

25 January 2024

Via email: sunnica@planninginspectorate.gov.uk

Dear Sirs,

SUNNICA EAST AND WEST 500MW SOLAR ENERGY FARM

1. Introduction

1.1 As an Interested Party, the Suffolk Preservation Society (SPS) wishes to make observations on the information regarding Landscape and Visual Impacts provided by Sunnica in response to the Secretary of State's letter of 1 December 2023.

1.2 SPS' objections to the Sunnica scheme can be read in full in our Written Representation (library ref: REP2-247) [EN010106-004044-DL2 - Suffolk Preservation Society.pdf \(planninginspectorate.gov.uk\)](#).

2. The Secretary of State's request for information:

2.1 *With reference to NPS EN-1 paragraph 5.9.8, the Applicant is asked to:*

- i) provide any updates to its position on the mitigation provided for landscape and visual impacts.*
- ii) with the aim of minimising harm to the landscape and visual effects as far as reasonably possible, advise whether their work concluded that the proposed mitigation was the best available or if any further mitigation could reasonably be provided.*

2.2 (For clarification it is understood that since the adoption of the updated NPSs in January 2024, para 5.9.8 should now read 5.10.6, which states: *5.10.6 Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.*)

3. SPS comments on the Applicant's responses

3.1 Site selection

3.1.1 The Applicant states that the design of the scheme was landscape-led and has evolved to respond positively to the local landscape character and to mitigate impacts on people's views and visual amenity. The Applicant explains that the site was selected because it avoids nationally and

locally designated landscapes. However, beyond that, it is difficult to understand how the site selection has been landscape led and SPS considers that the overriding site selection criteria would appear to be the availability of contiguous land.

3.1.2 The area which has been selected is a complex patchwork of landscape types, long views and with varying visual sensitivity. The fragmented nature of the scheme will result in dispersed landscape and visual impacts which, cumulatively, will affect an even wider area of the countryside. This complex tapestry of different landscapes will be lost under a swathe of panels, battery storage, solar stations, car parks, fencing and other infrastructure.

3.1.3 With regard to the site selection, the Applicant points to paragraph 2.10.95 of EN-3 (2023) which states that, *...whilst it may be the case that the development covers a significant surface area, in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography, the area of a zone of visual influence could be appropriately minimised.* The Applicant highlights that the topography of the sites is relatively flat and therefore it follows that effective screening is possible. However, it also concedes that there is one residual visual effect, relating to the views from the Limekilns Gallops. The failure to identify that it will not be possible to mitigate the harmful impacts on key views from the Limekilns Gallops, which is on much higher ground overlooking Site West A, strongly suggests that these wider impacts did not feed into the site selection process.

3.1.4 We therefore conclude that the applicant's site selection process was flawed as, by not considering landscape and visual impacts, it did not aim to minimise harm to the landscape.

3.2 Impact on views from Limekiln Gallops

3.2.1 SPS considers that the LVIA submitted by the Applicant fundamentally underestimated the sensitivity of this landscape by assessing the Limekilns Gallops as being of medium value which gives insufficient weight to the rarity or cultural value of the Limekilns.

3.2.2 In response to the Secretary of State's request, the Applicant has set out its position regarding the mitigation of the harmful visual landscape impacts from the Limekilns Gallops. The elevated topography of the Limekilns which extends to above 50m (AOD), whilst the land within site parcels W05 and W07 is approximately 25m AOD, means that mitigation planting will be ineffective in screening the development. The Applicant has considered and rejected the introduction of screening bunds up to 4 metres in height to screen the West Site A site area from views from the Limekilns, concluding that an earthwork bund at this height would be incongruous in the predominantly flat landscape. It would also introduce other effects including increased construction traffic and carbon emissions. Overall, it was concluded that the small improvement in visual mitigation would be outweighed by the additional adverse environmental effects and the reduction in the area available for renewable energy generation. The Applicant has therefore concluded that no further measures will be provided to mitigate the visual impacts. .

3.2.3 SPS therefore supports the local authority's call for the removal of West Site A from the scheme to mitigate this harmful impact. We disagree with the Applicant's position that the removal of the parcels would not result in a very significant landscape or visual benefit and we consider that this position demonstrates that the Applicant fundamentally underestimates the importance of this viewpoint.

3.2.4 The Limekilns Gallops form a vital part of the landscape setting of Newmarket as it forms an integral part of the international centre of horseracing. It provides wide ranging views north towards Chippenham Park, which has a cultural, functional and historic relationship with Newmarket racing. It is in essence one of the major shopfronts of the town and makes an important contribution to the significance of Newmarket. Sunnica West Site A will impact directly on the long panoramic views to the countryside beyond, which can include Ely Cathedral standing as majestic emblem within the fenland landscape, with the development visible across the full horizon.

3.3 Mitigation hierarchy

3.3.1 The Applicant aims to mitigate the visual impacts, where possible, through set back and planting. Whilst this may screen close views of energy infrastructure on the site(s), the grain and character of this historic pattern of different landscape types will, nevertheless, be permanently changed. The transition from one landscape type to the next will become blurred. The Applicant states that it has worked with the local councils to agree the mitigation to reduce the effects of the scheme to an acceptable level. However, the proposed mitigation is clearly not acceptable to all parties as the response continues by stating that they had not been able to accommodate all of the changes proposed by the Councils, especially where these would require the removal of large portions of the developable area. It is disappointing that the Applicant has resisted a suggested measure which would remove the most significant landscape and visual impacts, particularly from the Limekiln Gallops

3.3.2 It is also disappointing that, in response to the SoS request, the Applicant states that *There is no reference in NPS EN-1 to the fact that proposed mitigation should be the "best available"*. SPS would highlight that there are however multiple references within the NPS EN-1 to the use of the mitigation hierarchy. The mitigation hierarchy requires that harmful impacts are where possible avoided, and otherwise reduced, mitigated and compensated.

EN-1 para 4.2.11: Applicants must apply the mitigation hierarchy and demonstrate that it has been applied..... Applicants should demonstrate that all residual impacts are those that cannot be avoided, reduced or mitigated.

3.3.3 EN-1 is clear that the mitigation hierarchy must be applied to applications. Para 4.1.5 requires the potential adverse effects of the development to be taken into account including measures to avoid harm in line with the mitigation hierarchy:

EN-1 para 4.1.5: In considering any proposed development, in particular when weighing its adverse impacts against its benefits, the Secretary of State should take into account: • its potential benefits including its contribution to meeting the need for energy infrastructure, job creation, reduction of geographical disparities, environmental enhancements, and any long-term or wider benefits • its potential adverse impacts, including on the environment, and including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce, mitigate or compensate for any adverse impacts, following the mitigation hierarchy (my emphasis)

3.3.4 SPS does not consider that the Applicant has demonstrated how the mitigation hierarchy has been employed to avoid harm or select sites where measures could be employed to reduce or mitigate the harm. We therefore maintain our objection that this scheme was flawed at the site selection stage with landscape and visual impacts entirely ignored.