

**Town and Country Planning Act 1990**

**Land south of the M20, Church Lane, Aldington, Kent (known as East Stour Solar Farm)**

Appeal by EDF Energy Renewables Limited (trading as EDF Renewables)

Summary Proof of Evidence by DP Withycombe MSc CMLI on behalf of Ashford Borough  
Council

Local Authority Reference: 22/00668/AS

Planning Inspectorate Reference: APP/E2205/W/24/3352427

Inquiry date: 4<sup>th</sup> February 2025



- 1.1 I was appointed by Ashford Borough Council in November 2024 as an independent expert witness in relation to landscape and visual matters in respect of an appeal by EDF Energy Renewables Limited (trading as EDF Renewables) against the refusal of planning permission for installation of a Solar Farm on land south of the M20, Church Lane, Aldington, Kent known as East Stour Solar Farm, referred to hereafter as the Appeal Site. My Company (Land Management Services Ltd) has been advising Ashford Borough Council on landscape and visual matters relating to this application and the Appeal Site since May 2022.
- 1.2 The Ashford Borough Council Decision Notice dated 29<sup>th</sup> April 2024 includes the following Reason for Refusal relating to landscape and visual matters:
- 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.*
- 1.3 A Landscape and Visual Impact Assessment has been prepared by the appellant and was submitted as Chapter 11 of the Environmental Statement (ES) (April 2022). Supplementary Environmental Information (SEI) (dated January 2024) and further information dated April 2024 provided further assessment and proposed mitigation, including an assessment of the cumulative effects of the proposal which is the subject of this Appeal in association with the proposed neighbouring Stone Street Solar Farm, Otterpool Park Garden Village and the Sellindge Battery Energy Storage System (BESS) and Grid Stability Facility (GSF).
- 1.6 My Company Land Management Services Ltd has prepared two advisory notes to Ashford Borough Council. The first was prepared in response to Chapter 11 of the April 2022 ES and is dated 5<sup>th</sup> December 2022. This advisory note is included as Appendix 1 to my Proof of Evidence. The second advisory note dated 23<sup>rd</sup> February 2024 was prepared in response to Chapter 11 of the SEI submission (dated January

2024). This second advisory note is included as Appendix 2 to my Proof of Evidence. The advisory notes were prepared jointly by myself and Wendy Fidler (CMLI) of Land Management Services Ltd.

1.7 My evidence addresses landscape and visual matters in relation to this Appeal. I have visited the Appeal Site on a number of occasions between November 2022 and December 2024.

1.8 The full policy context to the Appeal is described in the Statement of Common Ground. A Landscape Statement of Common Ground has also been prepared. I confirm that I am in full agreement with the areas of common ground set out in these documents. In my main Proof of Evidence I consider three principal issues which have been the main areas of concern in our advice to Ashford Borough Council pertaining to landscape and visual matters:

1.8.1 whether the Landscape and Visual Impact Assessment (LVIA) set out in Chapter 11 of the Environmental Statement provides a reasonable and appropriate assessment of the impacts and effects of the proposals to enable the Council to reach decision on the application;

1.8.2 conclusions as to the impacts and effects of the proposals and the degree to which the LVIA has informed the design process and proposed mitigation;

1.8.3 whether the proposed mitigation is reasonable and appropriate and would provide effective mitigation of the anticipated landscape and visual impacts and effects for the duration of the scheme.

1.9 I consider each of these topics in my main Proof of Evidence.

1.10 In my opinion the landscape and visual assessment undertaken as part of the original Environmental Statement was not reasonable or appropriate and did not provide the Council with a suitable basis to assess the anticipated landscape and visual effects of the proposals for the following reasons:

- there is a lack of a clearly defined methodology to inform an understanding of the conclusions and judgements reached;
- the LVIA is poorly set out such that it is extremely difficult to follow the logic of the assessment process;
- the assessment does not provide a clear distinction between the assessment of landscape and visual effects;

- the evidence base is inadequate, in particular the lack of representative views and identification of visual receptors (in particular Public Rights of Way);
- conclusions (in particular with regard to visual amenity) are very broad brush and exaggerate the anticipated benefits of mitigation.

- 1.11 Concerns were raised by Council Officers, local groups and Parish Councils and the Council's Landscape Advisors in 2022 as to the clarity of the assessment, the inadequacy of the representative viewpoint coverage and the effectiveness of the proposed mitigation. The SEI and revised Landscape Mitigation Plan (Revision B) provided some additional information, but overall the majority of the original concerns as to the adequacy of the assessment remain.
- 1.12 Some evidence was provided as part of the SEI submission as to how the landscape and visual assessment informed the design process or progression but as I highlight in my Proof of Evidence, there are issues and concerns which again were highlighted at an early stage by the Council, for instance in relation to the location of panels on the south side of Bested Hill and the adequacy of the proposed landscape mitigation which remain.
- 1.13 I consider that there is now broad agreement that there will be significant, localised adverse landscape character and visual effects. These are relatively localised, but will in a number of cases remain for the duration of the scheme. I consider that a number of these adverse effects could be addressed through more effective landscape and visual mitigation. I also consider that opportunities to provide wider, permanent landscape and biodiversity enhancements as part of the landscape mitigation have not been fully explored. I include a mitigation plan mark up in Appendix 9 to my Proof of Evidence highlighting potential areas for enhanced mitigation.
- 1.14 For the reasons set out in my main Proof of Evidence I conclude that the basis for Reason for Refusal 1 is justified in relation to the proposals before this Inquiry. The Appeal Site proposals would result in *significant adverse individual and cumulative effects on landscape character and on visual amenity*. There is scope through more appropriate and effective mitigation (including changes to layout) to not only provide more effective mitigation but also to provide longer term landscape and biodiversity benefits.

East Stour Solar Farm  
Summary Proof of Evidence  
January 2025

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