site to the east and this escarpment lies a low-lying vale landscape which has a network of public rights of way and highways. Users of these routes both across the vale and on the escarpment slope itself would be visually unaffected by the proposed solar farm and as such, the perception of openness would not change with regard to these locations.
- 8.52. There is a bridleway which is orientated north-west to south-east linking east Rushcliffe Holt to the south with Thrumpton to the north. The southern part of this bridleway in the vicinity of Crow Wood Hill would be visually unaffected as would the perception of openness. The bridleway runs along the northern boundary of field 15. From this locality, there would be the opportunity to observe the solar farm located within field 15. This would form a small element in the view and be limited in height such that views would oversail the field to the woodland backdrop beyond. It is proposed that hedgerows and hedgerow infilling is introduced around field 15 and once these hedgerows are established, there would be little opportunity to

observe the proposed solar farm and as such, the presence of built form being visible would be very limited. Views across the field to the woodlands beyond would still remain. In this context, the effect upon the perception of openness would be limited.

- 8.53. The bridleway continues to pass alongside a woodland (Leake New Wood) where there would be no opportunity to observe the solar farm nor would there be any change to the perception of openness.
- 8.54. The bridleway runs along the northern side of field 11 which lies within a field beyond the site and affords panoramic views in a northward direction across the vale landscape and provides a strong sense of openness with this section of the route. Indeed, this is evidenced by the presence of a park bench along this section of the route facing out over the vale. A mature hedgerow lies to the south of this bridleway which is currently above eye level in height such that there is little opportunity to observe field 11 or the opportunity to observe the solar farm within it. With the solar farm in field 11, the sense of openness would not materially change along this length of bridleway.
- 8.55. The bridleway continues to run along the south side of Cuckoo Bush Wood. The southern side of the bridleway has open views across fields 7, 8, 9 and 10. It is proposed that this bridleway would be set within a wide landscape corridor as a wide green lane framed by a new instant mature hedgerow. With its establishment and height at 3–4m, there would be little opportunity to observe the solar farm in these four fields and the perception upon openness would be limited. The bridleway passes a farmhouse and dutch barn as it enters Wood Lane. This route runs along the northern boundary of fields 5 and 6. The bridleway forms a green lane framed by mature hedgerows on both sides. The hedgerow on the southern side of the lane ranges from between 2m and 4m in height with the bridleway itself set down at a slightly lower level than the hedge in places. Much of this hedge is 2m in height but will attain a height of 3m by the end of this summer and as such, there would be limited opportunity to observe the solar farm in these two fields 5 and 6. The opportunity to observe built form would be very limited as a result and as such, the perception of openness as appreciated along this stretch of route would not materially change.
- 8.56. Wood Lane and the bridleway continue beyond the north of the site to descend a slope. Where the bridleway lies north of the site, there would be no opportunity to observe the solar farm nor would there be any change to the perception of openness.



### **Visual Aspect of Openness Regarding Public Rights of Ways across the Site**

- 8.57. There are two bridleways which pass through the site and I address each in turn.
- 8.58. A bridleway runs along the western side of field 11. North of the site this bridleway runs alongside Cuckoo Bush Wood and affords views eastward across the escarpment towards the vale providing panoramic views. This is evidenced by a park bench located along this route to take in this aspect and vista. The sense of openness associated with this stretch of route would remain unchanged with the scheme in place.
- 8.59. South of the site this bridleway passes into Leake New Wood. Again, with the proposed scheme in place, openness as appreciated with this bridleway through the wood would be unchanged. The bridleway on the western side of field 11 has an open view across this field. A new hedge is proposed to be located along the eastern side of this bridleway to reflect the other one on the western side of the route and would effectively create a green lane. With the new hedge matured at 3m and the existing hedge on the west side maintained at 3m, the perception of openness would be associated with a new green lane with an understanding that this is a route passing through the countryside. The effect upon openness as it relates to the Green Belt as a consequence would be limited like it would be if a hedge were introduced as part of farm management without any recourse to planning.
- 8.60. There is a second bridleway which is located between fields 6 and 7 and currently runs along a green lane which is framed by continuous mature hedgerows on either side which are typically 2 –3m in height and will be 3m in height by the end of this summer growing season. Consequently, there would be little opportunity to observe a solar farm in the adjacent fields 6 and 7 with little change to the perception of openness associated with this short section of bridleway associated with Wossock Lane.

### **Duration of the Development and Remediability as it relates to Openness**

- 8.61. The proposed solar scheme is planned to be temporary for 40 years and is therefore time-limited development. The plan is to remove all built infrastructure of the solar farm, returning to its original state in terms of openness. With regard to this matter, I consider that the solar scheme would only cause limited harm to the Green Belt whilst operational. The site would continue to have a countryside character with the solar farm in place, i.e. anyone would recognise that it is located in a series of fields. With full demounting at the decommissioning



stage, the site would fully reverse to a series of farm fields together with a sense of openness that is currently experienced today without development present. The duration of harm to the visual and spatial aspect would therefore be time-limited and fully removed post-decommissioning stage with no residual harmful effects on openness. The existing situation would be fully recovered except that there would be a more mature landscape in place with the maturation of the proposed hedgerows and trees which would further reinforce the wooded and enclosed character of the local landscape.

### **Degree of Activity as it relates to Openness**

- 8.62. Whilst there would be a degree of activity associated with the construction phase of the project, this would be limited to a short period in terms of several months. Thereafter, the proposed scheme would generate little activity in the form of traffic, both with regard to management and maintenance. Any activity associated with traffic movement would not have a material bearing upon the openness of the Green Belt. The CO noted this in the OR.
- 8.63. The proposed solar farm would generate some limited traffic movement as a result of routine maintenance., However, the opportunity to appreciate these traffic movements would be limited, restricted by the screening effect of the surrounding landscape framework. Furthermore, the activity associated with the solar farm would generally be limited and similar to agricultural traffic movement associated with the management of the land and therefore not cause material harm to the appreciation of openness.

### **Overall Conclusion with Regard to the Effect Upon Openness of the Green Belt**

- 8.64. As far as the solar farm is concerned, this benefits from a high degree of visual containment due to extensive woodland areas and evidenced by the fact that it is difficult to appreciate the proposal in terms of views from the countryside to the north, south, east and west and as such, any associated perception of openness related to this land is very limited. The perception of openness is most readily appreciated from the nearby roads around the site, but from these locations, the perception of openness would not change with the presence of the solar farm associated with the site and its countryside surroundings as a backdrop and context to the site as it still would feel very much part of the countryside and little difference in perception as most local views would remain unchanged. There are several bridleways adjacent to or passing through the site which would be set within new green lanes

to retain their visual amenity and would reflect the character of green lanes in the locality. With these features in place, there would be little opportunity to observe the proposed solar farm restricted to a few fleeting views associated with field access points.

- 8.65. The introduction of the proposed solar farm would undoubtedly introduce built form where there is none currently. The aspect of openness is derived in part with regard to two aspects, the visual component and a spatial component. With regard to the visual aspect, it is evident that the perception of openness as it relates to the site is only readily appreciated from the nearby PRoWs and not from the wider countryside beyond due to the substantial physical containment of the surrounding extensive woodlands.
- 8.66. The proposed solar farm would be relatively modest in mass and footprint with regular spaces between the solar arrays that would reduce the overall scale of the development. Furthermore, the proposed scheme would be in place for a period of up to 40 years, before being fully demounted and the land returned to its former condition at the end of its use. As such, whilst 40 years is a long period of time, it is still not permanent. Therefore, the impact on the openness of the Green Belt would be reduced and the site completely reinstated to its current open character. Consequently, both visually and spatially, the proposed development would result in some limited and localised harm to the openness of the Green Belt.
- 8.67. In terms of the visual aspect of openness in overall terms when considered in the round, I consider the harm would be minor (adverse), and in terms of the spatial aspect of openness, the harm would be moderate (adverse). With both these aspects considered in overall terms, I consider that there would be moderate (adverse) harm to the openness of the Green Belt though this would be limited and highly localised within the context of the local woodland landscape.

## 9. Effect on the Purposes of the Green Belt

### Introduction

- 9.1. I proceed in this section to address how the proposal would have a bearing upon the five purposes of the Green Belt. I anticipate that the common ground will be agreed with the Council that a number of the purposes would be unaffected and my proof can focus upon those purposes that are in dispute.
- 9.2. The NPPF at internal paragraph 143 identifies five purposes for the Green Belt. These are namely:
- a) To check the unrestricted sprawl of large built up areas
  - b) To prevent neighbouring towns merging into one another
  - c) To assist in safeguarding the countryside from encroachment
  - d) To preserve the setting and special character of the historic towns
  - e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land
- 9.3. I address each of these purposes in turn in this section.

### Case Officer's Report to Committee

#### Green Belt

- 9.4. The OR (CD2.1) addresses the Green Belt from paragraph 178 onwards noting that the proposed solar farm is located within the Nottingham/Derby Green Belt. The CO notes that the proposal would be inappropriate development and would require very special circumstances for the project to be consented. I note that this is a matter that Nigel Cussen addresses in his proof.
- 9.5. At paragraph 84, the CO (CD2.1) notes the proposed development would cause a degree of harm to the Green Belt, in part, because of the reduction in openness that it would involve. In addition, there would be a degree of harm to the landscape.
- 9.6. The CO (CD2.1) also notes the scheme would represent a spatial incursion into the Green Belt with built development occupying a large proportion of the application area but goes on to note that the proposed development is temporary and as such, the harm would be reversible and that it would be possible to return the land to its current state whilst retaining elements

of mitigation planting that will provide character and biodiversity benefits. The OR goes on to note the construction phase would generate a high level of activity, however, following completion activity is likely to be limited to a low level.

- 9.7. The OR at paragraph 90 (CD2.1) notes that the solar farm would reduce the sense of openness both spatially and visually.
- 9.8. The OR notes at paragraph 91 (CD2.1) that the development would be temporary and reversible and that approximately 55ha out of 80ha would accommodate solar panels and therefore the harm caused to the openness would be reduced to just the developable area rather than the whole site.
- 9.9. The CO (CD2.1) goes on to note that the landscape and visual impact on the landscape would be limited with only moderate adverse impacts as a result of the development, except when seen at close quarters.
- 9.10. In terms of the purposes of the Green Belt, the CO (CD2.1) addresses this matter at paragraph 93 noting the proposal would result in encroachment with a level of moderate harm to the openness in both visual and spatial terms. The CO (CD2.1) concludes that it is important to recognise that solar farms are not an uncommon feature within Green Belts across the UK.

### **To check the unrestricted sprawl of large built up areas**

- 9.11. Unrestricted sprawl is directly related to the sprawl of large built-up areas. I note that the site does not lie adjacent to any large built-up areas and there are no large settlements in proximity to the site. The nearest towns lie some distance from the proposed solar farm. As such, there would be no perception of unrestricted sprawl associated with large built-up areas with the scheme in place.
- 9.12. The proposed solar farm would not conflict with this Green Belt purpose concerning checking unrestricted sprawl and therefore, the strategic function of this purpose would remain and prevail with the scheme in place. This is common ground with the Case Officer as the CO does not allege harm to this purpose in the Officer's Report.

## **To prevent neighbouring towns merging into one another**

- 9.13. The nearest town to the site is East Leake which lies approximately 1km to the south-east of the site and beyond the wider Green Belt itself. This town itself is not contiguous with the Green Belt (Appendix 4). It is only the gypsum works factory that lies adjacent and is framed by the Green Belt designation. The countryside between the settlement of East Leake and the site itself is not designated Green Belt. Approximately 1km to the north of the site is an inset settlement within the Green Belt known as Gotham (Appendix 4). Further afield north-west of the site, extending to 5km + is the boundary of Long Eaton and the nearest residential district is New Sawley (Appendix 5). There is physical separation between East Leake and Gotham and there is physical separation between Gotham and Long Eaton. The Green Belt locally serves to maintain physical separation between these settlements to prevent neighbouring towns merging into one another. With the proposed solar farm in place, the countryside that physically separates these settlements would remain in place and as such, there would be no change to the spatial distribution of these settlements. As such, the proposal would not cause any harm to the second purpose (b) of the Green Belt which is designed to prevent neighbouring towns merging into one another. This is common ground with the Case Officer as the CO does not allege harm to this purpose in the Officer's Report.

## **To assist in safeguarding the countryside from encroachment**

- 9.14. In terms of encroachment, the proposed scheme would introduce solar panels across parts of 15 fields. Their operation would be supported by other associated infrastructure. However, the solar arrays would be arranged with grass corridors between the arrays and would inevitably alter the appearance of the fields from a sequence of open green spaces to accommodate a solar farm within pasture land. Such an effect would result in some limited encroachment and conflict with this particular purpose of the Green Belt. I would ascribe a moderate degree of harm to this purpose.
- 9.15. Introducing built infrastructure into what is currently an open field would represent encroachment of development into the countryside. This is common ground with the Case Officer who drew the same conclusion at paragraph 93 of the OR. This was based on the fact that there would be a landscape and visual impact on the rural landscape which would be limited and as such, only moderate adverse impacts would result from the development except at close quarters.

## **To preserve the setting and special character of the historic towns**

- 9.16. Paragraph 143 of the NPPF (December 23) identifies five purposes, the fourth of which notes Green Belt seeks to preserve the setting and special character of historic towns. I note that East Leake has a conservation area which reflects the historic core of this settlement and that there is also a conservation area associated with the landscape to the north of Ratcliffe on Soar Power Station. The proposed development would not have any bearing upon the nearby historic towns. This is common ground with the Case Officer who does not allege any harm to this purpose.

## **To assist in urban regeneration, by encouraging the recycling of derelict and other urban land**

- 9.17. A further purpose of the Green Belt is to deflect new development towards previously developed land (PDL) to assist urban regeneration. I note that the nature of solar farms is highly constrained in terms of location due to accessibility, connectivity and capacity with regard to the local electricity grid. Accordingly, the proposal would not be in conflict with this purpose of the Green Belt so far as it is relevant here. This is common ground with the Case Officer as the CO does not allege harm to this purpose in the Officer's Report.

## **Green Belt Purposes Conclusions**

- 9.18. The proposed development would conflict with only one purpose, that of encroachment in the countryside and to a limited degree such that the level of harm would only be moderate consistent with the Case Officer's conclusions. The four other purposes would not be offended by the proposed solar farm.
- 9.19. The surrounding landscape would retain its agricultural characteristics, whilst the strategic function of the remaining Green Belt for this purpose would remain intact. Notwithstanding the operational duration of the proposed development, it would be entirely reversible and would be decommissioned after 40 years. This latter point is significant as it is the permanence of the Green Belt which is a key consideration alongside its openness.
- 9.20. It is acknowledged that substantial weight is to be applied to the openness of the Green Belt, however the reversibility of the proposed development and limited impact upon one purpose



of the Green Belt, specifically encroachment is a consideration in the planning balance addressed by Nigel Cussen.

## 10. Reason for Refusal

### Introduction

- 10.1. I note the wording in terms of the single Reason for Refusal is quite specific. Firstly, it notes that there would be substantial harm to the Green Belt by reason of adverse impact on three aspects, firstly openness, visual amenity and the amenity of users of ProW that cross or lie adjacent to the site. I note that there is no reference to harm to the character of the landscape which is quite separate to visual amenity (appearance). Furthermore, the reference to visual amenity only relates to public rights of way either adjacent to or pass through the site. In other words, there is no alleged harm to visual amenity beyond the immediate boundary of the site.
- 10.2. It is puzzling to note that if the Council consider there is no alleged harm to the landscape character of the locality due to the presence of the solar farm, then it follows that with the solar farm in place, any level of harm must be considered to be acceptable. In that context, it is difficult to understand how harm can arise with regard to its appearance in visual amenity terms. Notwithstanding all of these observations, I have set out in my proof my analysis and professional judgement as to how the proposal would have a bearing upon both landscape and visual aspects as these relate to character and appearance.
- 10.3. In light of the wording in the Reason for Refusal which alleges harm, this section of my proof examines the following specific aspects which reflect the proceeding structure of this section of my proof:
1. Effect on openness on nearby PRowS
  2. Effect on visual amenity of nearby PRowS
  3. Effect on the amenity of nearby PRowS

### Effect on Openness on Nearby PRowS

- 10.4. There are two bridleways which pass through the site and I address each in turn.
- 10.5. A bridleway runs along the western side of field 11. North of the site this bridleway runs alongside Cuckoo Bush Wood and affords views eastward across the escarpment towards the vale providing panoramic views. This is evidenced by a park bench located along this



route to take in this aspect and vista. The sense of openness associated with this stretch of route would remain unchanged with the scheme in place.

- 10.6. South of the site this bridleway passes into Leake New Wood. Again, with the proposed scheme in place, openness as appreciated with this bridleway through the wood would be unchanged. The bridleway on the western side of field 11 has an open view across this field. A new hedge is proposed to be located along the eastern side of this bridleway to reflect the other one on the western side of the route and would effectively create a green lane. With the new hedge matured at 3m and the existing hedge on the west side maintained at 3m, the perception of openness would be associated with a new green lane with an understanding that this is a route passing through the countryside. The effect upon openness as it relates to the Green Belt as a consequence would be limited like it would be if a hedge were introduced as part of farm management without any recourse to planning.
- 10.7. There is a second bridleway which is located between fields 6 and 7 and currently runs along a green lane which is framed by continuous mature hedgerows on either side which are typically 2 –3m in height and will be 3m in height by the end of this summer growing season. Consequently, there would be little opportunity to observe a solar farm in the adjacent fields 6 and 7 with little change to the perception of openness associated with this short section of bridleway associated with Wossock Lane.
- 10.8. Immediately to the east of the site, there is a significant amount of woodland around Newhaven and Cuckoo Bush Wood, together with Shiddock's Spinney and Crow Wood Hill all of which are located on a local north-east facing escarpment. Beyond the site to the east and this escarpment lies a low-lying vale landscape which has a network of public rights of way and highways. Users of these routes both across the vale and on the escarpment slope itself would be visually unaffected by the proposed solar farm and as such, the perception of openness would not change with regard to these locations.
- 10.9. There is a bridleway which is orientated north-west to south-east linking east Rushcliffe Holt to the south with Thrumpton to the north. The southern part of this bridleway in the vicinity of Crow Wood Hill would be visually unaffected as would the perception of openness. The bridleway runs along the northern boundary of field 15. From this locality, there would be the opportunity to observe the solar farm located within field 15. This would form a small element in the view and be limited in height such that views would oversail the field to the woodland backdrop beyond. It is proposed that hedgerows and hedgerow infilling is introduced around



field 15 and once these hedgerows are established, there would be little opportunity to observe the proposed solar farm and as such, the presence of built form being visible would be very limited. Views across the field to the woodlands beyond would still remain. In this context, the effect upon the perception of openness would be limited.

- 10.10. The bridleway continues to pass alongside a woodland (Leake New Wood) where there would be no opportunity to observe the solar farm nor would there be any change to the perception of openness.
- 10.11. The bridleway runs along the northern side of field 11 which lies within a field beyond the site and affords panoramic views in a northward direction across the vale landscape and provides a strong sense of openness with this section of the route. Indeed, this is evidenced by the presence of a park bench along this section of the route facing out over the vale. A mature hedgerow lies to the south of this bridleway which is currently above eye level in height such that there is little opportunity to observe field 11 or the opportunity to observe the solar farm within it. With the solar farm in field 11, the sense of openness would not materially change along this length of bridleway.
- 10.12. The bridleway continues to run along the south side of Cuckoo Bush Wood. The southern side of the bridleway has open views across fields 7, 8, 9 and 10. It is proposed that this bridleway would be set within a wide landscape corridor as a wide green lane framed by a new instant mature hedgerow. With its establishment and height at 3m, there would be little opportunity to observe the solar farm in these four fields and the perception upon openness would be limited. The bridleway passes a farmhouse and dutch barn as it enters Wood Lane. This route runs along the northern boundary of fields 5 and 6. The bridleway forms a green lane framed by mature hedgerows on both sides. The hedgerow on the southern side of the lane ranges from between 2m and 4m in height with the bridleway itself set down at a slightly lower level than the hedge in places. Much of this hedge is 2m in height but will attain a height of 3m by the end of this summer and as such, there would be limited opportunity to observe the solar farm in these two fields 5 and 6. The opportunity to observe built form would be very limited as a result and as such, the perception of openness as appreciated along this stretch of route would not materially change.
- 10.13. Wood Lane and the bridleway continue beyond the north of the site to descend a slope. Where the bridleway lies north of the site, there would be no opportunity to observe the solar farm nor would there be any change to the perception of openness.

## Effect on visual amenity of nearby PRowS

- 10.14. There are two bridleways which pass through the site itself in the vicinity of Cuckoo Bush Farm. The western bridleway of these two is orientated north-south and is located and accommodated within a green lane. This route is flanked by mature continuous hedgerows on both sides. These hedgerows substantially limit the opportunity to observe the adjacent fields and given that they continue to be managed at a height of 3m +, would ensure that there would be no opportunity to observe the adjacent solar farm fields along this section of the bridleway.
- 10.15. The eastern bridleway is also orientated north-south through the site. The western side of this route is framed by a mature hedge which would prevent views of the solar farm field to the west. The eastern side of the route is currently undefined with open views of a triangular field. It is proposed that the eastern side of this route would be planted with a mature hedge such that within a short time period, views would be channelled along a green lane much like the other bridleway through the site with a mature hedgerow either side screening views of the adjacent solar fields.
- 10.16. In terms of public rights of way, there is a bridleway which runs along the north-eastern boundary of the site. More specifically, it lies adjacent to field number 15. However, this route is flanked on its western side by a mature hedge which would restrict the opportunity to observe the proposed scheme. There are currently some gaps in this hedgerow which are proposed to be planted up and reinforced such that the hedgerow would be continuous in length without any breaks. Once established and grown, it would provide a continuous screen maintained at a height of 3m + such that in the medium term (5 years) there would be very limited opportunity to observe the proposed scheme associated with field number 15 where this route passes this field.
- 10.17. A bridleway runs into Wood Lane along the north-eastern boundary of a number of solar fields. This route runs alongside a triangular field reference number 11. However, there is a mature hedgerow running along the southern side of the bridleway between the route and the field which is mature and virtually continuous in length and as such, there would be little opportunity to observe the proposed scheme from this bridleway. There are a few gaps along this hedgerow and where they exist, these would be filled with native shrubs to provide a continuous length of hedge so as to prevent opportunities to observe the proposed solar farm.

- 10.18. Field reference numbers 7 to 10 comprise four broadly rectangular fields, the northern boundaries of which are generally open in nature currently and as such, currently, there are views from the adjacent bridleway into these four fields. It is proposed as part of the scheme, that a mature instant hedge would be introduced along these four field boundaries to provide visual containment. Once established and grown, within a couple of years there would be very limited opportunity to observe the proposed solar farm except where there are access points along the hedgerows which would afford fleeting views along this section of bridleway. The bridleway also runs alongside the northeastern boundary of fields 5 and 6. However, this route is framed on its western side by mature hedgerows and tree cover. The few gaps that exist in the hedgerow would be planted with native shrubs to create continuous lengths of hedge such that there would be no opportunity to observe the proposed solar farm from this route with the hedgerow managed at a height of 3 – 4m (to be secured by a LEMP). The management of the hedgerows can be secured by means of a planning condition. This is the only PRoW which lies to the east of the site which would be visually affected to a limited degree.
- 10.19. There is a further bridleway in the vicinity of Cuckoo Bush Wood which descends the local escarpment leading into Gotham, though this route would be visually unaffected due to topography and tree cover. Other PRoWs in the vale further east would be visually unaffected due to topography and tree cover in the intervening landscape.
- 10.20. The visual envelope associated with the scheme lying to the east of the site is restricted to a single bridleway which runs along the boundary of the site beyond which there would be no visual effects associated with the solar farm for both public highways and rights of way.

### **Effect on Amenity of Nearby PRoWs**

- 10.21. Amenity as a word is synonymous with the quality of being pleasant or agreeable. I interpret this as potentially relating to visual amenity which I have addressed in the preceding section but it can also be synonymous with something that helps to provide comfort, convenience or enjoyment. In this case, the physical routes of the public rights of way would be retained with the scheme in place, with no physical alteration to the routes. The proposal requires no footpath diversions necessitating Footpath Diversion Orders so the network and links that currently exist for users of these routes would continue to prevail with the proposed scheme in place. The bridleway reference number BW13 in terms of its surface would remain unchanged as a permanent grass sward and the bridleway which lies to the north of fields 7

– 10 which is currently a permanent grass sward would also remain, as would the permanent grass sward associated with bridleway BW12 which cuts through the site. The latter route would only be affected in so far as an access track would cut across this bridleway and through a gap in the hedges on either side of this route to link fields 6 and 7 by means of a maintenance track. This track would be surfaced with crushed aggregate rather than a sealed surface such that it would have a rural character not out of place in this location. A further bridleway runs along the western side of field 11 reference number BW10. Currently, this field is managed for arable use which requires users of the route to walk across a ploughed field which is difficult under foot and almost impassible in very wet conditions. With the creation of a green lane, this route would have a permanent grass sward which would be comfortable to walk on throughout the year in terms of its usability and consistent with the continuation of this route where it passes alongside Cuckoo Bush Wood. The provision of the green lane and the proposal would improve the usability of this stretch of PRow.

## Summary

- 10.22. In light of my analysis, I consider that the effects upon openness, visual amenity and amenity of the public rights of way both across the site and those adjacent to it would both be limited and highly localised. Furthermore, the level of harm can be mitigated and reduced such that the levels of harm are not unacceptable.

## 11. Summary and Conclusions

### Introduction

- 11.1. I am instructed on behalf of Renewable Energy Systems (RES) Limited to present evidence relating to landscape and visual issues in respect of the scheme for which planning permission is sought for the construction of a solar farm together with all associated works, equipment and necessary infrastructure. This statement should be read in conjunction with the planning proof of evidence prepared by Nigel Cussen. The proposed scheme was a full application submitted to Rushcliffe Borough Council reference 22/00319/FUL. Having visited the site and surrounding area and having reviewed all the relevant documentation pertaining to this scheme, I have drawn the following conclusions which are set out in the proceeding paragraphs. The structure of this section of my proof reflects the key points which are articulated in the Inspector's CMC and decision notice dated 13<sup>th</sup> March 2023.

### Scale, Location, Layout and Appearance

- 11.2. With regard to scale, the proposal seeks to deliver a circa 49.9MW solar farm that by virtue of its scale would contribute significantly towards the renewable energy targets in light of the climate emergency. The quantum of development that is anticipated would extend over several fields, however, there would be no opportunity to appreciate the total scale of this scheme from any one location. The topography together with mature tree cover, extensive woodlands, tree belts, and hedges in the intervening landscape would mean that there would be very limited opportunity to appreciate the scale of the scheme.

### Effect on Landscape Elements

- 11.3. The proposed solar farm would have a negligible adverse effect on topography. In terms of trees with the additional planting there would be a moderate beneficial effect and with regard to hedges moderate beneficial effect. There would be a moderate adverse effect with regard to land cover with the introduction of the solar farm superimposed over pastureland. I consider that there would be some beneficial effects with regard to landscape elements that would form the green infrastructure of the site as part of the solar farm.

## Effect on Land Cover

- 11.4. Land cover is a specific term which refers to the way in which the land is managed. The site is currently managed for arable use. Alternating between pasture and arable is not a matter subject to planning. The scheme would require the host fields to be managed as pasture for the duration of a project but would be grazed and would benefit the fields from a soil/agronomy perspective.
- 11.5. Furthermore, the introduction of meadows would bring about material ecological enhancements. The local published Landscape Character Assessment advocates the management of pasture which is precisely what this scheme would seek to achieve. It is accepted that solar panels would be suspended above the grass swards. The introduction of the solar farm would have a moderate adverse degree of effect with regard to land cover associated with the site, given the arable land is converted to pasture with panels.
- 11.6. The character of the field parcels within the site would inevitably change in terms of their landscape character with the solar farm in place, but the character of the landscape beyond the immediate environs of the site would remain unchanged with the scheme in place and that would apply to the vast majority of the Landscape Character Area. Only a fraction of this area would physically change in terms of its character. This is an inevitable consequence of delivering renewable energy infrastructure.

## Effect on Visual Amenity

- 11.7. With regard to visual amenity, of particular note from my perspective is that this is an extensive solar scheme across a number of fields yet given the level and gently undulating nature of the local topography, combined with the field and hedgerow network and patchwork quilt of woodlands, the actual visual envelope and the degree to which this scheme would be seen from the surrounding area would be very limited.
- 11.8. There are a few public rights of way in the locality and some paths in the immediate vicinity and as such, there would be some opportunity to observe the scheme. Energy infrastructure is an integral part of the local landscape. The scheme's effect upon the visual amenity of the area would be very limited in degree and very localised in extent.

- 11.9. The visual effects would be very limited given the scale of the proposal. Policies require careful integration through existing landscape features and new planting to mitigate adverse effects to minimal levels. No policy in the Development Plan specifies absolutely no visibility whatsoever. I consider that to set such a high bar would be impossible to achieve.
- 11.10. In overall terms, the visual effects of the proposed solar farm would be very limited due to its substantial visual containment as a result of a combination of topography and surrounding woodlands. Where seen only small elements of the scheme would be observed and it would not be possible to appreciate the totality of the scheme from any one viewpoint location.

### **Effect on Landscape Character**

- 11.11. In terms of landscape character associated with the site, this is defined by the combination of various landscape elements principally topography, land cover, hedgerows, tree cover and the configuration of the fields themselves, the field pattern is sometimes referred to as the "grain" of the landscape. With the exception of some small areas of development such as the substation and inverters which would require some small loss of agricultural land, these landscape elements would be retained and remain as part of the landscape whilst the scheme is in place. It is accepted that where the panels would be located the continued agricultural use would be in the form of grazing rather than arable use.
- 11.12. The hedgerows would be reinforced with further hedgerow planting and the tree cover resource associated with the site would also be reinforced with some additional tree planting. Some of the hedgerows would be managed such that they would be maintained at a slightly higher level than is currently the case.
- 11.13. The trees over the project lifetime, both those existing and those introduced as part of the landscape proposals would all continue to grow developing larger canopies apart from those trees that are already fully mature. This growth over a 40-year period which is a significant period of time for both hedgerow and tree growth would result in reinforcing the defining positive characteristics of the site, with regard to these features. Furthermore, the increased vegetation growth would create a stronger sense of physical and visual containment associated with the site. This change would reduce visual effects that would come about over the project timescale.



- 11.14. Upon completion of the decommissioning phase, all built infrastructure would be removed both above and below ground across the entirety of the site. The management and growth of the hedgerows and trees across the site could continue to remain as part of the landscape post-decommissioning phase and would leave a positive legacy in terms of landscape character given that trees and hedgerows contribute to the landscape character locally.
- 11.15. Beyond the environs of the site the landscape character of the area would remain unchanged. With the proposed scheme in place, the character of the fields within the site would change as they would now accommodate solar arrays, but the underlying character of the fields would still be there and would fully return with the decommissioning of the solar farm in the longer term. However, it is proposed that as an integral part of the scheme, new hedgerows and tree planting would be introduced, and wildflower meadows created with arable land converted to pasture as advocated in the landscape character documents. All of these elements could remain after decommissioning as a positive legacy of the scheme and bring about enhancement to the landscape character in the long term.
- 11.16. The proposed scheme involves solar arrays and some associated infrastructure located in several fields which are managed for arable use. However, depending on farm management and maintenance and crop rotation, these fields could revert to pasture for a fallow period without any recourse to planning and similarly, grazed as pasture, again without any recourse to planning, such is the minor consequence of such a change of use in farming circumstances terms. It is intended that whilst the solar arrays would be installed and operational, the fields would continue to function as fields and accommodate grazing stock, and sheep for farming for the whole duration of the lifetime of the project. The site would continue to have an agricultural use.
- 11.17. Most of the existing landscape elements, vegetation, trees, and hedges could continue to remain and be reinforced post-decommissioning stage. Therefore, the character of the fields would remain accepting that they would also accommodate a solar farm, a renewable energy generating installation and as such, would change the current existing character of those developed fields. Beyond the confines of the red line site boundary, there would be no change to the physical fabric of the landscape character of the area.
- 11.18. In overall terms, I consider that there would be a minor adverse effect upon the landscape character of the site itself and its immediate environs. No off-site works are required (other than the point of connection to the Grid) to enable this scheme to be implemented other

than the cable connection. The effect upon the character of the surrounding landscape would be negligible and would remain and prevail materially unchanged with the proposed solar farm in place.

## **Effect on the Openness of the Green Belt**

- 11.19. As far as the solar farm is concerned, this benefits from a high degree of visual containment due to extensive woodland areas and evidenced by the fact that it is difficult to appreciate the proposal in terms of views from the countryside to the north, south, east and west and as such, any associated perception of openness related to this land is very limited. The perception of openness is most readily appreciated from the nearby roads around the site, but from these locations, the perception of openness would not change with the presence of the solar farm associated with the site and its countryside surroundings as a backdrop and context to the site as it still would feel very much part of the countryside and little difference in perception as most local views would remain unchanged. There are several bridleways adjacent to or passing through the site which would be set within new green lanes to retain their visual amenity and would reflect the character of green lanes in the locality. With these features in place, there would be little opportunity to observe the proposed solar farm restricted to a few fleeting views associated with field access points.
- 11.20. The introduction of the proposed solar farm would undoubtedly introduce built form where there is none currently. The aspect of openness is derived in part with regard to two aspects, the visual component and a spatial component. With regard to the visual aspect, it is evident that the perception of openness as it relates to the site is only readily appreciated from the nearby PRoWs and not from the wider countryside beyond due to the substantial physical containment of the surrounding extensive woodlands.
- 11.21. The proposed solar farm would be relatively modest in mass and footprint with regular spaces between the solar arrays that would reduce the overall scale of the development. Furthermore, the proposed scheme would be in place for a period of up to 40 years, before being fully demounted and the land returned to its former condition at the end of its use. As such, whilst 40 years is a long period of time, it is still not permanent. Therefore, the impact on the openness of the Green Belt would be reduced and the site completely reinstated to its current open character. Consequently, both visually and spatially, the proposed

development would result in some limited and localised harm to the openness of the Green Belt.

- 11.22. In terms of the visual aspect of openness in overall terms when considered in the round, I consider the harm would be minor (adverse), and in terms of the spatial aspect of openness, the harm would be moderate (adverse). With both these aspects considered in overall terms, I consider that there would be moderate (adverse) harm to the openness of the Green Belt though this would be limited and highly localised within the context of the local woodland landscape.

### **Effects on the Purposes of the Green Belt**

- 11.23. The proposed scheme would not have any bearing upon the first purpose of the Green Belt, namely, to check the unrestricted sprawl of large built-up areas. Whilst there are towns in every direction of the site, these are located several kilometres in distance and with the introduction of the proposed scheme, the solar farm would not cause any neighbouring towns to merge into one another. Indeed, the geographical disposition of neighbouring towns would remain unchanged with the proposed scheme in place and as such, the proposal would not conflict with this purpose. The proposal would inevitably introduce built infrastructure into 15 fields where the character of the site would experience a moderate adverse effect with the introduction of the solar farm. Beyond the site and its immediate environs, the character would remain unchanged. The proposal would cause encroachment in the countryside and as such, conflict with this particular purpose. The proposal would not affect the setting and special character of historic towns. The proposal would not have a bearing upon the recycling of derelict and urban land and as such, would not conflict with this purpose so far as it is relevant. In conclusion, the proposed solar farm would only conflict with one purpose in Green Belt terms.
- 11.24. In terms of safeguarding the countryside from encroachment, the proposed solar scheme would be physically limited to the site itself. There would continue to be a strong disconnection between the distant urban areas beyond the Green Belt with the scheme in place. The encroachment, as a consequence of the solar farm, would be solely limited to the site itself, with the land beyond remaining as countryside. As such, the proposed solar farm would conflict with one purpose of the Green Belt, that of encroachment in the countryside.



However, the level of harm would be limited to a moderate degree, common ground with the Case Officer who recommended approval.

- 11.25. The proposed solar farm does not offend any of the other four purposes of the Green Belt.

## **Conclusions**

- 11.26. For the reasons stated above in this section of my proof, it is my professional opinion that on landscape and visual grounds and in so far as these matters relate to Green Belt, there are no substantive reasons for refusing planning permission for the proposed solar farm on land to the west of Wood Lane and Stocking Lane on the Kingston Estate. Therefore, the Inspector is respectfully requested to allow the grant of planning permission so far as landscape and visual issues are concerned.



# Appendices

Town & Country Planning Act 1990 (as amended)  
Planning and Compulsory Purchase Act 2004

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