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# East Stour Solar Farm

## Land South of the M20, Church Lane, Aldington, Kent

Landscape and Visual Evidence of:  
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Prepared for:  
EDF Energy Renewables Limited (trading as EDF Renewables)

Core Document 10.2  
6th January 2025

LPA Planning Application Reference: 22/00668/AS  
PINS Appeal Reference: APP/E2205/W/24/3352427

Town & Country Planning Act 1990

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## **Appendix 1 - Detailed Screening ZTV for East Stour Solar Farm**

# 1 INTRODUCTION

## 1.1 Qualifications and Experience

- 1.1.1 My name is John Stephen Ingham. I hold an honours degree in Landscape Design with Town Planning and a postgraduate diploma in Landscape Architecture both of which I gained at Sheffield University. I was elected as a Chartered Member of the Landscape Institute (CMLI) in 2003.
- 1.1.2 I am employed as the Director of Landscape Planning in the Wetherby office of Stephenson Halliday, a planning, environmental and landscape consultancy which is part of the RSK group of companies.
- 1.1.3 I have over twenty years post-qualification experience gained primarily in the private sector. Prior to joining Stephenson Halliday in 2020 I was employed as the Principal Landscape Architect for Hanson UK and, prior to that, I spent nearly ten years as an Associate Landscape Architect at the Pegasus Group. I have also previously held positions at RPS Group and Environmental Resources Management (ERM).
- 1.1.4 I am a past chair of the Yorkshire and Humber Branch of the Landscape Institute and currently sit on the Landscape Institute Advisory Council. I regularly tutor professional practice seminars for associates of the Landscape Institute who are working towards chartered membership.
- 1.1.5 From the outset of my professional career, I have specialised primarily in the related fields of Landscape and Visual Impact Assessment (LVIA) and strategic level design for major development, engineering and infrastructure projects. In my current role at Stephenson Halliday, I am primarily responsible for undertaking LVIAs, coordinating Environmental Impact Assessments (EIAs) as well as supervising and reviewing those undertaken by other members of the environment team.
- 1.1.6 I have presented landscape and visual evidence at over 20 public inquiries and hearings conducted under various statutes and prepared written representations in relation to many more appeals. I have also on several occasions delivered evidence in relation to the examination of local plans.
- 1.1.7 My project experience spans multiple sectors including energy, infrastructure, utilities, quarrying, industry, commercial, leisure and residential development. I have worked on projects in all regions of the UK ranging in scale from schemes determined under the Town and Country Planning Act 1990 up to Section 36 applications in Scotland, Nationally Significant Infrastructure Projects (NSIP) in England and Developments of National Significance (DNS) in Wales. I am currently retained as the lead landscape architect on several major NSIP and DNS scale solar projects across England and Wales and in total I have worked on well over 100 commercial or utility scale renewable energy projects nationwide.
- 1.1.8 Although I am employed in private practice, I have on several occasions been instructed by local planning authorities to review LVIAs undertaken by other consultants and provided support to those authorities on appeal.

## 1.2 Instruction

- 1.2.1 I am instructed to present evidence on behalf of EDF Energy Renewables Limited (the “Appellant”) in respect of landscape and visual amenity matters relating to the refusal of planning permission for the ‘*Installation of a solar farm with a generating capacity of up to 49.9MW comprising: ground mounted solar panels; access tracks; inverter/transformers; substation; storage, spare parts and welfare cabins; underground cables and conduits; perimeter fence; CCTV equipment; temporary construction compounds; and associated infrastructure and planting scheme*’ (the “Proposed Development”) at land south of the M20, Church Lane, Aldington, Kent (the “Appeal Site”).
- 1.2.2 I am familiar with the Landscape Institute’s Code of Practice (December 2021). I believe that in addressing the landscape and visual matters relating to this inquiry I have fulfilled my professional responsibilities in accordance with the Code of Practice.
- 1.2.3 I understand my duty to the inquiry and have complied with and will continue to comply with that duty. I believe that the facts stated within my proof of evidence (**CD 10.2**) and summary proof of evidence (**CD 10.1**) are correct and I confirm that the opinions expressed are my true and professional opinions.

## 1.3 Involvement in the East Stour Solar Farm Project

- 1.3.1 I was first approached by EDF Energy Renewables on 6 December 2024 to ascertain my availability to assist with the production of landscape evidence in relation to the foregoing appeal. Due to unforeseen personal circumstances the landscape witness that EDF had initially instructed was unfortunately unable to proceed with the appeal to the inquiry in February 2025.
- 1.3.2 I read all of the papers relating to the application and then visited the appeal site over two days on the 10 and 11 December 2024.
- 1.3.3 Having undertaken the site visit, I was content that the submitted Landscape and Visual Impact Assessment (“LVIA”) and the subsequent Supplementary Environmental Information (“SEI”) LVIA were robust and that I agreed with the overall conclusions. I was therefore satisfied that I could support the Appellant in relation to the appeal. I subsequently received an instruction from EDF on 12 December 2024 to act on their behalf as a landscape witness in relation to this appeal.
- 1.3.4 For clarification, I was not involved in the original application and I did not prepare either the original LVIA (**CD 1.8.2 to CD 1.8.5**) or the SEI LVIA (**CD 1.14.2 to 1.14.5**) submission. The former was prepared by Ms Fran Iribar of Viento Environmental whilst the latter was prepared jointly between Ms Iribar and Ms Kay Hawkins of Hawkins Bell Associates Ltd (H:B:A Environment).
- 1.3.5 The Appellant’s Statement of Case (**CD 8.1**) was submitted and the Main Statement of Common Ground (**CD 9.1**) was signed by both the Appellant and the Council before I was engaged in the project. Ms Hawkins provided landscape input into both of these documents on behalf of the Appellant and I concur with the content of them both.
- 1.3.6 I did not have any direct correspondence with Ashford Borough Council (the “Council”) or Land Management Services (“LMS”) to agree the Landscape Statement of Common Ground

between the Appellant and the Council (**CD 9.2**). Again landscape input into these documents was provided by Ms Hawkins. However, the timing of my commission did allow for me to review and agree the content of this document before it was signed by both parties.

## 2 BACKGROUND TO THE APPEAL

### 2.1 Planning Application 22/00668/AS

- 2.1.1 In April 2022, a full planning application (reference 22/00668/AS) was submitted by the Appellant for the ‘*Installation of a solar farm with a generating capacity of up to 49.9MW comprising: ground mounted solar panels; access tracks; inverter/transformers; substation; storage, spare parts and welfare cabins; underground cables and conduits; perimeter fence; CCTV equipment; temporary construction compounds; and associated infrastructure and planting scheme*’ (the “Proposed Development”) on Land south of M20, Church Lane, Aldington, Kent (the “Appeal Site”).
- 2.1.2 Prior to this, a Screening Opinion (**CD 1.1**) issued by the Council on 25 August 2021 confirmed its position that the Proposed Development constituted Environmental Impact Assessment (“EIA”) development.
- 2.1.3 The Appellant submitted a request to the Council for a Scoping Opinion by way of a Scoping Report (**CD 1.2**) dated October 2021. The Council did not adopt a Scoping Opinion in response to this request and therefore the Environmental Statement (“ES”) (**CD 1.8**) prepared in support of the planning application was done so in the absence of the Council’s position in this regard.
- 2.1.4 Chapter 11 of the submitted ES (**CD 1.8**) comprised an LVIA. SEI was submitted in January 2024 which included supplementary information relating to the previously submitted LVIA (**CD 1.14**). Further Information (**CD 1.18**) comprising minor amendments to LVIA figures and visualisations was also submitted in April 2024.
- 2.1.5 The Planning Officer’s Report (**CD 1.19**) recommended refusal of the application on several grounds including, landscape and visual effects. The Planning Officer’s Report recorded objections from Aldington and Bonnington Parish Council, adjoining Parish Councils, the Kent County Council (KCC) Public Rights of Way officer as well as several objections from members of the public.
- 2.1.6 However, I note that Natural England confirmed by letter dated 15 March 2024 (**CD 2.2.13**) that it raised no objection to the Proposed Development stating as follows: *“Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on protected landscapes and has no objection.”*
- 2.1.7 I also note that the Kent Downs National Landscape Team stated in a letter dated 20 February 2024 (**CD 2.2.11**) that *“in view of the distance from the National Landscape boundary and relatively limited visibility of the proposal from the Kent Downs NL to the south, it not considered that the proposal would result in significant or unacceptable impacts on the setting of the Kent Downs National Landscape.”*
- 2.1.8 The Planning Officer’s Report was also informed by a review of the LVIA (**CD 2.1.2**) and SEI LVIA (**CD 2.2.2**) by Land Management Services Ltd (“LMS”).
- 2.1.9 The application was subsequently refused planning permission by letter dated 29 April 2024 (**CD 1.20**), which cites five Reasons for Refusal. Reason for Refusal 1 (RfR1) concerns landscape character and visual amenity amongst other matters:

### **Reason for Refusal 1**

***‘The proposed development would result in significant adverse individual and cumulative effects on landscape character and on visual amenity that cannot be appropriately mitigated. The development would also harm the amenity and experience of users of the public rights of way network and would cause less than substantial harm to the setting of designated heritage assets. The benefits of the proposed development would not outweigh these harms. The development would therefore be contrary to policies SP1, SP6, ENV1, ENV3a, ENV5, ENV10 and ENV13 of the Ashford Local Plan, policies AB4, AB10 and AB11 of the emerging Aldington and Bonnington Neighbourhood Plan 2030 and the provisions of the National Planning Policy Framework and National Policy Statements EN-1 and EN- 3.’***

- 2.1.10 An appeal against the decision of the Council was validated on 23 September 2024 and allocated reference APP/E2205/W/24/3352427 by the Planning Inspectorate. I note that the Appellant included an updated version of SEI Figure 11.9: Mitigation Plan (Revision B), dated September 2024 as part of the appeal submission.

## **2.2 Main Statement of Common Ground**

- 2.2.1 A Main Statement of Common Ground between the Appellant and the Council (**CD 9.1**) was agreed on 25 November 2024.
- 2.2.2 Paragraphs 9.2 and 9.3 set out the landscape and visual matters which are agreed between the Appellant and the Council. This includes a summary of the LVIA material which is current and material to the appeal and an outline of the mitigation measures illustrated on SEI Figure 11.9 Revision B (**CD 1.21**).
- 2.2.3 Paragraph 9.4 states *‘It should however be noted that discussions remain ongoing between the parties in respect of landscape and visual impacts arising as a result of the Proposed Development and it is proposed that this topic be the subject of a further separate topic specific Statement of Common Ground.’*
- 2.2.4 Paragraph 10.2 outlines the landscape and visual matters which are in dispute between the Appellant and the Council. It states that *‘The Appellant considers that the mitigation measures proposed are reasonable and appropriate and that the Year 10 visualisations for Viewpoints 1 – 13 provide an accurate representation of the degree of screening that would be provided by year 10 of the operational phase during the summer months. The Council does not agree with this position.’*
- 2.2.5 Paragraph 10.3 again confirms the intention to prepare a separate topic-specific Statement of Common Ground.

## **2.3 Landscape Statement of Common Ground**

- 2.3.1 A Landscape Statement of Common Ground (**CD 9.2**) between the Appellant and the Council outlines the areas of agreement and disagreement between the two parties. I have not replicated the full content of that document in my evidence. In summary, however, the principal areas of dispute relate to:



- LVIA methodology and specifically whether the approach to LVIA adopted in the original LVIA (**CD 1.8.2**) and SEI LVIA (**CD 1.14.2**) is in accordance with the Guidelines for Landscape and Visual Impact Assessment, Third Edition (“GLVIA”) (**CD 4.1**).
- Use of viewpoints and specifically whether the quantity and location of viewpoints is adequate to inform a robust assessment of landscape and visual effects.
- The adequacy of landscape and visual mitigation proposals.
- Conclusions as to the effectiveness of the mitigation in reducing visual effects from key visual receptors within and bordering the Site principally Footpaths AE432, AE437, AE656, AE457 and AE459 and Church Lane. The Council also considers that mitigation will not substantially reduce adverse effects on local landscape character.

### 3 PURPOSE AND SCOPE OF MY EVIDENCE

- 3.1.1 The main purpose of my evidence is to address RfR1 in so far as it relates to landscape and visual matters. RfR1 can be broken down into several parts not all of which fall within my area of professional expertise. In my evidence I have principally sought to address the first part of the reason which states:
- ‘The proposed development would result in significant adverse individual and cumulative effects on landscape character and on visual amenity that cannot be appropriately mitigated.’***
- 3.1.2 RfR1 then continues as follows:
- ‘The development would also harm the amenity and experience of users of the public rights of way network and would cause less than substantial harm to the setting of designated heritage assets.’***
- 3.1.3 In so far as this part of the reason concerns the visual amenity experienced by people using public rights of way, I have also sought to address this matter. I am not aware of any other potential impacts on users of public rights of way but if and inasmuch as this reason extends beyond the consideration of visual amenity that is a matter which must be addressed by others at this inquiry.
- 3.1.4 I have given due consideration to heritage assets in so much as they contribute to landscape character but the setting of designated heritage assets is a separate matter addressed in the evidence of Mr Rob Bourn (**CD 10.4**).
- 3.1.5 RfR1 then states:
- ‘The benefits of the proposed development would not outweigh these harms.’***
- 3.1.6 RfR 1 concludes that the development would be contrary to policies SP1, SP6, ENV1, ENV3a, ENV5, ENV10 and ENV13 of the Ashford Local Plan (**CD 3.1**), policies AB4, AB10 and AB11 of the emerging Aldington and Bonnington Neighbourhood Plan 2030 (subsequently made 18 October 2024) (**CD 3.3**) and the provisions of the National Planning Policy Framework (subsequently updated December 2024) (**CD 3.4**) and National Policy Statements EN-1 (**CD 3.12**) and EN- 3 (**CD 3.13**).
- 3.1.7 I shall set out my findings in the context of relevant planning policy as referenced in the decision notice. However, it is not the purpose of my evidence to draw a conclusion on the overall acceptability of the Proposed Development.
- 3.1.8 The benefits of the scheme and the overall planning balance are addressed in the evidence of Mr Steven Longstaff (**CD 10.6**).
- 3.1.9 In addition I address the Council’s Statement of Case (**CD 8.2**), the Main Statement of Common Ground (**CD 9.1**) and the Landscape Statement of Common Ground (**CD 9.2**) in so much as they all relate to landscape and visual matters.
- 3.1.10 I also address the landscape and visual amenity issues raised in the two LVIA reviews undertaken by Land Management Services Ltd on behalf of the Council (**CD 2.1.2** and **CD 2.2.2**), relevant consultee responses and representations as necessary.

## Structure of My Evidence

3.1.11 The remainder of my evidence is structured as follows:

- **Section 4** – outlines the planning policy and guidance relevant to a consideration of landscape and visual matters.
- **Section 5** – summarises the Appeal Site, the Proposed Development and describes in detail the landscape and visual mitigation proposed.
- **Section 6** – reviews and provides observations regarding the submitted LVIA and SEI LVIA chapters.
- **Section 7** – addresses the *solus* effects of the Proposed Development on landscape fabric and character.
- **Section 8** - addresses the *solus* effects of the Proposed Development on visual amenity including views from public rights of way and residential properties.
- **Section 9** – addresses the potential cumulative landscape and visual effects of the Proposed Development in conjunction with other developments.
- **Section 10** – provides a consideration of the landscape and visual effects in the context of relevant local planning policy.
- **Section 11** – provides a summary of my findings.

## Supporting Appendices

3.1.12 My evidence is supported by the following appendices:

- **Appendix 1** – Detailed Screening ZTV for East Stour Solar Farm

## 4 PLANNING POLICY AND GUIDANCE

### 4.1 Introduction

- 4.1.1 Relevant planning policy is identified within the Appellant's Statement of Case (**CD 8.1**) and addressed in the planning evidence of Mr Steven Longstaff (**CD 10.6**), but I have set out below a brief summary of the policy context relevant to the appeal proposals where it may have a bearing on a consideration of landscape and visual amenity matters.

### 4.2 National Policy

- 4.2.1 Reason for Refusal 1 alleges conflict with *'the provisions of the National Planning Policy Framework and National Policy Statements EN-1 and EN-3.'*
- 4.2.2 I note that the NPPF (**CD 3.4**) was updated on 12 December 2024 following determination of planning application 22/00668/AS.
- 4.2.3 The Council does not specify the paragraphs numbers in the NPPF with which it purports to find conflict but the Main Statement of Common Ground (**CD 9.1**) records that Sections 2, 8, 11, 12, 14, 15 and 16 of the former NPPF are relevant to RfR1.
- 4.2.4 The Overarching National Policy Statement for Energy (EN-1) (**CD 3.12**) and National Policy Statement for Renewable Energy Infrastructure (EN-3) (**CD 3.13**) came into force in January 2024 and are parts of a suite of documents which sets out the Government's policy for delivery of major energy infrastructure. Landscape and Visual effects are addressed in Section 5.10 of EN-1 and Sections 2.10 of EN-3. Again no specific paragraphs from EN-1 or EN-3 have been referenced by the Council.

### 4.3 Ashford Borough Local Plan

- 4.3.1 Reason for Refusal 1 cites conflict with seven policies within the Ashford Borough Local Plan (adopted 2019) (**CD 3.1**), as follows:
- Policy SP1: Strategic Objectives;
  - Policy SP6: Promoting High Quality Design
  - Policy ENV1: Biodiversity;
  - Policy ENV3a: Landscape Character and Design;
  - Policy ENV5: Protecting Important Rural Features;
  - Policy ENV10: Renewable and Low Carbon Energy; and
  - Policy ENV13: Conservation and Enhancement of Heritage Assets.
- 4.3.2 Policies SP1 and SP6 are strategic in their intent. Policy SP1 sets out the core principles that planning applications are expected to adhere to including:

*'b) To conserve and enhance the Borough's natural environment including designated and undesignated landscapes and biodiversity and promote a connected green infrastructure network that plays a role in managing flood risk, delivers net gains in biodiversity and improves access to nature; and*

*d) To create the highest quality design which is sustainable, accessible, safe and promotes a positive sense of place through the design of the built form, the relationship of buildings with each other and the spaces around them, and which responds to the prevailing character of the area;'*

4.3.3 Policy SP6 requires that proposals must be of high quality design and demonstrate a careful consideration of and a positive response to certain design criteria including:

*'a) Character, distinctiveness and sense of place'*

4.3.4 Policy ENV3a specifically concerns Landscape Character and Design and requires that proposals demonstrate particular regard to the following landscape characteristics, proportionately according to the significance of the site:

*'a) Landform, topography and natural patterns of drainage;*

*b) The pattern and composition of trees and woodlands;*

*c) The type and composition of wildlife habitats;*

*d) The pattern and composition of field boundaries;*

*e) The pattern and distribution of settlements, roads and footpaths;*

*f) The presence and pattern of historic landscape features;*

*g) The setting, scale, layout, design and detailing of vernacular buildings and other traditional man made features;*

*h) Any relevant guidance given in the Landscape Character SPD;*

*i) Existing features that are important to and contribute to the definition of the local landscape character shall be retained and incorporated into the proposed development; and,*

*j) Any non-designated, locally-identified, significant landscape features justified in a Parish Plan or equivalent document.'*

4.3.5 Policy ENV5 concerns the protection of important rural features and requires that development in rural areas of the Borough protect and, where possible, enhance the following features:

*'a) Ancient woodland and semi-natural woodland;*

*b) River corridors and tributaries;*

*c) Rural lanes which have a landscape, nature conservation or historic importance;*

*d) Public rights of way; and,*

*e) Other local historic or landscape features that help to distinguish the character of the local area.'*

4.3.6 Policy ENV10 specifically concerns renewable and low carbon energy and states that planning applications for proposals to generate energy from renewable and low carbon sources will be permitted provided that (*inter alia*):

*'a) The development, either individually or cumulatively does not result in significant adverse impacts on the landscape, natural assets or historic assets, having special regard to nationally recognised designations and their setting, such as AONBs, Conservation Areas and Listed Buildings;'*

4.3.7 Policies ENV1 (which concerns biodiversity) and ENV13 (which concerns heritage assets) are not relevant to the matters of landscape and visual amenity I address in this evidence.

## 4.4 Aldington and Bonnington Neighbourhood Plan

4.4.1 RfR1 cites conflict with three policies within the Aldington and Bonnington Neighbourhood Plan (**CD 3.3**) as follows:

- Policy AB4: Protection of Locally Significant Views;
- Policy AB10: Renewable and Community Energy; and
- Policy AB11: Conserving Heritage Assets.

4.4.2 Policy AB4 concerns the protection of locally significant views and states:

*A) 'The setting of the settlements within the neighbourhood area contributes greatly to their local character. Long-distance views from the ridgeline and the main approaches to the villages play key roles in their settings. Proposals with significant harmful impacts on the setting of the neighbourhood area will not be supported.'*

*B) In addition, the Plan identifies 13 locally significant views (and view clusters), shown in Figures 8, 9 and 10, with descriptions contained in Appendix B. As appropriate to their scale and nature, development proposals within the shaded arcs (my emphasis) of the various views shown in Figures 8, 9 and 10 should be designed in a way that demonstrates how the proposal has taken into consideration the importance of the locally significant view or views, in the layout, design or masterplanning of the site(s), and mitigates any adverse impact on those views.'*

4.4.3 With regards to part B of Policy AB4 I make the observation that the Proposed Development does not lie within the shaded arcs shown on Figures 8, 9 and 10 although I acknowledge that View 3 as shown on Figure 9 is described in Appendix B as the view from PROW AE475 northwards towards Kent Downs National Landscape and further adds:

*'PROW AE475 crosses between Goldwell Lane and Church Lane, but to the north of AE474. This means that, at the higher part of the route, approximately 300m north-west of Church Lane, it provides a more open view northwards across the fields of the East Stour Valley towards the Kent Downs National Landscape. Bested Hill and Hungry Down are seen at close distance, to the north and north-east, with the location of the traditional annual Point-to-Point event lying between them.'*

4.4.4 Policy AB10 concerns renewable and community energy and Part A states that proposals for commercial solar photovoltaic (PV) development will only be supported where it meets the requirements of Ashford Local Plan Policy ENV10 (Renewable and Low Carbon Energy) and (*inter alia*):

*'i. the applicant can demonstrate that any harm to the local landscape and environment will be minimised and, where necessary, mitigated. Applicants should use ABC's Supplementary Planning Document, Renewable Energy Planning Guidance v2, and the relevant landscape descriptions contained within the Ashford Landscape Character Study 2005 to inform their landscape and visual impact assessment; and*

*ii. the applicant can demonstrate that the proposals do not adversely affect residential amenity through noise generation or overbearing visual impact. Proposals should seek to screen installations naturally, taking into account views onto the site from within the neighbourhood area, notably the ridgeline, and panoramic long views across the East Stour Valley; and*

*v. the benefits of renewable energy can be proven to outweigh the landscape and environmental impacts'*

4.4.5 Policy AB11 (which concerns heritage assets) is not relevant to the matters of landscape and visual amenity I address in this evidence.



## 5 THE SITE AND THE PROPOSED DEVELOPMENT INCLUDING MITIGATION PROPOSALS

### 5.1 The Site and its Setting

- 5.1.1 A full baseline description of the Appeal Site and its landscape and visual context has been provided within ES Volume 2A Written Statement, Chapter 11 Landscape and Visual Impact (**CD 1.8.2**) which should also be read in conjunction with ES Volume 2B Appendix 11.1 Landscape Character Extracts (**CD 1.8.3**). I have not sought to replicate this in full but provide a brief summary below.
- 5.1.2 The Proposed Development would be situated across a series of agricultural fields to the north of Aldington, near the M20 motorway and HS1 rail line.
- 5.1.3 The site can be viewed as three separate parcels of land; the northern parcel lies between the M20 and the HS1 rail line, the western parcel extends across Bested Hill to the south of the rail line and west of Church Lane and the eastern parcel is to the east of Church Lane across fields adjacent to Partridge Plantation and Round Wood. The field pattern is irregular and the fields are bound by woodland and hedgerows in some places but fenced along other boundaries. The East Stour River is located immediately north of the western land parcel and is broadly parallel to the HS1 rail line. It is generally flanked by mature trees and shrubs on both sides.
- 5.1.4 The M20 and the HS1 rail line are well vegetated with mature vegetation and constitute linear infrastructure which dissects and fragments the landscape.
- 5.1.5 High voltage overhead electricity lines and pylons cross through the western land parcel and across Bested Hill to link into the Sellindge Converter Station which is positioned between the M20 and the HS1 rail line and close to the northern and western land parcels of the site. The converter station contains a number of large buildings as well as electrical infrastructure. A sewage works is located immediately east of the converter station.
- 5.1.6 The landform of the site varies across the three land parcels. The northern parcel slopes down to the southeast towards the HS1 rail line and the East Stour River. The western parcel rises from the rail line to a high point on Bested Hill and then slopes down again to the south west near Backhouse Wood and also to the south east towards Church Lane. The eastern land parcel slopes down to the northeast from its southern boundary and there is a small hill within the field immediately west of Partridge Farm. More broadly the land immediately to the north, east and west of the site is undulating whilst the land to the south rises towards Aldington.
- 5.1.7 The site lies within National Character Area (“NCA”) 120: Wealdon Greensand (**CD 4.3**). The Landscape Assessment of Kent (2004) (**CD 4.4**) identifies the site as falling predominantly within the Upper Stour Valley Landscape Character Area (“LCA”). ES Volume 2A Written Statement, Chapter 11 Landscape and Visual Impact (**CD 1.8.2**) provides further detail in relation to these character appraisals but the Ashford Borough Council Rural Fringes Landscape Character Assessment (**CD 4.5**) provides a finer grain of detail and so I address matters of landscape character principally in relation to this document.



- 5.1.8 The Ashford Borough Council Rural Fringes Landscape Character Assessment (2009) (**CD 4.5**) identifies the site as falling across two local LCAs. The northern part of the Appeal Site (north of the HS1 rail line) is located within the LCA 29: Evegate Mixed Farmlands whilst the western and eastern parcels of the Appeal Site (south of the HS1 rail line) are located within the LCA 10: East Stour Valley.
- 5.1.9 I note that since publication of the above assessment, construction has commenced on the Sellindge Grid Stability Facility. This and the approved Sellindge BESS scheme both fall within LCA 29: Evegate Mixed Farmlands and in the future baseline will reinforce the influence of the existing Sellindge Converter Station and transport infrastructure on this LCA. The Sellindge Solar Farm has also been constructed within LCA 10: East Stour Valley and this has also resulted in a localised evolution of character in part of this character area.
- 5.1.10 A Zone of Theoretical Visibility (“ZTV”) plan is provided in the SEI Volume 3, Figure 11.1 Revision A (**CD 1.14.4**). This is what is known as a ‘bare earth’ ZTV and models theoretical visibility of the Proposed Development taking account of terrain/landform only. It does not illustrate the screening effect of buildings or vegetation in the landscape.
- 5.1.11 In order to provide an additional level of accuracy to the ZTV, I have presented at Appendix 1 of my evidence a more detailed screening ZTV which takes account of buildings, blocks of woodland and any other vegetation over 2.5m in height (using the Environment Agency’s Vegetation Object Model (VOM) dataset). It should be noted that whilst this is considerably more accurate than the bare earth ZTV it does not take account of many hedgerows which are frequently maintained at a height of less than 2.5m and the coverage shown is therefore still a slight exaggeration of the likely actual visibility of the Proposed Development.
- 5.1.12 Nevertheless the ZTV presented in Appendix 1 of my evidence demonstrates the general pattern of likely visibility surrounding the Appeal Site. The ZTV in Appendix 1 also provides an indication of which parcel of the Appeal Site would be visible from where but not how much of the development in each parcel would be visible. Furthermore, as with any ZTV, it does not indicate the magnitude or significance of effect experienced at any given location.
- 5.1.13 The ZTVs demonstrate that visibility of the Proposed Development would be largely contained within 2km of Appeal Site with a theoretical band of visibility across a ridge to the far north (approximately 4-5km north of the site).

## 5.2 The Proposed Development

- 5.2.1 A full description of the Proposed Development is set out in ES Volume 2A Written Statement Chapter 6 Project Description (**CD 1.8.2**) and summarised in the Appellant’s Statement of Case (**CD 8.1**).
- 5.2.2 As confirmed in SEI Volume 2A Written Statement, Chapter 6 (**CD 1.8.2**), none of the main elements of the appeal proposal have changed during the application stage. SEI Figure 11.9 Revision B (**CD 1.21**), which was provided with the Appellant’s Statement of Case (**CD 8.1**) confirmed that the permissive footpath around the northern parcel would be retained and an additional permissive footpath around the eastern parcel of the site would be provided, with both of these retained for the duration of the operational life of the development.
- 5.2.3 I do not intend to replicate the full project description but in summary the Proposed Development will consist of a short-term (approximately 9 months) construction phase, a long-term (40 years) operational phase and a short-term (less than 9 months) decommissioning

phase. Those elements of the development which might give rise to landscape and visual effects are outlined in ES Volume 2A Written Statement, Chapter 11 Landscape and Visual Impact (**CD 1.8.2**) and include the solar arrays (up to 3m in height), transformer/inverter units, storage cabinets, a welfare cabin and project substation as well as ancillary infrastructure such as access tracks, fencing and CCTV.

- 5.2.4 I detail below the various components of the landscape and visual mitigation strategy as this is important in the context of the matters discussed in my evidence.

## 5.3 Mitigation Strategy

- 5.3.1 The iterative design process which has resulted in the development proposal is outlined in Section 1 and Section 2 of SEI Chapter 11 Landscape and Visual Impacts (**CD 1.14.2**).

- 5.3.2 As previously noted I was not involved in this iterative process but in my opinion the process followed the principles of good design for solar farms and the mitigation proposals embedded into the scheme are appropriate for the Proposed Development and its landscape context.

- 5.3.3 Specific landscape mitigation measures are illustrated on SEI Figure 11.9 Revision B (**CD 1.21**).

### Site Selection

- 5.3.4 Landscape and visual considerations evidently influenced site selection. Notably the Appeal Site is:

- outside any national or local landscape designations, thereby avoiding recognised sensitive landscapes;
- close to an existing grid connection, thereby enabling the grid connection to be very short and underground, avoiding the potential effects associated with an overhead cable route connection;
- on a site which requires no disturbance to sensitive existing landscape fabric such as woodland, hedgerows, trees and other valued habitat;
- on improved agricultural land adjacent to existing major infrastructure including the M20 motorway, the HS1 rail line, Sellindge Converter Station and sewage works, the existing Sellindge Solar Farm as well as the approved Sellindge Grid Stability Facility and BESS;
- crossed by high voltage overhead electricity lines and pylons;
- in a location which benefits from a mature woodland structure providing a degree of screening and vertical integration such that from most locations, only parts of the Proposed Development would be visible. The screening features include the wooded embankments of the M20 and HS1 rail line, Park Wood and woods around the fishing lakes (adjacent to the northern parcel), Backhouse Wood (adjacent to the western parcel), Partridge Plantation and Round Plantation (adjacent to the eastern parcel), plus field and roadside hedgerows; and

- has a relatively small number of residential properties within close proximity when compared to other potential solar farm sites.

### Site Layout

5.3.5 Landscape and visual considerations have also permeated through the design of the scheme and its layout. Notably the Proposed Development has:

- been designed to avoid the need for the removal of any trees, hedgerows or other sensitive vegetation;
- incorporated generous buffers as necessary to woodland, hedgerows and watercourses to prevent any harm to these features during construction/decommissioning;
- sought to maintain all PROWs on their current alignment and applied offset buffers to avoid a sense of overbearing enclosure for users of these routes (permissive footpaths are also proposed around the northern boundary of the northern land parcel and along the south eastern boundaries of the eastern land parcel);
- adopted solar panels with a maximum height of 3m which fit with the scale of the landscape in terms of vegetation structure;
- adopted timber post and wire mesh fencing (up to 2m in height) rather than palisade security fencing to minimise additional effects associated with ancillary infrastructure;
- proposed loose bound, aggregate tracks where required for access to reflect the construction of similar agricultural tracks in the landscape; and
- proposed that transformer/inverter units, welfare cabinets and storage cabins are painted a dark matt green (or another colour to be agreed with the Council) to minimise visual intrusion.

### Specific Mitigation in Relation to Bested House and The Paddocks

5.3.6 Within the eastern and western field parcels where solar PV generating infrastructure is proposed, bespoke offsets and planting proposals have been incorporated in response to the location and aspect of two residential properties, namely Bested House and The Paddocks (both on Church Lane). These are the two closest residential properties to the Appeal Site.

5.3.7 In the case of Bested House, the layout of the scheme in the field south of the property (in the eastern land parcel) has been designed to omit solar PV panels across a 100m width tract of the land adjacent to Church Lane. This offset was incorporated following a meeting with the residents of the property in which it was requested that the line of sight south westwards towards Aldington Church be maintained. The line of the solar array in this field has been drawn back from Church Lane to align with the western edge of Partridge Plantation. In order to provide additional mitigation of the solar array in views across the eastern land parcel from Bested House, an additional (secondary) native hedgerow is proposed along the property's southern boundary and a new hedgerow is also proposed along the western boundary of the solar array in the eastern parcel. Collectively these new hedgerows will strengthen the screening from ground floor windows already provided by the existing hedgerow on the boundary between the property and the eastern land parcel.

- 5.3.8 Solar development in the field immediately west of Church Lane adjacent to Bested Farm has also intentionally been set back from the property. The offset from Bested House is a minimum of 150m and whilst there are likely to remain views of the Proposed Development in this field from the property (principally from upstairs windows), the offsets accommodated ensure that the impact on residential amenity would not be overbearing. In order to provide additional visual mitigation of the solar array in this field, a new hedgerow is proposed along the southern boundary of the solar array. An existing intermittent hedgerow along Church Lane will also be enhanced. This will involve planting a new (secondary) hedgerow on the field side of the existing hedgerow whilst also infilling any gaps in the existing hedgerow. This will have the effect of creating a denser visual barrier which will be maintained at a minimum of 3m in height.
- 5.3.9 In relation to The Paddocks, a minimum 150m buffer has been accommodate into the design north of this property. The property itself has a very restricted view towards Bested Hill due to an existing hedgerow along the boundary between the property and the western land parcel. However to provide additional mitigation screening, a new area of low density native tree planting is proposed in the southernmost corner of the western land parcel. Hedgerows managed at 3m in height are also proposed along the southern fence line of the western field and another new (secondary) hedgerow is proposed on the field side of the existing hedgerow boundary between the site and The Paddocks.

#### **Specific Mitigation in Relation to Church Lane**

- 5.3.10 Between the HS1 railway line and The Paddock, Church Lane would pass immediately adjacent to the solar array in the western land parcel and approximately 100m to the west of the solar array in the eastern land parcel. Parts of Church Lane are bound by an existing hedgerow but this is occasionally thin or gappy and at present it is typically cut low in the winter months. Elsewhere, such as the section of the road at the bend just before it passes through a tunnel under the railway line and also notably along the south eastern boundary of the western land parcel, there is very little remaining of the former hedge line although the road itself is slightly sunken.
- 5.3.11 To maintain forward visibility at the bend just before it passes under the tunnel, it was deemed inappropriate to propose new hedgerow planting immediately adjacent to the road side. A new hedgerow is therefore proposed along the northern boundary of the small solar array in the western land parcel. Once established this would screen this section of the solar array when approaching from the north along Church Lane. Another hedgerow is proposed along the southern boundary of the small solar array which in due course would screen this part of the solar farm when approaching it from the south along Church Lane.
- 5.3.12 The sections of Church Lane which do not benefit from existing hedgerow would be planted with a triple row of native hedgerow planting to establish a dense new hedgerow. Those sections of the road where the existing hedgerow is thin or gappy would be enhanced. This would involve the infilling of gaps but also the planting of a new (secondary) hedgerow directly on the field side of the existing hedgerow to provide a denser visual barrier. Hedgerow trees would be incorporated into the hedge line along Church Lane where space permits.
- 5.3.13 In addition to the hedgerows alongside the road itself, the field boundary between the smaller and the larger fields in the western land parcel would be enhanced. The existing hedgerow would be infilled as necessary but quick growing riparian scrub and tree species would also be planted alongside the field boundary. This would establish in time to strengthen the screening of solar development across Bested Hill when viewed from the section of Church Lane that passes through the Appeal Site.

- 5.3.14 As mentioned above, a new native hedgerow would also be planted along the western boundary of the solar array in the eastern land parcel and this would also serve to screen or soften views of the solar farm in an easterly direction from Church Lane.

### **Specific Mitigation in Relation to Surrounding Public Rights of Way**

- 5.3.15 Several Public Rights of Way (“PRoWs”) surround or pass through the Appeal Site. All PRoWs will remain open and unobstructed throughout the duration of the Proposed Development (subject to any temporary closures for safety reasons during construction and decommissioning).
- 5.3.16 A former permissive footpath route around the north western corner of the northern land parcel (running parallel to the M20 linking PRoW AE432 to Park Wood and then running southwards along the eastern boundary of Park Wood before rejoining PRoW AE432) will be maintained open under a permissive arrangement for the operational duration of the Proposed Development.
- 5.3.17 A second, new permissive footpath is proposed around the south eastern perimeter of the eastern land parcel (providing an alternative route to PRoW AE459).
- 5.3.18 Where PRoW AE432 runs through the centre of the solar array in the northern land parcel, a wide corridor of undeveloped open space has been retained between fence lines and the solar arrays beyond in order to retain long distance views across the East Stour valley. The distance between fence lines ranges from approximately 25m to 60m. This is helpfully illustrated on two cross sections (Section C and D) contained within SEI Volume 3 Figures 11.17 and 11.18 (**CD 1.14.4**). A wide offset from the solar array has also been provided from PRoW AE437 as it traverses the same field and joins PRoW AE432. Again this is helpfully illustrated on Section A in SEI Volume 3 Figure 11.15 (**CD 1.14.4**).
- 5.3.19 Where PRoW AE432 and the proposed permitted footpath run along the northern boundary of the northern land parcel, a new native species hedgerow with hedgerow trees is proposed to provide a visual screen and to soften the adjacent fence line as shown on Section B in SEI Volume 3 Figure 11.16 (**CD 1.14.4**). Likewise a new native hedgerow is also proposed along the western boundary of the northern land parcel to provide a visual screen and to soften the adjacent fence line from the proposed permissive footpath between the Proposed Development and Park Wood.
- 5.3.20 In relation to the western land parcel, PRoW AE457 runs to the south west of Bested Hill and to the east of Backhouse Wood. Sections E, F and G in SEI Volume 3 Figures 11.19, 11.20 and 11.21 (**CD 1.14.4**) illustrate that this PRoW would pass through a wide corridor of open space between Backhouse Wood and the perimeter fencing of the Proposed Development. A new native hedgerow would be planted along the south western boundary of the fence line in this field. Whilst there would remain some view of the solar array across the rising landform of Bested Hill from this footpath the new hedgerow would soften the visual impact of the Proposed Development and integrate it into the landscape.
- 5.3.21 PRoW AE656 which runs just outside the northern boundary of the western land parcel is moderately well screened already by riparian vegetation along the East Stour River but additional riparian planting is proposed on the northern boundary of this land parcel to provide additional screening but this would also complement and extend the riparian habitat in this location.



5.3.22 PRoW AE459 runs through the centre of the solar array in the eastern land parcel. The distance between fence lines would be 12 to 16m in width retaining at least some open space and ensuring that the route is not uncomfortably enclosed by the solar development. Sections H, I and J in SEI Volume 3 Figures 11.22, 11.23 and 11.24 (**CD 1.14.4**) illustrate that this corridor would become a wildflower meadow.

5.3.23 A new native hedgerow would be planted along the southern boundary of the eastern land parcel. Although it is not shown on SEI Figure 11.9 Revision B (**CD 1.21**), the new hedgerow could be extended westwards up to Church Lane. This hedgerow would run along the top of a low ridge and screen views of the solar development in the eastern land parcel from many locations to the south.

5.3.24 Finally, new hedgerows are also proposed around the southern and eastern edges of the eastern land parcel to screen views of the solar array from the proposed permissive footpath which wraps around this side of the scheme.

### **Other Habitat Improvements**

5.3.25 The land between solar panels and within the fence line would be seeded with species rich meadow grassland which could be lightly sheep grazed and as shown on SEI Figure 11.9 Revision B (**CD 1.21**) significant areas outside the fence line would also be managed as wildflower meadow, grassland or riparian habitat and this would all enhance the landcover within the Appeal Site which is currently predominantly arable crop or species poor grazing pasture.

### **Landscape Management**

5.3.26 All existing and new habitats within the Appeal Site would be managed ensuring their successful maintenance for the operational duration of the Proposed Development.

5.3.27 All existing hedgerows within the site and new hedgerows discussed above would be managed at a minimum height of 3m for the operational duration of the Proposed Development.

### **Securing the Landscape Mitigation Proposals**

5.3.28 All of the landscape mitigation measures discussed above, including full details of the soft landscaping and its long term maintenance can be secured through the imposition of suitable planning conditions.

### **Landscape Character Assessment Guidelines**

5.3.29 Guidelines in the Ashford Borough Council Rural Fringes Landscape Character Assessment (**CD 4.5**) for managing landscape change in the host landscape character areas refers to:

- Improving the significance of the ancient woodland through creating a wider framework of interlinking woodland planting;
- conserving native hedgerows and restoring/gapping up hedgerows where they are deteriorating;
- restoring field pattern where hedgerows have been lost to agricultural intensification;
- conserving the well vegetated course of the Great Stour River;

- encouraging marginal grasses and wetland flora along field and roadside drainage ditches; and
- conserving isolated oak trees and planting new standards to ensure continuity of this distinctive feature.

5.3.30 In my opinion the mitigation proposals outlined above complement the strategy for landscape enhancement in the host landscape character areas.

## 5.4 Plant Growth Rates

5.4.1 For clarity I have assumed the following growth rates for all new planting:

- Newly planted hedgerows, infill hedgerow plants and new woodland/scrub/riparian scrub planting will be planted as young transplants or 'whips'. In Year 1 after construction the planting stock would typically be approximately 0.6m to 0.8m high and contained within tree protected tubes.
- By Year 10, new hedgerows will be a minimum of 3m in height although it is likely that they will achieve this height somewhere between 5 and 10 years after planting. In making this assumption I note that plants do not usually put on much growth in the first planting season and then put on an average of 0.4m growth each subsequent year. This means that all new hedgerows will be at full maturity at some point before Year 10 and are maintained at this height by ongoing management.
- By Year 10, new woodland/scrub planting established as transplants will be at least 4m in height and will not be maintained at a lower height as is the case for hedgerows.
- Where hedgerow trees are planted as taller specimens or where mature stock is planted elsewhere I have assumed that the trees will be planted as extra heavy standards and in Year 1 these will have a height of 3m to 3.5m. By Year 10, I have assumed that these trees will have a height of approximately 6m.
- Except where vegetation is managed at a specific height (e.g. hedgerows) I have assumed that trees and scrub will continue to grow naturally over the remaining period of the Proposed Development.

## 6 OBSERVATIONS REGARDING THE SUBMITTED LVIA AND SEI LVIA CHAPTERS

### 6.1 Introduction

- 6.1.1 As previously noted I was not involved in the preparation of the original LVIA (**CD 1.8.2**) or the SEI LVIA (**CD 1.14.2**) submission.
- 6.1.2 Having read the LMS reviews of the submitted documentation (**CD 2.1.2** and **CD 2.2.2**) I am aware that they have raised concerns about the LVIA and SEI LVIA methodology and specific comments regarding the number of viewpoints used in the assessment.
- 6.1.3 I also note that the Council's Statement of Case (**CD 8.2**) continues to allege that: *'the evidence presented in the ES and SEI does not provide a sufficient basis for assessment of landscape character and visual effects'* and also states: *'the Council's case will include reference to the limited number of representative viewpoints which are considered to be inadequate to inform a representative assessment of impact on views and visual amenity.'*
- 6.1.4 The Council's position in this regard is borne out in the matters which are not agreed in the Landscape Statement of Common Ground (**CD 9.2**).
- 6.1.5 I have therefore reviewed both documents and supporting material to satisfy myself that when read together they meet the requirements of an LVIA as set out in published best practice guidance, namely the Guidelines for Landscape and Visual Impact Assessment (Third Edition) ("GLVIA3") (**CD 4.1**).

### 6.2 Assessment Approach and Methodology

- 6.2.1 GLVIA3 (**CD 4.1**) is widely recognised as the primary source of guidance for LVIA/LVA in the UK but clearly states that: *'The guidance concentrates on principles while also seeking to steer specific approaches where there is a general consensus on methods and techniques. It is not intended to be prescriptive, in that it does not provide a detailed 'recipe' that can be followed in every situation. It is always the primary responsibility of any landscape professional carrying out an assessment to ensure that the approach and methodology adopted are appropriate to the particular circumstances.'* (paragraph 1.20)
- 6.2.2 It goes on to state that *'there are no hard and fast rules about what effects should be deemed significant but LVIA's should always distinguish clearly between what are considered to be the significant and non-significant effects.'* (paragraph 3.32)
- 6.2.3 In this context, most landscape practitioners have developed their own approach, methodology and assessment criteria within the overarching guidance provided by GLVIA3 (**CD 4.1**).
- 6.2.4 My own methodology and assessment criteria vary slightly from those adopted in the submitted LVIA and SEI LVIA. This does not make either one right or wrong so long as the approach set out has been applied consistently and transparently.
- 6.2.5 The LVIA methodology is provided within ES Volume 2A Written Statement, Chapter 11 Landscape and Visual Impact (**CD 1.8.2**) and ES Volume 2B Appendix 11.2 (**CD 1.8.3**). It is also supplemented with further detail in SEI Volume 2B Appendix 11.1 (**CD1.14.3**).



- 6.2.6 Taken together, in my judgement, these documents set out a methodology which is transparent and in accordance with GLVIA3 (**CD 4.1**). Furthermore, it appears to have been applied methodically with justification where necessary and I find the LVIA and SEI LVIA to be sufficiently robust for the purposes of determining this appeal.
- 6.2.7 I have not sought to rebut every comment relating to LVIA methodology in the LMS reviews (**CD 2.1.2** and **CD 2.2.2**) or the Council's Statement of Case (**CD 8.2**) as I do not think it would assist the Inspector and I have instead focussed on the more pertinent landscape and visual effects of relevance to the inquiry.
- 6.2.8 However, in relation to Paragraph 6.4 of the Council's Statement of Case (**CD 8.2**), I believe the Council's suggestion that landscape and visual effects have not been assessed separately (as required by GLVIA3 (**CD 4.1**)) is simply incorrect. Effects on landscape character are clearly identified from Paragraph 11.63 onwards of the LVIA whilst effects on visual amenity are identified from Paragraph 11.105 onwards.

## 6.3 Viewpoints and Visualisations

- 6.3.1 An initial selection of assessment viewpoints was proposed in the Scoping Report (**CD 1.2**) but as previously noted, a Scoping Opinion was not received from the Council by the Appellant.
- 6.3.2 I understand that throughout the pre-application process, attempts were made to agree viewpoint locations with the Council but the Appellant received no feedback on any aspect or the scope of the LVIA including the selection of viewpoints and visualisations.
- 6.3.3 Through constructive consultation with the Kent Downs National Landscape team, the viewpoints they considered necessary as part of the assessment were agreed, and these were included within the LVIA (**CD 1.8.5**) as Viewpoints 9 – 12.
- 6.3.4 In addition, a further viewpoint was requested as additional information by the National Landscape Team once the application was submitted and this was also provided as Viewpoint 13 in SEI Volume 4 Visualisations (**CD 1.14.5**).
- 6.3.5 A further five viewpoints (A-E) were also included in SEI Volume 4 Visualisations (**CD 1.14.5**) to illustrate potential cumulative effects. Several heritage viewpoints (Viewpoints 14-17) are also illustrated in SEI Volume 4 (**CD 1.14.5**).
- 6.3.6 In total therefore, I believe that there is ample illustrative material (a total of 18 LVIA viewpoints and a further 4 heritage viewpoints) before the inquiry to inform the assessment of landscape and visual effects.
- 6.3.7 It is a well-established principle of LVIA that it is not possible to present limitless viewpoints in an LVIA or assess every location where there may be a view of the development. Viewpoints are used in LVIA as a tool and are intended to be representative of the effects at different distances and directions from a site. However they are simply snapshots from fixed points in the landscape and it is the assessment of effects on visual receptors themselves which matter. The viewpoints inform the assessment of effects on these receptors.
- 6.3.8 I believe the Council's primary concern is that in their opinion there are insufficient viewpoints on the footpaths immediately surrounding the site to enable an appropriate assessment. I disagree with this analysis. Viewpoints 1 to 4 are all located on footpaths or on Church Lane close to the site. These enable an understanding of the typical visual effects likely to occur

along footpaths surrounding the site. The cross sections presented in SEI Volume 3 Figures 11.15 to 11.24 (**CD 1.14.4**) provide additional illustrative material to inform an understanding of visual effects on these routes.

- 6.3.9 The LVIA and SEI LVIA acknowledge that there would be localised significant effects on the PRoW network immediately surrounding the Appeal Site and therefore I do not believe it would have added any value to the assessment to have included additional viewpoints.
- 6.3.10 As a secondary matter in relation to the submitted visualisations, I note that the Council's Statement of Case (**CD 8.2**) suggests the lack of winter photography is '*unacceptable*'. Again I disagree with this position.
- 6.3.11 The use of winter photography in LVIA is sometimes preferable when the timing of a commission allows for this to be taken in the appropriate seasonal window however it is by no means essential. I am well aware that this is not always possible due to the timing of the application.
- 6.3.12 Again, I would stress my earlier observation that viewpoints are simply a tool to inform the assessment of effects. An experienced Landscape Architect is capable of taking into account seasonal variations in leaf cover when undertaking an LVIA. In my judgement the assessments presented in the submitted documents are reasonable making allowance for seasonal variations in the visibility of the Proposed Development.
- 6.3.13 The Landscape and Visual Statement of Common Ground (**CD 9.2**) records the Council's position is that the visualisations are '*based on submitted layout plans which are indicative and may not represent the final scheme extents*'. To provide clarity on the Applicant's position in this regard, I confirm that the visualisations are based on the submitted application drawings in SEI Volume 3, SEI Figures (**CD 1.14.4**). The submitted plans in SEI Volume 3, SEI Figures (**CD 1.14.4**) define the panel areas and perimeter fences, and provide the layout and spacing of the panels, which is what has been assessed in the ES and illustrated on the visualisations. The Applicant is content for conditions to be applied which would require the development to be carried out in accordance with these figures. The Applicant does not therefore consider that there is any uncertainty around this in the application material.

## 7 EFFECTS ON LANDSCAPE FABRIC AND CHARACTER

### 7.1 Introduction

- 7.1.1 This section of my evidence focusses specifically on the *solus* effects of the Proposed Development on landscape character. I address potential cumulative effects separately in Section 9 of my evidence.
- 7.1.2 I would firstly like to reiterate the fact that the Appeal Site does not lie within a national or local landscape designation and both Natural England and the Kent Downs National Landscape team have confirmed that the Proposed Development would not result in significant or unacceptable impacts on the setting of the Kent Downs National Landscape. I am not aware that the Council differs in this opinion and neither do I.
- 7.1.3 I acknowledge that there would be glimpsed distant views of the Proposed Development from the National Landscape approximately 4-5km to the north and potentially a glimpsed view of it from a single location on the boundary of the National Landscape in the vicinity of Viewpoint 13, however I do not consider this would have any greater than a negligible effect on landscape character or the special qualities of the National Landscape.
- 7.1.4 I understand the dispute between the Appellant and the Council in relation to landscape character to be focussed on the effects more locally and I therefore concentrate my evidence on effects at this local scale also.

### 7.2 Landscape Fabric

- 7.2.1 I note the Council's criticism in Paragraphs 6.5 and 6.9 of its Statement of Case (**CD 8.2**) that, in its opinion, there is limited description of the landscape fabric of the Appeal Site in the LVIA and I am aware of a protracted discussion between parties in relation to landscape fabric prior to final agreement on this matter in the Landscape Statement of Common Ground (**CD 9.2**).
- 7.2.2 However, Paragraph 3.9.3 of the Landscape Statement of Common Ground (**CD 9.2**) records the following:
- 'Landscape fabric – is the physical features and elements that make up the landscape, including landform, field pattern, ponds, rivers, streams and drainage, fences, walls, hedgerows, trees, woodlands and ground vegetation. The landscape fabric of the Site and immediate surroundings is described in ES Chapter 11, paragraphs 11.22 – 11.28 and it is agreed that there would not be any physical effects on the following landscape features on the site - landform, field pattern, drainage, fences, hedgerows and trees.'*
- 7.2.3 As explained in Paragraphs 11.59 to 11.60 of ES Volume 2A Written Statement, Chapter 11 Landscape and Visual Impact (**CD 1.8.2**), none of the existing hedgerows or trees surrounding the Appeal Site would need to be removed and no other important mature, diverse or distinctive vegetation would be affected. A Construction Environmental Management Plan ("CEMP") can be secured under condition to ensure the protection of the existing hedgerows and trees on site during construction.

- 7.2.4 There would be a minimal loss of ground cover vegetation on the site as a result of the temporary site compound, new tracks, inverter/ transformer units, substations, store/spare/welfare cabinets and cable trenches. The northern and western land parcels are under arable crop so there is no permanent vegetation cover in these fields. The eastern land parcel is pasture but the mono-species grassland is of low value and the legs of the frames that support the solar panels would have a very small total footprint. The impact on this vegetation would be minimal.
- 7.2.5 No ponds, rivers, streams or drainage ditches would be affected by the development and no walls or fences which might be considered a positive feature of the landscape would be impacted.
- 7.2.6 The solar arrays would not remove any field boundaries so the field pattern would not be disrupted and the scheme does not require any changes to the landform of the site.
- 7.2.7 Therefore, there would not be any notable (adverse or beneficial) effects on the existing landscape fabric of the site as a result of the Proposed Development during the construction phase. The same would be the case during decommissioning.
- 7.2.8 The operational phase would last for up to 40 years from the date of connection to the grid. As explained in Paragraph 11.61 of ES Volume 2A Written Statement, Chapter 11 Landscape and Visual Impact (**CD 1.8.2**), the existing and proposed vegetation on the site would be managed and would mature such that there would be a long term beneficial effect on the landscape fabric of the site over the lifetime of and beyond the operational phase of the development.

## 7.3 Landscape Character

- 7.3.1 As noted in Section 5 of my evidence, the site falls across two local LCAs identified in the Ashford Borough Council Rural Fringes Landscape Character Assessment (**CD 4.5**). The northern part of the Appeal Site (north of the HS1 rail line) is located within the LCA 29: Evegate Mixed Farmlands whilst the western and eastern parcels of the Appeal Site (south of the HS1 rail line) are located within LCA 10: East Stour Valley.
- 7.3.2 Most of the effects on landscape character would be confined to these two LCAs although I acknowledge that a lesser magnitude of effect would be experienced within parts of LCA 25: Aldington Ridgeline and also, to a much lesser degree again, the Upper Stour Valley LCA and Aldington Ridgeline LCA as defined in the separate Ashford Borough Council Urban Fringes Landscape Character Assessment (**CD 4.6**).
- 7.3.3 The effects of the Proposed Development on landscape character during construction and decommissioning would be short term and temporary and the activity associated with these phases would be of minor significance compared to the operational phase effects. The greatest impact on landscape character during construction would arise from the new structures themselves once erected, the effects of which I address below as operational phase effects.
- 7.3.4 Effects during operation on landscape character would typically arise from the:
- introduction of new energy infrastructure into existing agricultural fields including ground-mounted solar arrays, transformer/inverter cabinets, welfare and storage cabins, internal access tracks, fencing, security measures and ancillary infrastructure;

- incremental growth of newly established mitigation planting (hedgerows and woodland);
- establishment of new wildflower rich grassland in open fields and field margins; and
- regular maintenance visits and operations including habitat management.

### **Effects on the Character of the Site Itself**

- 7.3.5 ES Volume 2A Written Statement, Chapter 11 Landscape and Visual Impact (**CD 1.8.2**) acknowledges that the Proposed Development would result in a significant adverse effect on the landscape character of the Appeal Site itself for the duration of the operational period.
- 7.3.6 I consider this to be a reasonable and maybe obvious conclusion but also an inevitable consequence of any commercial or utility scale solar farm development in a rural landscape where fields fundamentally change from solely arable or pastoral use to fields containing solar farm infrastructure which is unavoidably functional in its design. The same conclusion could be drawn for almost any built development on a previously undeveloped site.
- 7.3.7 The extent of manufactured metallic and glass structures introduced into the fields would evidently be greater than exists in the adjoining landscape at present but in my judgement, the Appeal Site is far from wild or natural without human influence. It is an intensively farmed, working landscape with strong influences from existing adjacent energy and transport infrastructure such as the M20 motorway, the HS1 rail line, overhead powerlines and the Sellindge Converter Station.
- 7.3.8 There would be no discernible impact on landform and the existing mature landscape fabric which bounds the Appeal Site would remain. The pattern and underlying landscape fabric would remain undisturbed. The height of the proposed structures would be comparable with the existing structure of the landscape in terms of existing hedgerows and trees. Mature blocks of woodlands adjoining the site in various locations provide vertical context and therefore there would be limited impact on the perceived scale of the Appeal Site.
- 7.3.9 Once constructed, there would be limited movement within the Appeal Site except occasional management activities and this would be comparable to existing agricultural operations. In the context of the ever present noise from the M20 and the HS1 railway line, there would be no discernible impact on tranquillity.
- 7.3.10 The proposed mitigation strategy outlined in Section 5 of my evidence would soften the appearance of the Proposed Development but I acknowledge that the significant effects of the solar farm on the character of the site itself would be long term and last for the operational duration of the development. The effects are however temporary and reversible and following decommissioning there would be a minor beneficial impact on landscape character as a result of the newly established landscape fabric which would remain on decommissioning.
- 7.3.11 In my judgement significant effects on landscape character beyond the site itself would be relatively limited and localised.

### **Effects on LCA 29: Evegate Mixed Farmlands**

- 7.3.12 LCA 29: Evegate Mixed Farmlands is a relatively small LCA in which it is recognised that existing infrastructure has a major influence on landscape character. The Ashford Borough



Council Rural Fringes Landscape Character Assessment (**CD 4.5**) acknowledges that the landscape sensitivity of this LCA is low and condition poor.

- 7.3.13 The M20 with its mature vegetated embankments acts as a strong physical and visual barrier between those parts of the character area north and south of the highway. Although the ZTV presented in Appendix 1 of my evidence indicates that there would be some view of the Proposed Development north of the M20, in actuality this would comprise infrequent glimpses through the vegetation along the M20 and, in my opinion, across this tract of the LCA 29 north of the M20 effects on landscape character would be negligible.
- 7.3.14 East of the Appeal Site within LCA 29: Evegate Mixed Farmlands, the landscape is dominated by both the M20 and the HS1 line but also the Sellindge Converter Station (and more recently the Sellindge Grid Stability Facility which is currently under construction). In the context of all this existing infrastructure, I consider that the Proposed Development would again have a negligible effect on the character of this part of LCA 29.
- 7.3.15 To the immediate west of the Appeal Site within LCA 29: Evegate Mixed Farmlands, there are two large blocks of woodland which would greatly restrict any visibility of the Proposed Development from locations further west. The ZTV presented in Appendix 1 of my evidence indicates visibility of the Proposed Development across this tract of the LCA but based on my site visit, I consider that this would be limited to a restricted view of the solar array in the northern land parcel between two dominating blocks of woodland (Park Wood and woodland adjoining the HS1 line) plus potential glimpses of the solar array on Bested Hill in the western land parcel, south of the railway line.
- 7.3.16 A new hedgerow and riparian planting is proposed along the ditch which links to the two aforementioned blocks of woodland and once established this would largely screen views of the Proposed Development to the west in LCA 29.
- 7.3.17 I note that the published landscape character assessment records that there are *'long distance views out of the area to the North Downs and Aldington Church, which provides a prominent landmark feature raised on higher ground to the south.'*
- 7.3.18 Such views are actually relatively limited in their extent within the LCA and those from Evegate Business Park would be unaffected by the Proposed Development due to screening provided by Park Wood.
- 7.3.19 I acknowledge that elevated views towards Aldington Church are gained from PRoW AE432 and the permissive route which extends to Park Wood along the northern boundary of the northern land parcel; and also as PRoW AE432 cuts south westwards across the field in which solar development is proposed. For this reason a wide corridor of open space has been accommodated within the design of the solar farm alongside PRoW AE432. This is helpfully illustrated on two cross sections (Section C and D) contained within SEI Volume 3 Figures 11.17 and 11.18 (**CD 1.14.4**). As the landform and solar array would drop away southwards from the PRoW, views to the south from this corridor would remain.
- 7.3.20 A wide offset from the solar array has also been provided from PRoW AE437 as it traverses the same field and joins PRoW AE432. Again this is helpfully illustrated on Section A in SEI Volume 3 Figure 11.15 (**CD 1.14.4**). The proposed Development would alter the foreground view in these locations, but distant views of the church would remain.

- 7.3.21 ES Volume 2A Written Statement, Chapter 11 Landscape and Visual Impact (**CD 1.8.2**) records that there would be a significant effect on landscape character within the Appeal Site in LCA 29 but that beyond the Appeal Site effects would not be significant. I broadly concur with this conclusion although I would qualify that assessment by acknowledging that significant effects would also initially extend perhaps up to 300m to the west of the Appeal Site in this LCA where there is a gap in vegetation between Park Wood and further woodland to the south. Over time, this gap would be largely filled by a new hedgerow and riparian mixed planting alongside a ditch. Once established the significant effects on landscape character would be experienced largely from just within the Appeal Site in this LCA.

#### **Effects on LCA 10: East Stour Valley**

- 7.3.22 LCA 10: East Stour Valley extends southwards from the HS1 rail line up to the Aldington Ridge (just north of Aldington itself). The Ashford Borough Council Rural Fringes Landscape Character Assessment (**CD 4.5**) reports that the landscape sensitivity of this LCA is high and condition moderate. I note that the Sellindge Solar Farm has been constructed in this LCA since publication of the above document.
- 7.3.23 Although less prominent than in LCA 29, I note that energy infrastructure within LCA 10 (overhead pylons and a solar farm) and transport infrastructure immediately to the north has an influence on landscape character in LCA 10 (particularly in the northern part of the LCA where the Appeal Site is located).
- 7.3.24 To the north east of the Proposed Development in LCA 10, the landscape is occupied by an existing solar farm and in this context I consider that the Proposed Development would have a negligible effect on the character of this part of the LCA.
- 7.3.25 To the west and south west of the Proposed Development in this LCA, Backhouse Wood would almost entirely screen the solar array and again I consider there would be a negligible effect on the character of this part of the LCA.
- 7.3.26 In an arc from Hungry Down to Church Lane in the south eastern quadrant of the LCA I acknowledge that there would initially be intermittent filtered views of parts of the solar farm mostly on Bested Hill and the southern edge of the eastern land parcel but this would typically occupy a small component of the view experienced in these locations.
- 7.3.27 New hedgerow and hedgerow tree planting has been proposed along the southern boundary of the eastern land parcel and once established this would largely mitigate any view of solar development in the eastern land parcel to the south of it. Hedgerow planting and a block of native tree planting is also proposed along the southern edge of the western land parcel. Whilst this would not completely screen the solar array across the crest of Bested Hill from the south it would add an additional layer of vegetation which would further filter and soften the Proposed Development.
- 7.3.28 ES Volume 2A Written Statement, Chapter 11 Landscape and Visual Impact (**CD 1.8.2**) records that there would be a significant effect on landscape character within the Appeal Site in LCA 10 and immediately surrounding the site. I broadly concur with this conclusion although I would qualify that assessment by acknowledging that significant effects would also initially extend perhaps up to 500-600m to the south east of the Appeal Site in this LCA where there are views of the array across Bested Hill. Once new mitigation has established, whilst some glimpses of the solar array across Bested Hill would remain, the magnitude of change would reduce and significant effects in LCA 10 would be limited principally to the Appeal Site itself.

### Effects on LCA 25: Aldington Ridgeline

- 7.3.29 LCA 25: Aldington Ridgeline occupies a more elevated position and at its closest lies approximately 750m to the south of the nearest proposed infrastructure in the western land parcel although the nearest publicly accessible location in the LCA is approximately 1km to the south.
- 7.3.30 From Church Lane and the public areas in the old village centre of Aldington there would be almost no view of the Proposed Development and likewise there would be no view from within the larger modern village of Aldington (I acknowledge that there may be some glimpsed views from certain properties within these village but this is not a matter which concerns landscape character). The character of these settlements would therefore remain unaltered.
- 7.3.31 From some of the elevated land which surrounds the villages on the ridgeline the Proposed Development would be partly visible as a narrow band of development mainly across Bested Hill. At this distance however, views of the development would be nestled between various blocks of woodland in front, beside and behind the solar array. The woodland along the HS1 line would form a strong backcloth such that the development would not be prominent on the skyline and it would not interrupt the distant views towards the Kent Downs.
- 7.3.32 ES Volume 2A Written Statement, Chapter 11 Landscape and Visual Impact (**CD 1.8.2**) records that there would be a moderate adverse effect on this character area principally reflecting its high sensitivity but concludes that this effect would not be significant. I agree with this judgement.

### Other LCAs

- 7.3.33 I note that there may be some very minor glimpses of the Proposed Development from the Upper Stour Valley LCA and Aldington Ridgeline LCA as defined in the separate Ashford Borough Council Urban Fringes Landscape Character Assessment (**CD 4.6**) but these effects would fall well short of a significant effect.

### Conclusions on Effects on Landscape Character

- 7.3.34 I therefore consider that the effects of the Proposed Development on landscape character would be limited, localised and can be appropriately mitigated.
- 7.3.35 I have not identified any overriding landscape sensitivities which indicate that the Appeal Site is not capable of accommodating the change proposed.



## 8 EFFECTS ON VISUAL AMENITY

### 8.1 Introduction

- 8.1.1 This section of my evidence focusses specifically on the *solus* effects of the Proposed Development on visual amenity. I address potential cumulative effects separately in Section 9 of my evidence.
- 8.1.2 In terms of public visual amenity, the principal visual receptors of the Proposed Development would be recreational users of the PRowS and Church Lane which surround the Appeal Site and a number of PRowS further south as the land rises towards Aldington.
- 8.1.3 The residents of several properties would also have at least some private views of the Proposed Development. These properties are relatively sparse along Church Lane and dispersed to the south on the rising land towards Aldington. These are addressed under the heading of Residential Visual Amenity below. Publicly accessible areas with the core of settlements (including both the new and old centres of Aldington) would have a negligible view of the Proposed Development.

### 8.2 Visual Effects on the PRow Network including Church Lane

- 8.2.1 ES Volume 2A Written Statement, Chapter 11 Landscape and Visual Impact (**CD 1.8.2**) acknowledges that there would be some significant effects on the visual amenity experienced by users of certain PRowS passing through and in close proximity to the boundaries of the Appeal Site and also along part of Church Lane. I agree with this assessment.
- 8.2.2 It is recorded in the Landscape Statement of Common Ground between the Appellant and the Council (**CD 9.2**) that there would be significant visual effects during the construction and operational phases of the Proposed Development on users of part of Church Lane, the PRowS within and around the Appeal Site including sections of PRow AE432, AE437, AE457, AE459 and AE656 and the two proposed permissive footpaths (Footpath A and Footpath B). Again, I concur with this appraisal.
- 8.2.3 The matters which are not agreed in the Landscape Statement of Common Ground (**CD 9.2**) do not reference any additional PRowS and neither does the Council's Statement of Case (**CD 8.2**).
- 8.2.4 In Section 5 of my evidence I have set out the mitigation proposals to minimise visual effects on users of Church Lane and the PRowS which run through and immediately around the Proposed Development as listed above. I consider this to be a proportionate and reasonable design response to the likely visual effects.
- 8.2.5 I acknowledge that along certain sections of this PRow network the mitigation planting would not fully screen the Proposed Development and some views of the new infrastructure would remain for the duration of the project.

## **PRoWs AE432, AE437 and Proposed Permissive Footpath A (adjacent to the Northern Land Parcel)**

- 8.2.6 I acknowledge that there would be a significant effect on localised views experienced by users of PRoWs AE432 and AE437 as they walk along the northern boundary of the northern land parcel and as these two routes turn southwards to traverse the field in which solar development is proposed.
- 8.2.7 During my site visit I made the observation that continuous traffic noise from the immediately adjacent M20 motorway and intermittently from the HS1 rail line has a detrimental impact on the tranquillity and enjoyment of these PRoWs. There was no evidence of anyone having recently used either PRoW to cross the field in which the solar farm is proposed. It was evident that, in so far as pedestrians access the northern land parcel and utilise this network of PRoWs, most people tend to follow a route from Church Lane along the northern edge of the field towards Park Wood (utilising the route of the proposed permissive right of way – Footpath A – where it continues westwards from PRoW AE432).
- 8.2.8 I also established during my site visit that the section of PRoW AE437 to the south of the northern land parcel is now completely overgrown with mature woodland and is wholly inaccessible with numerous drainage ditches which cannot be crossed. It would appear that nobody has used PRoW AE437 or the adjoining AE435 for many years.
- 8.2.9 Notwithstanding the above, during construction and in the early years of operation, there would be open views of the new infrastructure including the perimeter fencing from sections of PRoWs AE432 and AE437 as well as the proposed permissive footpath (Footpath A) around the north western corner of the field.
- 8.2.10 The magnitude of effect on PRoW AE432 would decrease rapidly beyond the western boundary of the northern land parcel (effects extending no further than Park Wood Cottage) and to the east, effects on PRoW AE437 would extend no further than a mature block of woodland (approximately 100m to the east of the solar array in the northern land parcel).
- 8.2.11 Where PRoW AE432 and the proposed permitted footpath run along the northern boundary of the northern land parcel, a new native species hedgerow with hedgerow trees is proposed to provide a visual screen and to soften the adjacent fence line as shown on Section B in SEI Volume 3 Figure 11.16 (**CD 1.14.4**). Likewise a new native hedgerow is also proposed along the western boundary of the northern land parcel to provide a visual screen and to soften the adjacent fence line from the proposed permissive footpath between the Proposed Development and Park Wood. Once established these hedgerows would greatly restrict views of the new infrastructure although some heavily filtered glimpses would most likely remain in from these sections of the path in winter months.
- 8.2.12 Where PRoW AE432 runs through the centre of the solar array in the northern land parcel, a wide corridor of undeveloped open space has been retained between fence lines and the solar arrays beyond in order to retain long distance views across the East Stour valley. The distance between fence lines ranges from approximately 25m to 60m. This is illustrated on two cross sections (Section C and D) contained within SEI Volume 3 Figures 11.17 and 11.18 (**CD 1.14.4**). A wide offset from the solar array has also been provided from PRoW AE437 as it traverses the same field and joins PRoW AE432. Again this is illustrated on Section A in SEI Volume 3 Figure 11.15 (**CD 1.14.4**). From the two sections of the PRoWs AE432 and AE437 which traverse the northern land parcel, there would remain views of the infrastructure for the

duration of the project but the generous offsets accommodated, would ensure that no part of either PRoW would become uncomfortably confined.

- 8.2.13 Taken collectively as a group of PRoWs, I acknowledge that there would be a significant adverse effect on the visual amenity experienced by users of these routes for the duration of the Proposed Development. However, I make the observation that these routes lie immediately adjacent to the Proposed Development and appropriate mitigation measures have been accommodated to minimise the effect on these routes. Once mitigation has established the magnitude of effects on these routes would be much reduced.

#### **PRoWs AE457 and AE656 (adjacent to the Western Land Parcel)**

- 8.2.14 I also acknowledge that there would be a significant effect on localised views experienced by users of PRoW AE457 as it runs along the western boundary of the western land parcel and to a lesser extent also PRoW AE656 as it passes along the northern boundary of the western land parcel.
- 8.2.15 During my site visit I again observed the intermittently disruptive influence of the HS1 rail line on tranquillity but also the high voltage electricity lines which pass through the western land parcel which also detract from the views experienced along these routes.
- 8.2.16 Notwithstanding the above, during construction and in the early years of operation, I recognise that there would be open views of the new infrastructure including the perimeter fencing from sections of these two routes.
- 8.2.17 Views of the Proposed Development would be restricted from the northern part of PRoW AE457 and western end of PRoW AE656 due to their lower elevation with an existing intervening hedgerow along the western and north western boundary.
- 8.2.18 The section of PRoW AE656 which extends to the eastern of Church Lane lies beyond the existing Sellindge solar farm which would screen views of the Proposed Development from this section of the route.
- 8.2.19 Where PRoW AE457 runs to the south west of Bested Hill and to the east of Backhouse Wood, Sections E, F and G in SEI Volume 3 Figures 11.19, 11.20 and 11.21 (**CD 1.14.4**) illustrate that this PRoW would pass through a wide corridor of open space between Backhouse Wood and the perimeter fencing of the Proposed Development. A new native hedgerow would be planted along the south western boundary of the fence line in this field and a new block of woodland is also proposed at the southern corner of the field. Once established this new vegetation would greatly restrict views of the new infrastructure. Whilst there would remain some view of the solar array across the rising landform of Bested Hill from this footpath the new hedgerow would soften the visual impact of the Proposed Development and integrate it into the landscape.
- 8.2.20 PRoW AE656 which runs just outside the northern boundary of the western land parcel is moderately well screened already by riparian vegetation along the East Stour River but additional riparian planting is proposed on the northern boundary of this land parcel to provide additional screening but this would also complement and extend the riparian habitat in this location.
- 8.2.21 I therefore acknowledge that there would be a significant adverse effect on the visual amenity experienced by users of these routes for the duration of the Proposed Development. Again, however, I make the observation that these routes lie immediately adjacent to the Proposed

Development and appropriate mitigation measures have been accommodated to minimise the effect on these routes. Once mitigation has established the magnitude of effects on these routes would be much reduced.

#### **PRoW AE459 and Proposed Permissive Footpath B (adjacent to the Eastern Land Parcel)**

- 8.2.22 I acknowledge that that there would be a significant effect on localised views experienced by users of PRoW AE459 principally as the route passes through the eastern land parcel but also initially on the approach towards the site from the south near Hogben Farm.
- 8.2.23 Where PRoW AE459 passes through the eastern land parcel, the distance between fence lines would be 12 to 16m in width retaining at least some open space and ensuring that the route is not uncomfortably enclosed by the solar development. Sections H, I and J in SEI Volume 3 Figures 11.22, 11.23 and 11.24 (**CD 1.14.4**) illustrate that this corridor would become a wildflower meadow.
- 8.2.24 A new native hedgerow would also be planted along the southern boundary of the eastern land parcel. Although it is not shown on SEI Figure 11.9 Revision B (**CD 1.21**), the new hedgerow could be extended westwards up to Church Lane. This hedgerow would run along the top of a low ridge and screen views of the solar development in the eastern land parcel from on the approach towards it along PRoW 459 from the south.
- 8.2.25 Finally, new hedgerows are also proposed around the southern and eastern edges of the eastern land parcel to screen views of the solar array from the proposed permissive footpath which would wrap around this side of the scheme and provide an alternative route to the adopted PRoW through the site.
- 8.2.26 I therefore acknowledge again that there would be a significant adverse effect on the visual amenity experienced by users of this route for the duration of the Proposed Development. Again, however, I make the observation that the route lies immediately adjacent to the Proposed Development and appropriate mitigation measures have been accommodated to minimise the effect on these routes. Once mitigation has established the magnitude of effects on these routes would be much reduced.

#### **Church Lane**

- 8.2.27 Whilst Church Lane is primarily used by vehicles as a secondary link road to the A20 from Aldington, I recognise that it is also less frequently used for recreation purposes such as walking and cycling.
- 8.2.28 The section of the Church Lane between the A20 in the north and the HS1 railway line in the south is heavily dominated by the M20 motorway, the railway line and the converter station. There would be no view of the Proposed Development from this section of the road.
- 8.2.29 Upon exiting a tunnel when traveling southwards under the railway line and then for a length of approximately 1km towards The Paddock, there would initially be views of the Proposed Development mainly in the western land parcel. There would also be glimpses of the solar array in the eastern land parcel but views of the Proposed Development in both directions would be intermittently screened or filtered by roadside hedgerows.
- 8.2.30 South of The Paddock, the Proposed Development would either be screened from Church Lane by intervening vegetation or form a small component of the view from the road.

- 8.2.31 A new hedgerow is proposed along the northern boundary of the small solar array in the western land parcel. Once established this would screen this section of the solar array when approaching from the north along Church Lane. Another hedgerow is proposed along the southern boundary of the small solar array which in due course would screen this part of the solar farm when approaching it from the south along Church Lane.
- 8.2.32 The sections of Church Lane which do not benefit from existing hedgerow would be planted with a triple row of native hedgerow planting to establish a dense new hedgerow. Those sections of the road where the existing hedgerow is thin or gappy would be enhanced. This would involve the infilling of gaps but also the planting of an a new (secondary) hedgerow directly on the field side of the existing hedgerow to provide a denser visual barrier. Hedgerow trees would be incorporated into the hedge line along Church Lane where space permits.
- 8.2.33 In addition to the hedgerows alongside the road itself, the field boundary between the smaller and the larger fields in the western land parcel would be enhanced. The existing hedgerow would be in filled as necessary but quick growing riparian scrub and tree species would also be planted alongside the field boundary. This would establish in time to strengthen the screening of solar development across Bested Hill when viewed from the section of Church Lane that passes through the Appeal Site.
- 8.2.34 A new native hedgerow would also be planted along the western boundary of the solar array in the eastern land parcel and this would also serve to screen or soften views of the solar farm in an easterly direction from Church Lane.
- 8.2.35 I therefore acknowledge again that there would initially be a significant adverse effect on the visual amenity experienced by users of this route but consider that this would not be significant following the establishment of mitigation. I make the observation again that the affected section of the road lies immediately adjacent to the Proposed Development and appropriate mitigation measures have been accommodated to minimise the effect on these routes. Whilst some glimpses of the Proposed Development may remain in the long term (primarily during winter months), once established the mitigation planting would considerably reduce the magnitude of the visual effect on users of Church Lane.

#### **Other PRoWs to the South**

- 8.2.36 Although not mentioned in RfR1 or the Council's Statement of Case (**CD 8.2**) I wish to address the PRoWs to the south between the Proposed Development and Aldington. The PRoWs south of the Paddock and Hogben Farm and within 1km of the site occupy a low elevation and are largely screened from the Proposed Development by mature vegetation including Backhouse Wood.
- 8.2.37 PRoWs AE475 and AE474 however occupy a higher elevation on an elevated ridge between Church Lane in Aldington and Goldwell Lane. As illustrated in Viewpoint 7 there would be partial visibility of the Proposed Development, principally across Bested Hill, from these routes within the much wider panoramic context.
- 8.2.38 The solar array would be a noticeable albeit mid distance feature along these routes. The new infrastructure would be nestled within a mature vegetation framework and be backclothed by mature woodland along the M20 motorway. It would sit well below the horizon and not interrupt the skyline or the long distance view towards the Kent Downs National Landscape. The solar array across Bested Hill would be located in a field where large pylons and overhead lines are already present. Therefore whilst the development would be clearly visible, in my judgement the effect on the view would not be significant.



## 8.3 Visitor Attractions/Recreational and Leisure Destinations

- 8.3.1 I have noted several comments in appeal representations concerning the Aldington Point to Point Race which was previously run on Easter Monday across fields to the south of the eastern land parcel of the Proposed Development. The race has not taken place since 2022 and I understand there are currently no plans to run it again in the foreseeable future.
- 8.3.2 Should it ever be run again, I acknowledge that there would initially be a significant effect on the view experienced by visitors to the race but the mitigation hedgerows and tree planting proposed along the southern boundary of the eastern land parcel would largely screen any view of the Proposed Development once this has established and thereafter the effect would not be significant.
- 8.3.3 I am aware that a forest school operates in Park Wood to the west of the Proposed Development in the northern land parcel. The activities all take place within the base of a valley which runs through the woods and thus I do not consider there would be any significant effect on the visual amenity experienced by users of the forest school.
- 8.3.4 I am also aware that the Wide Eyes Falconry Centre is located approximately 200m to the south west of the northern land parcel. However, this is also based within a wooded area and there are very restricted views towards the Appeal Site. If and inasmuch as there may be any glimpses of the Proposed Development from this centre, I do not consider that they would be significant.

## 8.4 Residential Visual Amenity

- 8.4.1 I note that residential amenity is not cited as a reason for refusal or mentioned in the Council's Statement of Case (**CD 8.2**) although I am aware of objections from the residents of the nearest properties, namely Bested House and The Paddocks.
- 8.4.2 Notably, the Council has at no time requested a Residential Visual Amenity Assessment ("RVAA") be undertaken for these properties. Nevertheless, Paragraphs 11.115 to 11.120 of ES Volume 2A Written Statement, Chapter 11 Landscape and Visual Impact (**CD 1.8.2**) assess the effects at these two dwellings.
- 8.4.3 I address these two properties below but first I wish to provide some context to matters of private residential visual amenity.
- 8.4.4 The Landscape Institute has prepared a Technical Guidance Note (TGN) on RVAA:
- *Landscape Institute Technical Guidance Note 2/19: Residential Visual Amenity Assessment (TGN 2/19)*, (**CD 4.8**)

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• <sup>1</sup> *Technical Guidance Note 02/19: Residential Visual Amenity Assessment (TGN 02/19)* (2019) Landscape Institute. Available online: [Residential Visual Amenity Assessment - Landscape Institute](#).

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- 8.4.5 I adopt the definition of ‘Residential Visual Amenity’ provided in TGN 2/19 as follows:
- “The overall quality, experience and nature of views and outlook available to occupants of residential properties, including views from gardens and domestic curtilage.”* (paragraph 1.2)
- 8.4.6 TGN 2/19 helpfully rehearses a well-established principle of planning, namely that:
- “Changes in views and visual amenity are considered in the planning process. In respect of private views and visual amenity, it is widely known that, no one has ‘a right to a view’. This includes situations where a residential property’s outlook / visual amenity is judged to be ‘significantly’ affected by a proposed development [...]”* (paragraph 1.5); and
- “It is not uncommon for significant adverse effects on views and visual amenity to be experienced by people at their place of residence as a result of introducing a new development into the landscape. In itself this does not necessarily cause particular planning concern. However, there are situations where the effect on the outlook / visual amenity of a residential property is so great that it is not generally considered to be in the public interest to permit such conditions to occur where they did not exist before.”* (paragraph 1.6)
- 8.4.7 The publication of TGN 2/19 followed and is consistent with several appeal decisions dating back to 2009 when residential visual amenity became a ‘hot topic’ principally in relation to wind farm applications in England.
- 8.4.8 In relation to the inquiry at Burnthouse Farm (APP/D05151/N/10/2131194) (**CD 6.9**) for the erection of 3 wind turbines, the Secretary of State confirmed in July 2011:
- “The Secretary of State agrees with the Inspector that serious harm to living conditions which might lead to a recommendation for planning permission to be refused, in the public interest, is a more stringent requirement than the identification of a significant adverse impact. He further agrees that when assessing the effect on visual outlook, it is helpful to pose the question ‘would the proposal affect the outlook of these residents to such an extent, i.e. be so unpleasant, overwhelming and oppressive that this would become an unattractive place to live?’”*
- 8.4.9 More recently in 2023, an Inspector considered residential views at the recovered appeal into a solar farm proposal at New Works Lane, Telford (APP/C3240/W/22/3293667) (**CD 6.8**). At paragraphs 10.54 to 10.55 the Inspector noted:
- “the obtained views would be limited to only a few of the upstairs windows and most properties would have alternative outlook and most appear to have fairly substantial boundary hedging, presumably a legacy of the mining period. The scheme would be drawn back from the boundaries, in part to allow for intervening planting, and while the impacts would be significant initially, they would reduce over time, albeit a choice to remove private screening could increase the effects.*
- While this can be considered a negative effect of the proposal, I do not consider that it represents a change in outlook from these properties so as to present unacceptable visual intrusion.”*
- 8.4.10 Paragraph 21 of the Secretary of State decision confirms that he agreed with the Inspectors analysis in relation to this matter:

*“he [the Secretary of State] further agrees with the Inspector’s conclusions with respect to the effect on residential receptors, and does not consider that that the impact of the scheme represents a change in outlook from these properties so as to present unacceptable visual intrusion...”*

8.4.11 Many forms of development give rise to visual effects at residential properties and such effects are often significant. Affected residents may well find these effects objectionable. However that does not automatically equate to an overbearing or overwhelming effect on residential amenity to the extent that the property is an unattractive place to live.

8.4.12 In this context I assess below the potential visual effects at the two closest properties: Bested House and The Paddocks.

### **Bested House**

8.4.13 Bested House is located on the eastern side of Church Lane adjacent to the western and the eastern land parcels. It is orientated at an oblique angle to the road such that the primary orientation of the property is south westwards as illustrated in Plate 1 below.

***Plate 1 (below): View of south western elevation of Bested House***



8.4.14 Views from the ground floor windows of this south westerly elevation (and most of the adjoining garden space) are heavily filtered by an existing boundary hedgerow between the property and the eastern land parcel. From first floor windows however there are views channelled southwards along Church Lane which take in the southern half of Bested Hill and the western part of the eastern land parcel.

8.4.15 The north western gable end elevation of the property is orientated directly across Church Lane. A mature hedgerow separates the property from the road and largely screens views



from ground floor windows in a north westerly direction but a first floor window enables views across the roadside vegetation towards the northern part of the western land parcel. A first floor window in the two storey detached garage shares a similar view.

- 8.4.16 The solar array in the western land parcel (as visible from the south western elevation) would be over 250m away whilst the offset to the solar array in a north westerly direction is at least 150m. A buffer of over 150m from Church Lane has been embedded into the layout of the eastern land parcel to maintain a clear line of sight to Aldington church.
- 8.4.17 ES Volume 2A Written Statement, Chapter 11 Landscape and Visual Impact (**CD 1.8.2**) acknowledges that there would be a significant effect on views from this property during construction and the early years of operation and I concur with this finding.
- 8.4.18 However various mitigation measures have been proposed as I have outlined in Section 5.3 of my evidence. This includes new/secondary hedgerow planting along the southern boundary of the property and along the western boundary of the solar array in the eastern land parcel. Enhancements have also been proposed to the hedgerows along Church Lane and along the southern boundary of the solar array immediately west of Church Lane to the north west of the property.
- 8.4.19 Once these have established and are maintained at a minimum of 3m in height, the visual effects would be much reduced such that at ground level within the property and the within the gardens it is likely that there would be no view of the solar array. It is likely that some views of the Proposed Development would remain from first floor windows although these are not the primary living rooms of the dwelling. I acknowledge that this would remain a significant effect.
- 8.4.20 In my judgement, the offset of the solar arrays from the property, together with existing and proposed mitigation screening means that the Proposed Development would not have an overbearing effect on the visual amenity experienced by residents of this property. In my opinion the dwelling would continue to be widely regarded as a pleasant and attractive rural place to live.

## **The Paddocks**

- 8.4.21 The Paddocks is located on the western side of Church Lane to the south of the western land parcel. The primary orientation of the property is southwards away from Bested Hill. The northern elevation which faces the Appeal Site is single storey and tucked behind an existing field boundary hedgerow as illustrated in Plate 2 below.

***Plate 2 (below): View of northern elevation of The Paddocks***



Views in a northerly direction from a glass sun room on the northern elevation are largely already screened by the field boundary hedgerow. The same is the case from the side conservatory and gardens of the property.

- 8.4.22 The solar array in the western land parcel has been set back by at least 150m from this property.
- 8.4.23 ES Volume 2A Written Statement, Chapter 11 Landscape and Visual Impact (**CD 1.8.2**) reports that there would initially be a significant effect on the view from this property due to the relative proximity of any filtered views of the solar farm which would be on rising land to the north. In my opinion this is a worst case assessment and the effects would only just be significant.
- 8.4.24 Mitigation measures have been proposed to minimise the visual effect at this property as outlined in Section 5.3 of my evidence. This includes a belt of low density native tree planting in the southern corner of the field and new hedgerows along the field boundary and the southern edge of the fence line.
- 8.4.25 Once these have established, the visual effects would be further reduced such that there would be no view of the solar array.
- 8.4.26 In my judgement, the offset of the solar arrays from the property, together with existing and proposed mitigation screening means that the Proposed Development would not have an overbearing effect on the visual amenity experienced by residents of this property. In my opinion the dwelling would continue to be widely regarded as a pleasant and attractive rural place to live.

## Other Residential Properties

- 8.4.27 Despite its proximity to the eastern land parcel, Partridge Farm would have no view of the Proposed Development due to intervening farm outbuildings but in any case this is an involved landowner.

- 8.4.28 South of the Paddocks on Church Lane, the next nearest properties to the Appeal Site (between 300m and 700m of the western land parcel) would have very limited glimpses of the Proposed Development due to their lower elevation and screening from intervening woodland. Views from Hogben Farm, Forehead and a cluster of properties at Forehead Farm and Oak House would typically be limited to glimpses from first floor windows. ES Volume 2A Written Statement, Chapter 11 Landscape and Visual Impact (**CD 1.8.2**) concludes that the visual effect at these properties would not be significant and I concur with this assessment.
- 8.4.29 The LVIA concludes that visual impacts at Lower Park Farm and Middle Park Farm would be moderate but not significant at distances of 450 and 830m respectively. Again this seems a reasonable assessment and I concur the effects would not be significant.
- 8.4.30 I acknowledge that there are several residential properties further south along Church Lane on the land rising towards Aldington (approximately 1km from the Appeal Site) which may have more distant elevated views of the Proposed Development; mostly of solar panels on the southern flank of Bested Hill. However, from these more elevated locations, the solar farm would occupy a relatively small component of the panoramic view and be viewed in the similarly distant context of pylons which cross over Bested Hill and other infrastructure such as the HS1 rail line and the Sellindge Converter Station.

## 9 CUMULATIVE LANDSCAPE AND VISUAL EFFECTS

### 9.1 Introduction

9.1.1 Section 5 of SEI Volume 2A, Chapter 11 Landscape and Visual Impact (**CD 1.14.2**) identifies the following developments for consideration in terms of potential cumulative landscape and visual impact:

- PA/2022/2544 – Sellindge Battery Energy Storage System (BESS) – permitted August 2023;
- PA/2022/2950 – Sellindge Grid Stability Facility (GSF) (also referred to as Synchronous Condenser Plant) – permitted August 2023 and currently under construction;
- Y19/0257/FH – Otterpool Park Garden Town – outline planning permission gained April 2023; and
- EN010135 - Stonestreet Green Solar – Nationally Significant Infrastructure Project - currently at examination stage.

9.1.2 I am not aware of any other projects which require consideration beyond those listed above and the Council's Statement of Case (**CD 8.2**) does not identify any other projects it considers to be relevant in relation to RfR1.

9.1.3 I also note that the Council's Statement of Case (**CD 8.2**) does not specify which of the above developments it considers the Proposed Development would give rise to '**significant adverse ... cumulative effects on landscape character and on visual amenity**' with. I therefore address all four in my evidence.

9.1.4 SEI Volume 2A, Chapter 11 Landscape and Visual Impact (**CD 1.14.2**) identifies three development scenarios:

- Scenario 1 – considers the scenario that only the Proposed Development is approved and constructed against the current baseline where none of the above projects are operational. This is essentially the scenario I have addressed in Section 7 and 8 of my evidence and requires no further discussion here.
- Scenario 2 – considers the scenario in which the Proposed Development is approved and constructed against a future baseline where the Sellindge BESS project, the Sellindge GSF and the Otterpool Park Garden Town are all operational.
- Scenario 3 - considers the scenario in which the Proposed Development and the Stonestreet Green project are both approved and constructed against a future baseline where the Sellindge BESS project, the Sellindge GSF and the Otterpool Park Garden Town are all operational.

- 9.1.5 The focus of my evidence below is on Scenarios 2 and 3. Before that though, I would highlight the fact that since SEI Volume 2A, Chapter 11 Landscape and Visual Impact (**CD 1.14.2**) was submitted, further detail has become available regarding the Stonestreet Green Solar NSIP.
- 9.1.6 At the time of the preparing the SEI, only a limited amount of information was available about the Stonestreet Green project (EN010135) – ostensibly just a site boundary. The assessment and illustrative material in the SEI therefore adopted a worst case assumption that solar development would be located across the full extent of the Stonestreet Green site boundary as available at that time. Specifically of relevance here is the fact that the SEI assumed that the Stonestreet Solar NSIP would include solar development all the way up to the western land parcel of the Proposed Development. It is now apparent that this would not be the case. The Stonestreet Green draft order boundary still extends up to the western land parcel (and beyond to the Sellindge Converter Station) however, this has been included for an underground cable route corridor only. The Stonestreet Green Solar project does not propose any solar arrays east of Station Road adjacent to the River Stour as can be seen in Stonestreet Green Solar DCO document APP-013 - Figure 2.6 Illustrative Project Drawings (**CD 4.9**). I note that a project substation is however proposed adjacent to Station Road approximately 600m to the west of the western land parcel of the Proposed Development. I take these changes into account in my assessment of Scenario 3 below.
- 9.1.7 The Stonestreet Green application was accepted for examination in July 2024 and the examination is due to be completed by 19 May 2025. Thereafter, there is a period of three months for the Examining Authority to report to the Secretary of State and a further three months for the Secretary of State to make a decision on the application. Therefore a decision on the Stonestreet Green application is not likely much before the end of 2025.

## 9.2 Development Scenario 2

- 9.2.1 This section considers the scenario in which the Proposed Development is approved and constructed against a future baseline where the Sellindge BESS project, the Sellindge GSF and the Otterpool Park Garden Town are all operational. All of these projects have been granted planning permission (the Sellindge GSF is under construction). There is high likelihood that this would be the future baseline against which the Proposed Development would be experienced.

### Cumulative Effects on Landscape Character

- 9.2.2 The Sellindge BESS project and the Sellindge GSF project are both located in LCA 29: Evegate Mixed Farmlands immediately adjacent to the existing major infrastructure at Sellindge Converter Station and sandwiched between the M20 motorway and HS1 rail line. A mature woodland belt to the east of these two consented developments acts as a visual barrier between them and the remainder of the LCA to the east. In this context the development of Sellindge BESS project and the Sellindge GSF project would have almost no discernible effect on landscape character in LCA 29 and if anything would slightly reinforce the existing dominance of energy and transport infrastructure between the converter station and the Appeal Site.
- 9.2.3 The Otterpool Park Garden Town is located over 1km to the east of LCA 29: Evegate Mixed Farmlands and there is no intervisibility between the LCA and this proposal. The Otterpool Park development would therefore have no impact LCA 29.



- 9.2.4 In my judgement, the cumulative effect of all the scenario 2 developments on LCA 29: Evegate Mixed Farmlands would be no more significant than the *solus* effects of the Proposed Development as previously described in Section 7 of my evidence.
- 9.2.5 Following construction, the Sellindge BESS project and the Sellindge GSF project will be barely visible from LCA 10: East Stour Valley and the cumulative visualisations in SEI Volume 4 (**CD 1.14.5**) demonstrate that any glimpses of the Otterpool Park Garden Town from the LCA would be negligible. Therefore again, in my judgement, the cumulative effect of all the scenario 2 developments on LCA 10: East Stour Valley would be no more significant than the *solus* effects of the Proposed Development as previously described in Section 7 of my evidence.

#### **Cumulative Effects on Visual Amenity**

- 9.2.6 The Sellindge BESS project and the Sellindge GSF project would only be prominent from a short section of Church Lane and the eastern end of PRoW AE437 but barely visible beyond these locations. Both of these publicly accessible locations are already heavily dominated by the existing Sellindge Converter Station, M20 motorway and HS1 rail line. The addition of these two schemes would have a negligible impact on the baseline of visual amenity experienced along these routes.
- 9.2.7 There are very few locations where there would be any view of both the Proposed Development and the Otterpool Park Garden Town simultaneously. Where there are glimpses of both developments these would typically be distant and either one or the other development would be barely visible.
- 9.2.8 In my judgement, the cumulative effect of all the scenario 2 developments on visual amenity would be no more significant than the *solus* effects of the Proposed Development as previously described in Section 8 of my evidence.

## **9.3 Development Scenario 3**

- 9.3.1 This section considers the scenario in which the Proposed Development and the Stonestreet Green project are both approved and constructed against a future baseline where the Sellindge BESS project, the Sellindge GSF and the Otterpool Park Garden Town are all operational. As the Stonestreet Green project has not been granted a consent order yet, there is a reduced likelihood that both schemes would become operational in combination. As noted above, a decision on the Stonestreet Green application is unlikely much before the end of 2025.

#### **Cumulative Effects on Landscape Character**

- 9.3.2 The Proposed Development and the Stonestreet Green Solar schemes are principally located in different LCAs. The Proposed Development is located wholly within LCA 29: Evegate Mixed Farmlands and LCA 10: East Stour Valley. Meanwhile the Stonestreet Green scheme is located primarily in LCA Aldington Ridge and LCA Upper Stour (as defined in the Ashford Borough Council Urban Fringes Landscape Character Assessment (**CD 4.6**)) and only just extends into LCA 29: Evegate Mixed Farmlands and LCA 10: East Stour Valley.
- 9.3.3 The small section of the Stonestreet Green project that technically extends into LCA 29: Evegate Mixed Farmlands (namely the substation) occupies a small pocket of land which is on the far side of the HS1 railway line from the remainder of the LCA and would be more appropriately defined as part of LCA Upper Stour. Only a very small part of the Stonestreet Green project extends into LCA 10: East Stour Valley.

- 9.3.4 Both the Proposed Development and the Stonestreet Green project would give rise to some locally significant effects on landscape character and this is recognised in the respective LVIA's for the two projects.
- 9.3.5 In my judgement, the Proposed Development would not individually give rise to significant effects on landscape character in LCA Aldington Ridge or LCA Upper Stour (as defined in the Ashford Borough Council Urban Fringes Landscape Character Assessment (**CD 4.6**)). I consider that the effect of the Proposed Development on these two character areas would be minor or negligible and therefore the combined effect of both the Proposed Development and the Stonestreet Green Scheme on these two character Areas would be only marginally greater and no more significant than the *solus* effects of the Stonestreet Green Scheme alone.
- 9.3.6 Due to dense woodland alongside the HS1 railway line as it passes through LCA 29: Evegate Mixed Farmlands, the Stonestreet Green scheme individually would have a negligible effect on the character of this LCA (assuming the localised effects on a small pocket of the LCA south of the railway line are treated as part of the effects on LCA Upper Stour). Therefore the combined effect of both the Proposed Development and the Stonestreet Green Scheme on LCA 29: Evegate Mixed Farmlands would be only marginally greater and no more significant than the *solus* effects of the Proposed Development alone.
- 9.3.7 I consider that the development of both the Proposed Development and the Stonestreet Green project would give rise to some cumulative effects on landscape character in LCA 10: East Stour Valley and LCA 25: Aldington Ridgeline. The combined effect in some parts of these two character areas would in my opinion be significant.
- 9.3.8 In LCA 25: Aldington Ridgeline, the Stonestreet Green project would give rise to significant effects on the western part of this LCA on a *solus* basis, whilst the Proposed Development would give rise to a moderate/minor effect on character as a result of distant visibility and therefore the overall significant cumulative effect can be attributed largely to the Stonestreet Green rather than the Proposed Development. The combined effect on landscape character in this LCA would be only marginally greater than would occur as a result of the Stonestreet Green project alone.
- 9.3.9 Conversely in LCA 10: East Stour Valley, the reverse would be the case. I have already acknowledged that the Proposed Development would give rise to localised significant effects on part of this LCA on a *solus* basis. The Stonestreet Green project would give rise to a locally significant effect on character in the western part of the LCA but the overall significant cumulative effect in this LCA can be attributed largely to the Proposed Development rather than the Stonestreet Green scheme. The combined effect on landscape character in this LCA would be only marginally greater than would occur as a result of the Proposed Development alone.
- 9.3.10 In my judgement therefore, in each of the LCAs mentioned above, one or other of the two projects would be locally significant but the additional effect of both projects would have a relatively small additional impact on any LCA.

### **Cumulative Effects on Visual Amenity**

- 9.3.11 The Stonestreet Green development would be barely discernible from the sections of the PRow's or Church Lane which immediately surround the Proposed Development and which are most affected by it. This is in large part due to Backhouse Wood, a large woodland block which lies between the western edge of the Proposed Development and the eastern part of the Stonestreet Green scheme but also, in the case of the PRow's which surround the northern

land parcel of the Proposed Development, by vegetation along the HS1 railway line. Therefore there would be no greater effect on these particular PRoWs than if the Proposed Development was constructed in isolation.

- 9.3.12 Likewise at least some of the PRoWs which immediately surround the Stonestreet Green project are likely to experience a significant effect on visual amenity. However, from those PRoWs closest to the Stonestreet Green scheme the Proposed Development would at most be glimpsed as a very small distant component of the wider landscape and therefore there would be no greater effect on these particular PRoWs than if the Stonestreet Green scheme was constructed in isolation.
- 9.3.13 I consider that there are relatively few locations in the landscape where both schemes might be seen simultaneously (i.e. at the same time from any given point in the landscape). Those locations where simultaneous views would be possible are generally distant from the Proposed Development. SEI Volume 4, Visualisations (**CD 1.14.5**) contains a series of cumulative visualisations. Those nearest to the Proposed Development (i.e. Viewpoints A and B) demonstrate that either one or the other development would not be visible. Please note that in Viewpoint B the area hatched blue in the image is no longer proposed to contain solar development in the Stonestreet Green scheme.
- 9.3.14 Locations along Roman Road and in Aldington where there may be distant glimpses of the proposed development would have much closer views of the Stonestreet Green scheme which would be highly prominent in these views. In the context of the Stonestreet Green scheme any distant glimpses of the Proposed Development would not result in a significant additional effect on these views.
- 9.3.15 I acknowledge that along PRoWs AE475 and AE474, there would be some visibility of both the Proposed Development and the Stonestreet Green scheme either simultaneously or sequentially (as the receptor walks along the route). Along these two routes, the cumulative visual effect would be slightly greater than if either scheme was constructed in isolation and the overall effect on these routes would be cumulatively significant. However, a significant effect is likely along the western part of these routes in any case if the Stonestreet Green scheme was constructed in isolation. The additional cumulative effect which could be attributed to the Proposed Development would be minor.
- 9.3.16 I also acknowledge that there may be occasional, very distant views of both the Proposed Development and the Stonestreet Green scheme from more distant elevated locations in the North Downs (approximately 4.5km to the north east). From the same locations there may also be views of the other developments considered in Scenario 2. At this distance, however the combined cumulative visual effect would remain not significant and the overall panoramic experience from these locations would remain undiminished.



## 10 CONSIDERATION OF EFFECTS AGAINST RELEVANT LOCAL POLICY

- 10.1.1 The overall planning balance is addressed by Mr Steven Longstaff in his proof of evidence (**CD 10.6**). However to inform his judgement I provide below a brief summary of landscape and visual effects in the context of relevant local policy.

### Ashford Local Plan Policy ENV3a

- 10.1.2 Policy ENV3a specifically concerns landscape character and design and requires that proposals demonstrate particular regard to the following landscape characteristics, proportionately according to the significance of the site:

- *‘Landform, topography and natural patterns of drainage’* - In this regard I do not consider that the Proposed Development would have any effect on landform, topography or drainage. These features of the landscape fabric would remain unaltered.
- *‘The pattern and composition of trees and woodlands’* – The existing trees and woodland in the landscape would be unaffected by the Proposed Development. The mitigation planting proposed would complement and reinforce the existing vegetation structure.
- *‘The type and composition of wildlife habitats’* – I understand that it is agreed in the Main Statement of Common Ground (**CD 9.1**) that subject to appropriate conditions, impacts on ecology as a result of the Proposed Development are acceptable. The mitigation proposed would enhance the type and composition of wildlife habitats throughout the Appeal Site.
- *‘The pattern and composition of field boundaries’* – The Proposed Development would not adversely affect any established field boundaries and the proposed native hedgerow mitigation would enhance and repair many of the existing boundaries. I acknowledge that there would be some additional new hedgerow planting in locations where there are not currently field boundaries but I do not consider that this would detract from the existing pattern in the landscape.
- *‘The pattern and distribution of settlements, roads and footpaths’* – The pattern and distribution of settlements, roads and footpaths would be unaffected by the Proposed Development.
- *‘The presence and pattern of historic landscape features’* – The Proposed Development would not directly affect any historic features. The setting of heritage assets is addressed in the evidence of Mr Rob Bourn (**CD 10.4**) who concludes that there would not be any significant effects arising.
- *‘The setting, scale, layout, design and detailing of vernacular buildings and other traditional man-made features’* - The Proposed Development would not affect the setting, scale, layout, design and detailing of any vernacular buildings and other traditional man-made features.
- *‘Any relevant guidance given in the Landscape Character SPD’* – With regards to the bullet point guidelines set out in the Ashford Borough Council Rural Fringes Landscape Character Assessment (**CD 4.5**) for LCA 29: Evegate Mixed Farmland (Page 124) and LCA 10: East

Stour Valley (Page 64), I believe that the Proposed Development achieves a high degree of conformity with the guidelines. The mitigation proposed for the Proposed Development is broadly in line with the guidelines to 'improve' and 'conserve and restore' respectively. I acknowledge the guidelines for LCA 29: Evegate Mixed Farmland include guidance to '*improve the visual impact of incongruous features within the landscape through and improved framework of vegetation*' and I consider the mitigation proposals are appropriate for the Proposed Development. I also recognise the guidance to '*avoid development on higher, most visible ground*' and recognise that the Proposed Development does extend onto some of the higher ground in LCA 29. However this guidance needs to be read in the context of the fact that the same study records that the sensitivity of this LCA is 'Low' and I do not consider the effects arising as a result of the development in this location to be significant beyond the Appeal Site itself and immediately adjoining fields.

- '*Existing features that are important to and contribute to the definition of the local landscape character shall be retained and incorporated into the proposed development*' – As I have already set out, I do not consider that there would be any effect on any existing landscape fabric which makes a positive contribution to landscape character.
- '*Any non-designated, locally-identified, significant landscape features justified in a Parish Plan or equivalent document*' – no such features identified in the Neighbourhood Plan would be affected by the Proposed Development.

10.1.3 Overall therefore, I am of the opinion that the Proposed Development demonstrates proportionate regard to the landscape characteristics of the Appeal Site.

#### **Ashford Local Plan Policy ENV5**

10.1.4 Policy ENV5 concerns the protection of important rural features and requires that development in rural areas of the Borough protect and, where possible, enhance the following features:

- '*Ancient woodland and semi-natural woodland*' – The Proposed Development would not adversely affect any woodland.
- '*River corridors and tributaries*' – The Proposed Development would not adversely affect any watercourses.
- '*Rural lanes which have a landscape, nature conservation or historic importance*' – The Proposed Development would not have any physical effects on any rural lanes. I have acknowledged that there would be an adverse visual impact on users of one section of Church Lane but the feature itself (i.e. the lane) would be protected. Mitigation proposals have been proposed to improve the intermittent gappy existing hedgerows along the lane.
- '*Public rights of way*' - The Proposed Development would not have any physical effects or restrict access to any PRowS. I have acknowledged that there would be an adverse visual impact on the users of some PRowS but the routes themselves would be protected. Mitigation proposals have been proposed to reduce the visual effects on these PRowS as appropriate.
- '*Other local historic or landscape features that help to distinguish the character of the local area*' – No other local historic or landscape features would be affected by the Proposed Development.

### **Ashford Local Plan Policy ENV10**

- 10.1.5 Policy ENV10 specifically concerns renewable and low carbon energy and states that planning applications for proposals to generate energy from renewable and low carbon sources will be permitted provided that (*inter alia*):

*‘a) The development, either individually or cumulatively does not result in significant adverse impacts on the landscape, natural assets or historic assets, having special regard to nationally recognised designations and their setting, such as AONBs, Conservation Areas and Listed Buildings;’*

- 10.1.6 I have previously identified that some limited and localised significant landscape and visual effects would arise as a result of the Proposed Development but I also recognise that this is to be expected for any utility scale solar farm development in the UK.. I do not consider there would be any significant effects on the National Landscape designation or its setting.
- 10.1.7 In my opinion, the level of harm is not disproportionate for the type and scale of renewable energy development proposed. The extent to which the scheme complies with ENV10 is addressed in the evidence of Mr Steven Longstaff (**CD 10.6**).

### **Ashford Local Plan Policy SP1**

- 10.1.8 Policy SP1 sets out the core principles that planning applications are expected to adhere to including the conservation and enhancement of the Borough’s natural environment and the creation of the highest quality design, which is sustainable, accessible, safe and promotes a positive sense of place through the design of the built form, the relationship of buildings with each other and the spaces around them, and which responds to the prevailing character of the area.
- 10.1.9 Taking a holistic view of the Proposed Development (including mitigation), and whilst acknowledging locally significant adverse effects on landscape character and visual amenity, I am of the opinion that the Proposed Development does through design conserve the Borough’s natural environment. In my judgement the Proposed Development does represent a high quality design which is sustainable, accessible, safe and promotes a positive sense of place.

### **Ashford Local Plan Policy SP6**

- 10.1.10 Policy SP6 requires that proposals must be of high quality design and demonstrate a careful consideration of and a positive response to certain design including character, distinctiveness and sense of place.
- 10.1.11 For the reasons outlined above, in my judgement the Proposed Development does represent a high quality design that demonstrates a careful consideration of and a positive response to character, distinctiveness and sense of place.

### **Aldington and Bonnington Neighbourhood Plan Policy AB4**

- 10.1.12 Policy AB4 concerns the protection of locally significant views and states:

*(A) ‘The setting of the settlements within the neighbourhood area contributes greatly to their local character. Long-distance views from the ridgeline and the main approaches*

*to the villages play key roles in their settings. Proposals with significant harmful impacts on the setting of the neighbourhood area will not be supported.*

*(B) In addition, the Plan identifies 13 locally significant views (and view clusters), shown in Figures 8, 9 and 10, with descriptions contained in Appendix B. As appropriate to their scale and nature, development proposals within the shaded arcs (my emphasis) of the various views shown in Figures 8, 9 and 10 should be designed in a way that demonstrates how the proposal has taken into consideration the importance of the locally significant view or views, in the layout, design or masterplanning of the site(s), and mitigates any adverse impact on those views.'*

- 10.1.13 In relation to part A of the policy, I have acknowledged that the Proposed Development would be partially visible from the ridgeline between the Church Lane and Goldwell Lane but I have also concluded that the effect would not be significantly harmful.
- 10.1.14 With regard to part B of the policy, I repeat my earlier observation that the Proposed Development does not lie within the shaded arcs shown on Figures 8, 9 and 10 although I recognise that it lies beyond the shaded arc in the direction of View 3. With regards to View 3, I have acknowledged that the Proposed Development would be partially visible from PRoW AE475 but I have also concluded that the effect would not be significantly harmful. The Proposed Development would not prevent an appreciation of the open panoramic views available from this ridgeline and would not obscure distant views towards the North Downs National Landscape.

#### **Aldington and Bonnington Neighbourhood Plan Policy AB10**

- 10.1.15 Policy AB10 essentially adds further criteria to Policy ENV10 of the Ashford Local Plan.
- 10.1.16 I consider that the harm which I have identified to the local landscape has been minimised and mitigated in a manner which is appropriate and proportionate to the scale of the development proposed. The relevant landscape character assessment as referenced in the policy has informed the various LVIA submissions and my evidence.
- 10.1.17 I have demonstrated in Section 8 of my evidence that the Proposed Development would not have an overbearing visual impact on any residential properties and, as far as is practicable and achievable, the mitigation proposals have been developed to provide an appropriate level of screening to the Proposed Development.

## 11 SUMMARY AND CONCLUSIONS

- 11.1.1 In this final section of my evidence I summarise the landscape and visual effects identified and place them in the context of relevant planning policies.
- 11.1.2 Having reviewed the various LVIA submissions and having undertaken my own analysis, I acknowledge that the Proposed Development would give rise to some limited and locally significant adverse landscape and visual effects but I also recognise that this is to be expected for any utility scale solar farm development in the UK.
- 11.1.3 Through the application of good design principles the scheme has been designed such that there would be no adverse effect on any of the existing landscape fabric within the Appeal Site and in my opinion the landscape mitigation proposals would enhance the existing landscape fabric once established.
- 11.1.4 There are several landscape detractors in the immediate vicinity of the Appeal Site including the M20, HS1 railway line, Sellindge Converter Station, overhead power lines and pylons, all of which reduce the sensitivity of the site to the type of development proposed.
- 11.1.5 Mature blocks of woodland bound the Appeal Site on several sides and I consider that this helps to limit the extent of landscape and visual effects.
- 11.1.6 In my judgement significant effects on landscape character would be limited to the Appeal Site itself and the immediately adjoining fields to the west of the northern land parcel and south east of the western/eastern land parcels. Beyond approximately 0.5km to the south of the site, I consider that any longer distance glimpses of the solar farm would be framed by mature woodland blocks and not give rise to a significant effect on landscape character. Significant effects on landscape character would therefore be contained to parts of both LCA 29: Evegate Mixed Farmlands and LCA 10: East Stour Valley.
- 11.1.7 I have not identified any overriding landscape sensitivities which indicate that the Appeal Site is not capable of accommodating the change proposed.
- 11.1.8 In my opinion, significant effects on visual amenity would be limited to a section of Church Lane and certain sections of PRowS AE432, AE437, AE457, AE459 and AE656 as well as the two proposed permissive footpaths (Footpath A and Footpath B). Whilst there would be some view of the solar array from more distant PRowS, I consider that the magnitude of change at these locations would be sufficiently low that the effects would not be significant.
- 11.1.9 I consider that the mitigation proposals are proportionate and appropriate for the Proposed Development and complement the strategy for landscape enhancement in the host landscape character areas.
- 11.1.10 I have acknowledged that there would be some significant adverse effects on the private visual amenity of Bested House and The Paddock but consider that appropriate mitigation measures have been incorporated into the design of the scheme to minimise these effects. The offset of the solar arrays from these properties, together with existing and proposed mitigation screening, means that the Proposed Development would not have an overbearing effect on the visual amenity experienced by residents of these properties. In my opinion the dwellings would continue to be widely regarded as pleasant and attractive rural places to live.



- 11.1.11 I have also considered the cumulative effects of the proposed development with other known projects. In the scenario in which the Proposed Development is approved and constructed against a future baseline where the Sellindge BESS project, the Sellindge GSF and the Otterpool Park Garden Town are all constructed, the cumulative effect on landscape character and visual amenity would be no more significant than the *solus* effects of the Proposed Development.
- 11.1.12 The proposed Stonestreet Green solar farm NSIP is currently at examination with a decision unlikely much before the end of 2025.
- 11.1.13 In the scenario that both the Proposed Development and the Stonestreet Green project are constructed, I consider that there would be some cumulative effects on landscape character in LCA 10: East Stour Valley and LCA 25: Aldington Ridgeline and in parts of these two LCAs the combined effect would be significant. In LCA 25 the Stonestreet Green project would give rise to significant effects on this LCA in any case and the cumulative effects can be attributed largely to Stonestreet Green rather than the Proposed Development. In LCA 10 the reverse would be true and the cumulative effects could be attributed largely to the Proposed Development rather than the Stonestreet Green project. In my judgement therefore, in both of the LCAs mentioned above, one or other of the two projects would be locally significant but the additional effect of both projects would have a relatively small additional impact on any LCA.
- 11.1.14 I consider that there are relatively few locations in the landscape where both schemes might be seen simultaneously (ie at the same time from any given point in the landscape). Those locations where simultaneous views would be possible are generally distant from the Proposed Development.
- 11.1.15 I acknowledge however that along PRowS AE475 and AE474, there would be some visibility of both the Proposed Development and the Stonestreet Green scheme either simultaneously or sequentially (as the receptor walks along the route). Along these two routes, the cumulative visual effect would be slightly greater than if either scheme was constructed in isolation and the overall effect on these routes would be cumulatively significant. However, a significant effect is likely along the western part of these routes in any case if the Stonestreet Green scheme was constructed in isolation. The additional cumulative effect which could be attributed to the Proposed Development would be minor.
- 11.1.16 I also acknowledge that there may be occasional, very distant views of both the Proposed Development and the Stonestreet Green scheme from more distant elevated locations in the North Downs (approximately 4.5km to the north east). At this distance however, the combined cumulative visual effect would remain not significant and the overall panoramic experience from these locations would remain undiminished.
- 11.1.17 Whilst I have identified some significant effects on landscape character and visual amenity, in my opinion, these effects would be limited, localised and occur in a landscape which is not recognised by landscape designation.
- 11.1.18 I therefore acknowledge that a degree of landscape and visual harm would arise but that this would not be disproportionate for the type and scale of renewable energy development proposed.
- 11.1.19 The effects which I have identified as 'significant' are those which in my opinion are material to the planning decision but I would note that that significant adverse effects as reported in



LVIA terms are not necessarily unacceptable. Such effects need to be balanced alongside the other benefits and disbenefits of the scheme as well as relevant policy. Further guidance on this is provided within Notes and Clarifications on Aspects of Guidelines for Landscape and Visual Impact Assessment Third edition (GLVIA3) (**CD 4.2**) published by the Landscape institute. It advises at page 8 that:

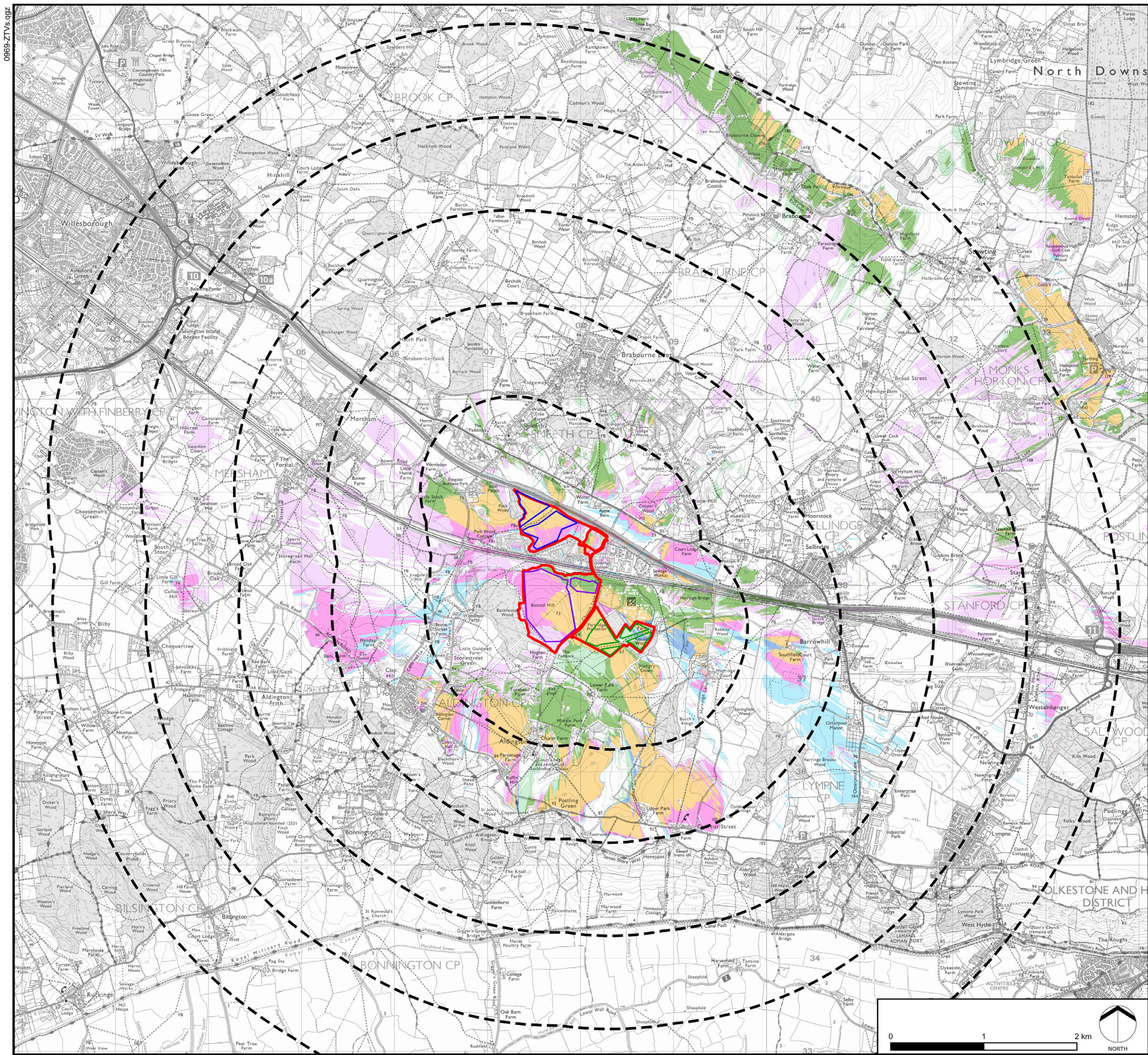
*“It should be noted that judgements of significance are not judgements of acceptability considering the policy context, which is a matter for decision makers. For example, it may be the case that the LVIA concludes that a proposal would result in ‘significant’ adverse effects on receptors, but the proposal could still be considered acceptable when judged alongside other factors in the overall planning balance. Conversely, the LVIA could identify ‘no significant effects’ but the proposal could be found to be unacceptable when judged alongside other factors in the overall planning balance.”*

- 11.1.20 The overall planning balance is addressed by Mr Steven Longstaff in his proof of evidence (**CD 10.6**).
- 11.1.21 For the reasons stated above my view as an expert witness to this inquiry is that on landscape and visual grounds there is no reason to refuse planning permission for the Proposed Development.

## **APPENDIX 1:**

### **Detailed Screening ZTV for East Stour Solar Farm**





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# EAST STOUR SOLAR FARM

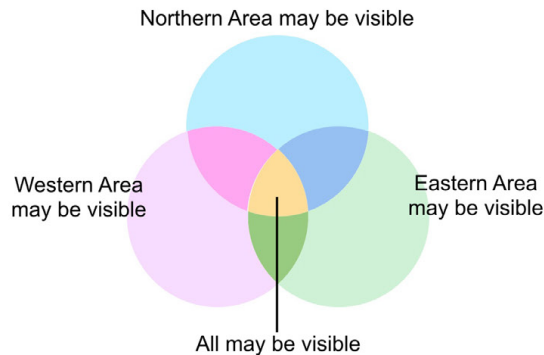
## APPENDIX 1

### Detailed Screening ZTV for East Stour Solar Farm

#### KEY

-  Site Boundary
-  Solar Arrays - Northern Area
-  Solar Arrays - Western Area
-  Solar Arrays - Eastern Area
-  Distance Radii from Site Boundary (1-5km)

#### Zone of Theoretical Visibility



#### FIGURE DATA:

This figure has been based on the following data:

Layout file: D001-Solar-obsv-points  
Terrain data: LiDAR-VOM-DSM-2022-2  
Viewer's eye height: 2m above ground level  
Calculation grid size: 2m

#### NOTES:

This drawing is based upon computer generated Zone of Theoretical Visibility (ZTV) studies produced using the Viewshed routine in the Visibility Analysis plugin for QGIS.

The areas shown are the maximum theoretical visibility, taking into account topography, buildings, and woodland, hedgerows and vegetation higher than 2.5m.

A digital surface model (DSM) has been derived from DEFRA National LiDAR Programme 2m 2022 height data. Locations of buildings are taken from the OS Open Map Local dataset, and locations of woodland and vegetation higher than 2.5m are taken from the Environment Agency's Vegetation Object Model (VOM) dataset. Heights of buildings and woodland have been taken from DEFRA LiDAR First Return 2022 2m DSM height data.

The actual extent of visibility on the ground will be less than that suggested by this plan.

The ZTV includes an adjustment that allows for Earth's curvature and light refraction. It is based on a derived DSM and has a 2m<sup>2</sup> resolution.

There is no visibility beyond the area shown to the south.

Projected Coordinate System: British National Grid

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