

Nationally Significant Infrastructure Project EN01027: Mallard Pass Solar Farm

Local Impact Report - June 2023

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1. Introduction

- 1.1 The Mallard Pass Solar Farm (MPSF) is proposed by Mallard Pass Solar Farm Limited (the Applicant) and is a joint venture between Windel Energy and Canadian Solar Inc. The MPSF is a large-scale solar photovoltaic array electricity generating facility covering approximately 825 hectares of land that straddles both Lincolnshire and Rutland. Approximately 524 hectares of the site falls within the administrative area of Rutland County Council (RCC) with the remaining 327 hectares falling within the administrative area of Lincolnshire County Council (LCC) and South Kesteven District Council (SKDC).
- 1.2 The MPSF and associated infrastructure would be capable of generating 350 megawatts (MW) of electricity connecting to the National Grid at the Ryhall 400Kv substation. The Grid connection allows for export of up to 240MW of electricity from the development. As the total capacity of the facility exceeds 50 megawatts (MW) the Applicant has made an application for a Development Consent Order (DCO) to the Secretary of State for Energy Security and Net Zero (SoS) pursuant to the Planning Act 2008 (PA2008). A Panel of independent Examining Inspectors (referred to as the Examining Authority (ExA) are examining the application before making a recommendation to SoS who will decide whether a DCO for the project should be made.

2. Purpose and structure of the report

- 2.1 LCC is classed as a 'host authority' as part of MPSF falls within its administrative area. LCC have therefore been invited by the ExA to submit a Local Impact Report (LIR). A LIR is defined under Section 60(3) of the PA2008 as a '*report in writing giving details of the likely impact of the proposed development on the authority's area (or any part of that area).*' A LIR is designed to assist the ExA in the consideration of a DCO application. Upon the conclusion of the examination the SoS must have regard to any LIRs produced.
- 2.2 The purpose of this LIR is to give an overview of the likely issues and impacts that LCC considers will arise from the construction and operation of the MPSF in so far as it affects Lincolnshire. Separate LIRs are to be produced by RCC and SKDC who are also host authorities and who will be submitting their own LIRs setting out the impacts of the development as they consider it affects their respective areas.
- 2.3 The LIR contains a brief overview of the proposed development and description of the site and surroundings associated with the MPSF. The LIR also identifies relevant national and local development plan policies and covers topics or areas where LCC has a statutory function or holds a particular expertise or interest due to the potential impacts/implications of the development on Lincolnshire.

2.4 The LIR does not seek to duplicate material covered in the Statement of Common Ground (SoCG).

3. Overview of the Proposed development

3.1 The Applicant is seeking a DCO to construct, operate, maintain and decommission a solar photovoltaic (PV) array electricity generating facility and export to the National Grid. The MPSF and associated infrastructure would be capable of generating 350 megawatts (MW) Direct Current (DC) of electricity connecting to the National Grid at the Ryhall 400Kv substation. The Grid connection allows for export of up to 240MW of electricity from the development.

3.2 A full description of the proposed development and various ancillary structures themselves is not detailed within this report as this is set out in the DCO application documents. However, the land required temporarily and/or permanently for the construction, operation and maintenance of the MPSF (the Order limits) comprises of four different areas which are broadly defined as follows:

- The Solar PV Site - areas within the Order limits that are proposed for solar development comprising of PV modules, mounting racks, inverters, transformers, switchgears, access tracks as well as the on-site substation and other associated ancillary infrastructure including temporary construction compounds and security fencing;
- Mitigation and Enhancement Areas – areas within the Order limits that are proposed for landscape screening, habitat creation and provision of permissive paths;
- Highway Works Site - areas beyond the Solar PV Site which have been proposed for cable route connections and temporary/permanent improvements to existing highways to facilitate the construction, operation and maintenance, and decommissioning of the development; and
- Grid Connection Corridor - area within the Order limits that are proposed for the Grid Connection Cable between the on-site substation and the National Grid Ryhall Substation and the new connection at National Grid Ryhall Substation.

3.3 The MPSF no longer proposes or includes any battery energy storage system as this was removed during the pre-application stage.

4. Description of the Site and Surroundings

4.1 The application site covers approximately 852 hectares and encompasses land in the vicinity of a number of settlements and villages within both Rutland and Lincolnshire. In particular, the proposed development is focused around the settlement of Essendine and is in proximity to Ryhall, Belmesthorpe, Great Casterton, Little Casterton and Pickworth (all of which lie within Rutland). That part of the MPSF which lies within Lincolnshire extends to approximately 327 hectares

and is located to the west of Bracebrough and Greatford and to the north and north-east of Uffington and Stamford.

- 4.2 The land comprises predominantly of 54 agricultural fields, a network of hedgerows, drains and ditches and blocks of woodland. Areas of improved grassland, species poor semi-improved grassland, semi-improved neutral grassland, tall ruderal and scrub are also present. Woodland across the site consists of plantation and semi-natural broadleaved woodland. The Grantham - Peterborough (East Coast Main Line) railway line dissects the MSPF on a north-west to south-east alignment.
- 4.3 That part of the site lying within Lincolnshire covers around 18 agricultural fields (i.e. Field Nos. 36, 45 to 50 (inclusive) and 53) and comprises largely of Grade 3a and 3b agricultural land although there are areas of Grade 2 agricultural land located in both north-eastern and south-eastern edges of the site. Of the 18 fields lying in Lincolnshire, 8 (in full or part thereof) are identified to accommodate the Solar PV Site. The remaining fields, which contain predominately Grade 2 land, have been identified to be retained as Mitigation and Enhancement areas.
- 4.4 The site is predominantly located in Flood Zone 1, which is an area classed as having a low risk from fluvial and tidal flooding (less than 1 in 1,000 annual probability, as indicated by the Environment Agency Flood Map for Planning). The site is predominantly located within an area of very low risk from surface water flooding although areas of low to high surface water flood risk are located in the northern and western and central areas of the site, associated with the West Glen River (which runs through the MSPF on a general north-west to south-east alignment).
- 4.5 There are no listed buildings, Scheduled Monuments or Registered Parks or Gardens within the Order limits and none of the land is covered by statutory landscape designations (i.e. National Parks or Areas of Outstanding Natural Beauty).
- 4.6 There are number of environmental constraints and designations that lie within (or within proximity of) the Order Limits that fall within the Lincolnshire part of the project that include:
 - Local Wildlife Sites - Uffington North Road Verges, Banthorpe Wood, Shillingthorpe Hall Grounds, Braceborough Little Wood, New Plantation, Braceborough, Braceborough Great Wood, and Carlby to Aunby Road Verges;
 - Ancient Woodland - Braceborough Little Wood and Castle Dike Wood
 - Public Rights of Way - which include
 - Footpath Br/AW/7/1 – this footpath routes through the easternmost extent of the site in a general north-east to south-west alignment.
 - Footpath Br/AW/3/1 – this footpath crosses into the north-eastern extent of the Mitigation and Enhancement area in the vicinity of Grange Farm;

- Footpath Br/AW/9/1 – this footpath routes parallel to the north of Br/AW/3/1 and crosses the Mitigation and Enhancement area east-west before entering the Braceborough Wood which sits adjacent to the site;
- Bridleway Br/Aw/1/1 – the bridleway runs along the administrative boundary between Rutland and Lincolnshire in a north-south direction between the local road to the north and the railway to the south.

4.7 The Order limits include land within Lincolnshire that is identified as being within a Limestone Minerals Safeguarding Area (MSA).

5. Policy Context

5.1 National Planning Policy

5.1.1 The SoS is required to have regard to any relevant national policy statement (NPS), amongst other matters, when deciding whether or not to grant a DCO. Where there is a relevant NPS in place DCO applications are determined in line with Section 104 of the PA2008. However, where there is no relevant NPS in place then Section 105 of the PA2008 takes effect and provides the legal basis for determining DCO applications. Section 105 requires the SoS to take into account ‘important and relevant’ matters which includes this LIR and any matters which the SoS thinks are both important and relevant to its decision.

5.1.2 The following NPS’s are considered relevant to the determination of this DCO application however neither explicitly cover solar powered electricity generation. Nevertheless they set out assessment principles for judging impacts of energy projects and are still a material consideration that the SoS will need to take into account. The NPS’s are as follows:

EN-1 - Overarching National Planning Policy Statement for Energy

EN-3 – National Planning Policy Statement for Renewable Energy Infrastructure

EN-5 – National Planning Policy Statement for Electricity Networks Infrastructure

5.1.3 EN-1 (Overarching National Policy Statement for Energy) confirms the Government’s commitment to the legally binding target to cut greenhouse gas emissions by 80% by 2050, compared to 1990 levels. It also identifies the need to increase dramatically the amount of renewable electricity generation capacity in order to meet the commitments under the EU Renewable Energy Directive and to improve energy security by reducing dependence on imported fossil fuels, decrease greenhouse gas emissions and providing economic opportunities. Solar is noted within the document as being an intermittent renewable technology.

5.1.4 EN-3 (National Planning Policy Statement for Renewable Energy Infrastructure) was published in 2011 and covers those technologies which were technically viable at generation capacities of over 50MW onshore and 100MW offshore. Solar PV is not included in the EN-3 because at the time it was published utility scale solar development was not considered to be commercially or technically viable.

Nonetheless, it is a material planning consideration in the determination of the DCO application which the SoS will no doubt take into account.

- 5.1.5 EN-5 (National Policy Statement for Electricity Networks Infrastructure) is also relevant as it recognises electricity networks as *“transmission systems (the long distance transfer of electricity through 400kV and 275kV lines), and distribution systems (lower voltage lines from 132kV to 230V from transmission substations to the end-user) which can either be carried on towers/poles or undergrounded”* and *“associated infrastructure, e.g. substations (the essential link between generation, transmission, and the distribution systems that also allows circuits to be switched or voltage transformed to a useable level for the consumer) and converter stations to convert DC power to AC power and vice versa.”* This is therefore relevant in so far as it relates to the proposed Grid connection.

5.2 Draft Revised National Planning Policy Statements

- 5.2.1 The Government is reviewing and updating the NPS’s in order to ensure that the policy framework enables the delivery of infrastructure required to support the transition to Net Zero. Revised draft versions of EN-1 and EN-3 were first published and consulted upon in 2021. The revised drafts recognised and included reference to NSIP scale solar projects and contained specific policies and factors that should be taken into consideration when assessing such proposals. The draft NPS’s have been updated and revised since 2021 with the latest changes being focused principally on seeking views on the importance of both onshore and offshore wind and cutting down the time to process applications relating to such projects as well as proposals to update the civil and military aviation and defence interests to reflect the status of energy developments and how impacts to civil and military aviation, meteorological radars and other types of defence interests should be managed. Much of the content relating to solar development as proposed within the first revised draft versions of EN-1 and EN-3 remains unchanged.
- 5.2.2 The revised draft EN-3 states that solar is a key part of the government’s strategy for low-cost decarbonisation of the energy sector and that government expects a five-fold increase in solar deployment by 2035 (up to 70GW). It is also stated that solar farms can be built quickly and, coupled with consistent reductions in the cost of materials and improvements in the efficiency of panels, large-scale solar is now viable in some cases to deploy subsidy-free.
- 5.2.3 Section 3.10.9 to 3.10.39 of the draft NPS sets out the key considerations and factors that will need to be taken into consideration when selecting sites and these include irradiance and site topography, proximity of site to dwellings, agricultural land classification and land type, accessibility, public rights of way, security and lighting and grid connectivity (section 3.10.9 to 3.10.39 refer). The technical considerations are set out in sections 3.10.40 to 3.10.63) and include capacity of the site, site layout design and appearance, project lifetimes and flexibility. Impacts that will need to be considered are set out in Sections 3.10.64 to 3.10.117 and biodiversity and nature conservation, landscape, visual and residential amenity,

glint and glare, cultural heritage, construction including traffic and transport noise and vibration.

- 5.2.4 Both draft EN-1 and EN-3 are not yet designated and therefore do not ‘have effect’ for the purposes of Section 104 of the PA2008. However, the transitional arrangements set out in these documents confirms that any emerging draft energy NPSs (or those designated but not having effect) are potentially capable of being important and relevant considerations in the decision-making process. The extent to which they are relevant is a matter for the SoS to consider within the framework of the Planning Act and with regard to the specific circumstances of each DCO application. Therefore both the current and draft NPSs identified above, are likely to be matters the SoS will consider relevant and important and taken into account in the determination of the application.

5.3 Local Planning Policy

- 5.3.1 Whilst not determinative under the PA2008, there are a number of local development plan policies that LCC considers to be of relevance to this application and which the ExA and/or SoS are therefore advised to take into account in the determination of the application.

- 5.3.2 It is envisaged that the relevant policies from the development plan will be agreed within a Statement of Common Ground to be produced between the applicant and LCC. However, it is considered relevant and necessary to consider the compliance of the proposal with the development plan policies at this stage and to identify where there is conflict and the nature of impacts that would arise from that conflict.

- 5.3.3 The relevant plans and policies in so far as the development affects Lincolnshire are as follows:

The Lincolnshire Minerals and Waste Plan (Core Strategy and Development Management Policies (adopted 2016) (LMWLP) – the following policy is of relevance in this case:

- Policy M11 – Safeguarding of Mineral Resources

South Kesteven District Council Local Plan 2011-2036 (adopted 2020) (SKLP) – there are several planning policies contained within this document that are relevant to the consideration of the proposal. These are as follows:

- Policy SD1 – The Principles of Sustainable Development in South Kesteven
- Policy SP1 – Spatial Strategy
- Policy SP5 – Development in the Open Countryside
- Policy EN1 – Landscape Character
- Policy EN2 – Protecting Biodiversity and Geodiversity
- Policy EN4 – Pollution Control
- Policy EN5 – Water Environment and Flood Risk

- Policy EN6 – The Historic Environment
- Policy DE1 – Promoting Good Quality Design
- Policy RE1 – Renewable Energy Generation including accompanying Renewable Energy Appendix 3
- Policy ID2 – Transport and Strategic Transport Infrastructure

6. Local Impacts

6.1 The following sections identify, for each topic heading listed below, the relevant policies, the key issues and impacts raised by the proposed development and whether the impacts of this proposal would be positive, neutral or negative.

6.2 Principle of development and renewable energy

Key Policies

- SKLP Policy SD1 – Principles of Sustainable Development in South Kesteven
- SKLP Policy RE1 – Renewable Energy Generation

6.2.1 Policy SD1 recognises the importance of all development in minimising impacts on climate change, with Policy RE1 providing in principle support for renewable energy generation, subject to the consideration of various criteria.

6.2.2 The MPSF would make a significant contribution towards renewable energy generation, providing the electricity to power an equivalent of approximately 92,000 homes. This contribution aligns to key commitments at the national level and within the adopted and emerging National Policy Statements recognising the importance of the Government's commitments to cut greenhouse gases by 80% of 2050.

6.2.3 LCC recognises that solar energy development can help meet targets for reducing carbon emissions, reduce reliance on fossil fuels and provide local energy security. They can also provide economic diversification for farmers and landowners and support local employment opportunities. Therefore whilst the MPSF, by its nature offers significant positive impacts in terms of the production of clean renewable energy and the transition and movements towards Net Zero, in order to be supported it must be demonstrated that there are no significant adverse environmental impacts that cannot be appropriately managed and/or mitigated through the DCO process.

6.2.4 The other sections of this report therefore consider the potential impacts of the development on other factors/topics and the ExA will need to balance these positive impacts against any negative impacts identified within this LIR and that of other host authorities and Interested Parties.

6.3 Landscape Character and Visual Amenity

Key Policies

- SKLP Policy EN1 – Landscape Character
- SKLP Policy DE1 – Promoting Good Quality Design

- 6.3.1 Policy EN1 seeks to ensure that development is appropriate to the character and significant natural, historic, and cultural attributes of the features of the landscape within which it is situated, and contribute to its conservation, enhancement, or restoration.
- 6.3.2 Policy DE1 states (amongst other criteria) that to ensure high quality design is achieved throughout the District, all development proposals will be expected to make a positive contribution to local distinctiveness, vernacular, and character of the area. Proposals should reinforce local identity and not have an adverse impact on the streetscene, settlement pattern or landscape / townscape character of the surrounding area. Proposals should be of an appropriate scale, density, massing, height, and material.
- 6.3.3 LCC commissioned AAH Consultants to assist in the consideration and review of the landscape and visual elements of the MPSF proposal and have engaged and provided feedback and advice to the Applicants design team on behalf of LCC throughout the pre-application stage. AAH Consultants have considered the project as a whole and so not limited its advice to just those parts lying within Lincolnshire. A full copy of their report and comments having reviewed the DCO application documentation is provided in Appendix A and the following assessment is based on those comments and should be read in conjunction with them.
- 6.3.4 The LVIA and the associated figures, appendices and documents that form part of the DCO application provide a thorough analysis of the development. However, there are some questions regarding the selection and exact locations of some of the viewpoints and photomontages and in some instances a more representative view could be identified in close proximity of the selected view. The number of photomontages appears limited especially given the scale of the development and the level of interest during the process to date. Whilst the selection of the viewpoints has been discussed with host authorities during the pre-application consultation stage, the exact location was not in all instances agreed.
- 6.3.5 Some of the images used in the assessment are of less than ideal quality with dark views rendering it hard to ascertain the finer grain of information. The choice of winter imagery is fine but the actual weather at the time of assessment should not diminish the value of the images. Furthermore, the close image of the assessors car in some of these images adds little to the value of the panoramic.
- 6.3.6 Whilst the assessment is considered to be thorough and logical, the assessment considers that only effects classified as Major or Moderate-Major are considered as

significant with all other classifications being 'of lesser concern' and not significant. LCC this approach to be a break with the norm for LVIA's where any classification Moderate and above is considered to be significant and so the LVIA seeks to down-play the impacts of the development.

- 6.3.7 In terms of viewpoint, the 2km study area selected is explained in detail and whilst it is likely most effects do arise in that circumference, the impacts, however intermittent cannot be ignored beyond the 2km boundary. Given the height of some of the taller elements of the development it would have been beneficial for the LVIA to include viewpoints beyond 2km even if just to prove the lack of impact.
- 6.3.8 In terms of impacts on users of the area, there appears to be a lack of appreciation that the road network is used by pedestrians, cyclists and not just motorists. Therefore the assessment of roadside viewpoints needs to consider these multi-faceted users during the assessment.
- 6.3.9 Whilst the masterplan has evolved as the project has progressed, the principles of it are very vague and there appears to be an over reliance upon planting to screen the development without full attention to the impact that such screening itself would have on this open landscape. Furthermore, the numbers of enhancements and interventions proposed as part of this proposal, for example bird and bat boxes, appear light for a project of this scale and the onus on the river corridor whilst creditable encompasses a small section of the development and so should not be the total focus of mitigation.
- 6.3.10 Finally, the construction impacts appear to be under-estimated including visual impact and the impact of damage or loss of vegetation due to access requirements. Additionally, the management plan appears to under-estimate how challenging the current climatic conditions can be when establishing vegetation and so a more robust set of targets and tasks supplemented by methodology for reviewing progress and ensuring compliance is needed.
- 6.3.11 In summary and conclusion, having reviewed the DCO application, LCC is concerned that the development has the potential to transform the local landscape by altering the character of the area and as a consequence of changes to the land use over a large area. Whilst only a relatively small part of the MPSF lies within Lincolnshire the administrative boundary is not a 'hard-line' and therefore the impacts of this change should be seen in the context of affecting the wider landscape character by replacing large areas of agricultural or rural land with solar development which affects the current openness and agricultural character of the area. Therefore, at this stage it is considered that the impacts of the development would be **negative** on the area.

6.4 Ecology and Biodiversity

Key Policies

- SKLP Policy EN2 - Protecting Biodiversity and Geodiversity

6.4.1 Policy EN2 states that all new development proposals will be assessed in relation to biodiversity and ecological networks within the landscape and seeks to facilitate the conservation, enhancement and promotion of biodiversity in the area and to deliver a net gain on all proposals.

6.4.2 LCC does not have an in-house ecologist or advisor however it is noted that the ecology and biodiversity assessment concludes that no direct adverse effects are considered likely to designated sites with impacts on non-statutory local wildlife sites being mitigated through the reinstatement of existing habitats and planting. The greatest loss of habitat would arise as a result of the arable agricultural land however in ecological terms this is judged to represent a more minor loss. As part of the proposal the Applicant has suggested that there would be a substantial biodiversity net gain created across the scheme as part of the Mitigation and Enhancement areas. This gain is cited as being within the region of 71% which is well in excess of the 10% gain that is advocated at a national level and so would be a **positive** impact of the development if delivered.

6.5 Cultural Heritage

Key Policies

- SKLP Policy EN6 – The Historic Environment

6.5.1 Policy EN6 (The Historic Environment) seeks to protect and enhance heritage assets and their settings in keeping with the policies in the National Planning Policy Framework and advises that development that is likely to cause harm to the significance of a heritage asset or its setting will only be granted permission where the public benefits of the proposal outweigh the potential harm. Where development affecting archaeological assets is acceptable in principle, the Council will seek to ensure mitigation of impacts through preservation of remains in situ as a preferred solution and when in situ preservation is not practical, the developer will be required to make adequate provision for excavation and recording before or during development.

6.5.2 The following assessment is based on the comments and views of LCC's Historic Environment Officer which are provided in Appendix B of this report.

6.5.3 LCC has serious concerns about the approach and conclusions made with regard to the impacts of this proposal on cultural heritage assets within Lincolnshire. It is our view that the approach taken has been dismissive and expresses a wholesale devaluation of cultural heritage. LCC has consistently advised the Applicant that there must be enough pre-determination evaluation undertaken to determine the impact of the development upon potential archaeology and enough assessment undertaken to understand the impact on settings of heritage assets and the historic

landscape. Instead the cultural heritage impact of this development is, in our view, diminished and descoped in subjective statements that dismiss the potential of, and impact upon, cultural heritage which is contrary to archaeological best practice as well as the national and local policy and guidance listed within this LIR.

- 6.5.4 Throughout the pre-application stage (i.e. including the Scoping and PEIR stages) LCC has advised on detailed specific requirements for this proposed development and the need to provide a sufficient evidence base to allow for sufficient understanding of the site specific archaeological potential and in order to enable a mitigation strategy to be produced which is reasonable, appropriate and fit for purpose.
- 6.5.5 Chapter 8 of the ES states that *'The suite of desk-based and field investigations has allowed for confident and robust statements (acknowledging any specific and inherent limitations) to be made on the likelihood of the presence of buried archaeological remains, their potential importance, the likely effects of the Proposed Development and to direct a suitable mitigation strategy'* (paragraph 8.1.13). Appendix 8.6 of the ES contains an Interim Trial Trenching report which focuses purely on the results of work completed on trenches located within Rutland however, only a very small percentage of trenching has been carried and as such it has not been possible to properly assess and understand where archaeology is across the impact zone and its extent, depth and character. The trenching programme undertaken focuses on only 209 trenches being excavated meaning there are vast areas of the site which have had no evaluation. The percentage of trenching undertaken is therefore the equivalent of 0.21% of the site and LCC would expect at least 3% trenching to be undertaken in order to achieve a reasonable understanding of the archaeological potential across the site which can then be used to identify significant surviving archaeology and to inform an effective mitigation strategy to deal with the impact on areas of archaeological sensitivity in a reasonable and appropriate way.
- 6.5.6 In respect of trenching works within Lincolnshire, whilst the proposed trenching methodology was agreed with LCC the trenching plans accompanying the WSI were not approved and so whilst archaeology has been identified as surviving within the redline boundary, the extremely limited trenching undertaken within Lincolnshire means there is insufficient baseline evidence for an informed mitigation strategy to deal with the developmental impact on surviving archaeology. The Supplementary Trial Trenching Report (which was submitted by Procedural Deadline A and accepted at the discretion of the ExA - Document ref: PDA-014) is simply the final report following on from the Interim Trenching Report contained within Appendix 8.6 and no further field evaluation has been undertaken. Therefore this document does not alter the views of LCC as stated above.
- 6.5.7 It is LCCs view to undertake woefully inadequate trenching and then extrapolate the results to cover the entirety of the development within the Order limits is illogical and wholly insufficient as the presence and location of any important archaeological remains is currently unknown across the 99.79% of the site. As a single example to illustrate the potential risks and failure to have properly carried

out such archaeological evaluation, the ExAs attention is drawn to paragraph 8.2.12 of Chapter 8 of the ES which states that *'Iron Age activity has been identified through previous archaeological investigations within the centre of the Order limits. These recorded an area of settlement represented by pits, postholes, ditches and a possible waterhole, with occupation dating from the 5th to 2nd centuries BC.'* The full extent of this site is not known and despite three centuries of occupation there is no understanding or evaluation of where any associated human remains would be. Despite this fact, this site, along with the rest of the development impact area, would be subject to piling for which the mitigation strategy consists of the assumption that the piles would probably avoid most archaeological features and that anything that was destroyed is probably not of much importance. Such assumptions are unfounded and so cannot be accepted as an effective mitigation strategy/approach.

6.5.8 In summary and conclusion, LCC has serious concerns about the approach and conclusions made with regard to the impacts of this proposal on cultural heritage assets within Lincolnshire. The approach taken has been dismissive and expresses a wholesale devaluation of cultural heritage and the submission does not meet the evidential requirements as set out in the relevant policy and guidance including Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (Regulation 5 (2d)), NPS EN-1 (Section 5.8) and the National Planning Policy Framework and Policy EN6 of the South Kesteven Local Plan. Therefore based on the information available the development would have a significant **negative** impact on cultural heritage within Lincolnshire, in particular in respect of buried archaeology.

6.6 Highways and Access

Key Policies

- SKLP Policy ID2 - Transport and Strategic Transport Infrastructure

6.6.1 Policy ID2 seeks to ensure that (amongst other matters) development proposals do not severely impact on the safety and movement of traffic on the highway network or that any such impacts can be mitigated through appropriate improvements, including the provision of new or improved highway infrastructure.

6.6.2 LCC, as Local Highway Authority for Lincolnshire, has been involved in a number of meetings with the Applicant's design team and consultants during the pre-application stage. The Transport Assessment element of the ES examines the conventional road transportation impacts of the proposed development, both during the construction and the operational phases. Having reviewed the DCO application, the primary impact of this development will be during the construction phase.

6.6.3 The initial plans for the construction phase have been refined and improved and are detailed in the Outline Construction Traffic Management Plan (OCTMP). The

proposed construction hours are agreed in principle and the numbers of LGVs and HGVs estimated in the OCTMP is also considered acceptable. The routing of HGVs has also been discussed and options considered with the final proposal being for HGVs to arrive using one route (i.e. Route 1) and to depart using another (i.e. Route 3). This proposed routing strategy will lessen the impact of construction vehicles on roads in the area when compared to the use of a single route.

6.6.4 Improvements to the junction of A6121/Uffington Lane are proposed as part of the development and these include upgrading and widening works to accommodate HGVs. Details of these works would need to be agreed, as would temporary road closures required for the installation of cables, temporary speed limits and temporary signalisation of junctions for works. Pre-commencement and post-completion surveys of the local highways should be secured alongside remedial work to be undertaken by the Applicant as part of any DCO as the impact of HGVs associated with the development damaging these features could be negative and significant.

6.6.5 In summary, the **negative** impacts arising from this development in terms of increased traffic, disruption to road users and as a result of junction improvement works, would not be expected to result in an unacceptable impact upon highway safety or a severe residual cumulative impact upon the capacity of the existing local highway network within Lincolnshire subject to the development being carried out as proposed within the DCO application documents and further details being agreed as part of subsequent DCO Requirements. However, as the MPSF only affects a small part of the highway network within Lincolnshire, the ExA are advised to take into account the views of RCC given that the majority of the development, access points and routes used fall within their administrative area.

6.7 Water Resources and Ground Conditions

Key Policies

- SKLP Policy EN5 – Water Environment and Flood Risk

6.7.1 The site is predominantly located in Flood Zone 1, which is an area classed as having a low risk from fluvial and tidal flooding (less than 1 in 1,000 annual probability) and is also predominantly located within an area of very low risk from surface water flooding. Areas of low to high surface water flood risk are however located in the northern, western and central areas of the site however these are associated with the West Glen River (which runs through the MPSF on a general north-west to south-east alignment).

6.7.2 A Flood Risk Assessment (FRA) has been prepared and submitted as part of the DCO application documentation and the FRA concludes that the risk of the proposed development flooding from all sources is negligible and can be effectively managed via drainage measures outlined in the application. LCC, as Lead Local Flood Authority for Lincolnshire, accepts that the solar arrays would not materially affect

the surface water run-off regime provided measures for grass mix are used as proposed by the Applicant. The on-site substation will require a detailed drainage strategy and this would need to be secured as a DCO Requirement.

- 6.7.3 In summary, subject to the development being carried out as proposed within the DCO application documents and further details being agreed as part of subsequent DCO Requirements, LCC as Lead Local Flood Authority for Lincolnshire, is of the view that impacts of this proposal would be **neutral** in so far as they affect Lincolnshire. However, as the vast majority of the MPSF affects land lying within Rutland, the ExA are advised to take into account the views of RCC as set in its LIR..

6.8 Land use and Soils (inc. Agricultural Land)

Key Policies

- SKLP Policy SP1 – Spatial Strategy
- SKLP Policy RE1 - Renewable Energy and accompanying Appendix 3

- 6.8.1 Policy SP1 of the Local Plan and the Renewable Energy Appendix 3 sets a sequential approach to development and in the latter case solar development that seeks to limit the impacts upon Best and Most Versatile Agricultural Land (BMV).

- 6.8.2 That part of the site lying within Lincolnshire covers around 18 agricultural fields (i.e. Field Nos. 36, 45 to 50 (inclusive) and 53) and comprises largely of Grade 3a and 3b agricultural land although there are areas of Grade 2 agricultural land located in both north-eastern and south-eastern edges of the site. Of the 18 fields lying in Lincolnshire, 8 (in full or part thereof) are identified to accommodate the Solar PV Site. The remaining fields, which contain predominately Grade 2 land, have been identified to be retained as Mitigation and Enhancement areas.

- 6.8.3 Whilst LCC acknowledges that the MPSF has been revised to remove fields that predominately comprise ALC Grade 2 BMV land, areas remain within the site and the vast majority of the land proposed for the Solar PV site comprises of Grade 3a land which is still classed as BMV. The loss of any agricultural land can impact upon arable food production with knock-on effects in terms of the associated food production economy and to farm enterprises affected by the development. Although it is noted that areas of land within Lincolnshire are identified to be retained as Mitigation and Enhancement areas, and so could remain in arable use and/or the land beneath the solar panels be used to graze sheep, concerns remain about the impact of the development in terms of the loss of productive arable farmland not only from this site but also when considered in combination with other NSIP scale projects that are currently being promoted across Lincolnshire. LCC is of the view that the cumulative negative impacts of the loss of arable agricultural land places pressure on the function of this important part of the local and wider Lincolnshire rural economy as well as raising questions more generally regarding food security and the carbon footprint impacts as a result of the need to import food due to the consequential changes in land-use. In the case of the MPSF

proposal the impacts are also much greater in that the Applicant is not seeking a time-limited DCO consent and therefore potentially the MPSF would result in the permanent loss of the agricultural land and so should not be seen as reversible.

- 6.8.4 In summary and conclusion, given the overall scale of the project and the loss of agricultural land, of which the vast majority of the site is classed as BMV, LCC considers this loss to represent a significant **negative** impact not only within the local area but also when considered in-combination with the loss of land from other potential NSIP scale solar developments that are also being promoted and considered across the County.

6.9 Socio economic and community

Key Policies

- SKLP Policy RE1 – Renewable Energy Generation and accompanying Appendix 3

- 6.9.1 Policy RE1 and the associated Renewable Energy Appendix 3 sets out the various technical criteria that renewable energy generation should be measured against, but with one of the key criteria being that *'a proposal can demonstrate the support of local communities affected.'*
- 6.9.2 The size and scale of the MPSF would result in a significant and permanent change to the visual appearance and use of the land when compared with its current, largely agricultural use. LCC is aware that there is significant concern in the local community about the MPSF and that these concerns are focused (but not limited to) the overall scale of the development, its consequential impact on the character and appearance of the landscape and in particular from the perspective of Public Rights of Way (PRoW) that pass in and around the Order limits.
- 6.9.3 There are a number of Public Rights of Way in and around the Order limits and whilst these are to be retained and ongoing access maintained, albeit with some temporary diversion, there would nonetheless be a **negative** impact on the recreational value of various public rights of way as a result of the development. Furthermore, whilst it is recognised that the provision of new permissive footpaths is being proposed as part of the development and these have the potential to have a **positive** impact in terms of increasing access routes in and around the local area, LCC has concerns about the mechanism for securing these over the lifetime of the development. Given the applicant is proposing the MSPF on a permanent basis, LCC would suggest that these routes should be secured and adopted as part of the definitive network so as to ensure any positive impacts and benefits of this development are secured for the long-term.
- 6.9.4 Finally, whilst there are some economic benefits associated with the proposed development, the majority of these would be experienced during the construction (and if it ever occurred) decommissioning phases and relate to the creation of employment opportunities and increased spend on local services. Once operational, impacts on the local labour market would be more limited. Therefore

the ExA will need to balance these limited positive impacts against any negative impacts identified within this LIR and that of other host authorities and Interested Parties.

6.10 Minerals

Key Policies

- LMWLP Policy M11 – Safeguarding of Mineral Resources

6.10.1 Policy M11 of the LMWLP seeks to protect mineral resources from permanent sterilization by other development. Proposals that are therefore proposed within a mineral safeguarding area must be accompanied by a Minerals Assessment and will only be granted where it can be demonstrated that it would not sterilise a mineral resource. Where this is not the case then proposals will need to demonstrate compliance with a range of criteria.

6.10.2 Part of the MPSF within Lincolnshire lies within a Mineral Safeguarding Area (MSA) and so a Mineral Assessment has been completed and submitted as part of the DCO application. The Mineral Assessment confirms that there are no allocated minerals sites within the Order limits and concludes that the development is reversible and so would not permanently sterilise minerals within the Order limits, and that there is an overriding need for the development and that it could not be reasonably sited elsewhere.

6.11.3 LCC disagrees that the assertion that this development could not be reasonably sited elsewhere as the Order limits could be reduced in size so as to remove land falling within the MSA. However, and notwithstanding a time-limited DCO is not being sought and so the operational life of the development is as yet unknown, the DCO provides for the decommissioning of the site in the event that the development no longer becomes viable. Therefore in the event that this occurs, any underlying minerals could potentially still be worked in the future and so would not be permanently sterilised.

6.11.4 Whilst LCC does not agree with all the conclusions made in the Minerals Assessment the impacts of this development on mineral resources is considered to **neutral**.

6.12 Other topics

6.12.1 LCC may wish to make further representations as appropriate during the examination and at issue specific hearings relating to matters that are not contained within this LIR. Therefore the comments contained above are provided without prejudice to the future views that may be expressed by LCC in its capacity as an Interested Party in the examination process.

7. Conclusions

- 7.1 This LIR has undertaken a consideration of the likely issues and impacts that LCC considers will arise from the construction and operation of the MPSF in so far as it affects Lincolnshire. The LIR has identified positive, neutral and negative effects at this stage.
- 7.2 The MPSF, by its nature offers positive impacts in terms of the production of clean renewable energy and transition and movement towards Net Zero as well as the potential to deliver significant biodiversity net gain through the creation of mitigation and enhancements proposed as part of the development. There are some limited economic benefits arising from the potential creation of employment opportunities and increased spend on local services during the construction phase however these would be time-limited and therefore need to be balanced against the negative impacts identified.
- 7.3 A number of negative impacts, some significant, have been identified at this stage and these can be summarised as follows:
- A permanent and negative impact upon the landscape character and the appearance of the area as a consequence of changes to the current arable agricultural land use. Whilst only a relatively small part of the MPSF lies within Lincolnshire the administrative boundary is not a 'hard-line' and therefore the impacts of this change should be seen in the context of affecting the wider landscape character by replacing large areas of agricultural or rural land with solar development which affects the current openness and agricultural character of the area.
 - A permanent and negative impact as a consequence of the loss of agricultural land, the vast majority of which is classed best and most versatile land. This loss is not only significant at a local level but significant when considered in combination with the loss of land from other NSIP scale solar developments that are also being promoted and considered across Lincolnshire.
 - Negative impacts on the users of Public Rights of Way in and around the proposed development as a consequence of changes to the visual appearance of the area and views from these routes.
 - Significant negative impacts on potential cultural heritage assets, in particular in respect of buried archaeology, as a consequence of the failure to have carried out undertake sufficient evaluation and assessment at this stage to enable the potential impacts to be identified, assessed and an appropriate mitigation strategy identified.
 - Negative impacts arising from this development as a result of increased traffic, disruption to road users and as a consequence of junction improvement works, albeit these impacts are capable of being reduced within Lincolnshire subject to the development being carried out as proposed within the DCO application documents and further details being agreed as part of subsequent DCO Requirements.

**LANDSCAPE AND VISUAL REVIEW
OF THE DEVELOPMENT CONSENT ORDER (DCO) APPLICATION
FOR THE MALLARD PASS SOLAR PROJECT
FOR
LINCOLNSHIRE COUNTY COUNCIL**

Landscape and Visual Review

Quality Assurance – Approval Status

Version	Date	Prepared by	Checked by	Approved by	Version Details
1	26/05/2023	Kevin Gillespie	Oliver Brown	Tom Ferraby	Initial Draft for client comment
2	30/05/2023	Kevin Gillespie	Paul Booth	Oliver Brown	Issued for Proofing
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Landscape and Visual Review

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Appendices:

Appendix A: Previous AAH Consultation documents:

AAH TM01 Viewpoint comments 05/05/22

AAH TM02 PEIR comments 02/08/22

Appendix B: Landscape Institute Technical Guidance Note 1/20 (10 Jan 2020): *Reviewing Landscape and Visual Impact Assessments (LVIAs) and Landscape and Visual Appraisals (LVAs)*.

Figures:

Figure 1: xx

1.0 Introduction

Purpose of the Landscape and Visual Review

- 1.1 AAH Consultants (**AAH**) has been commissioned to prepare a review of the Landscape and Visual elements of the Development Consent Order (**DCO**) Application for the Mallard Pass Solar Project (the '**Development**'), submitted to the Planning Inspectorate in November 2022, on behalf of Lincolnshire County Council (**LCC**). This follows on from AAH providing landscape and visual consultation with the developer and design team on behalf of LCC at the Pre-Application stage of the project, with AAH correspondence (in the format of Technical Memos) provided within **Appendix A**.
- 1.2 The purpose of this report is to carry out an independent review of the landscape and visual elements of the DCO submission, with a focus on a review of the Landscape and Visual Impact (**LVIA**) chapter of the Environmental Statement (ES), which is based on the guidance provided within the Landscape Institute *Technical Guidance Note 1/20 (10 Jan 2020): Reviewing Landscape and Visual Impact Assessments (LVIAs) and Landscape and Visual Appraisals (LVAs)*, which is included within **Appendix B**.
- 1.3 This report will be utilised to inform and guide LCC input into further stages of work through the Examination of the application for a DCO for the Development, which is a Nationally Significant Infrastructure Project (**NSIP**). This is likely to include input into Local Impact Reports (**LIR**) and Statements of Common Ground (**SoCG**), as well as formal requests for information that may be required through the Examination or at any associated hearings.

About AAH Planning Consultants and The Author

- 1.4 AAH Consultants comprises professional and accredited individuals. Our consultants are chartered members of the Landscape Institute (LI) and the Royal Town Planning Institute (RTPI).
- 1.5 This review has been prepared by Kevin Gillespie, who is a Chartered Landscape Architect within AAH with over 20 years' experience in landscape design and assessment.

Relevant Documents

- 1.6 The Landscape and Visual review is based on the following documents (including sub-appendices) submitted to the Planning Inspectorate, which are available at:

<https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010127/documents>

- Environmental Statement Chapter 6: Landscape and Visual Impact Assessment November 2022;
- Chapter 6 Appendices:
- Appendix 6.1 - Legislation and Planning Policy Relevant to the Landscape and Visual Impact Assessment (LVIA) Appendix
- 6.2 - Landscape and Visual Impact Assessment Methodology Appendix
- 6.3 - Consultation Record and responses relevant to ES Chapter 6: Landscape and Visual Appendix
- 6.4 - Residential Visual Amenity Assessment (RVAA) Appendix
- 6.5 - Amenity and Recreation
- 6.6, Correspondence with LCC, RCC and SKDC regarding LVIA representative viewpoints

Chapter 6 Figures:

- Figure 6.1, Topography;
- Figure 6.2, Non-Statutory Landscape Sites;
- Figure 6.3, Natural England, National Character Area Profiles;
- Figure 6.4, Local Landscape Character Areas;
- Figure 6.5, Access, and Recreation;
- Figure 6.6, Zone of Theoretical Visibility (ZTV), Representative Viewpoints and Illustrative Viewpoints;
- Figure 6.7, Visual Receptor Groups (VRG) and Zone of Visual Influence (ZVI);
- Figure 6.8.1 – 6.8.20, Representative Viewpoints 1 – 20;

- Figure 6.9.A – 6.9.H, Illustrative Viewpoints A – H; Mallard Pass Solar Farm – Environmental Statement Application Document Ref: EN010127/APP/6.1 Chapter 6-2 Planning Inspectorate Scheme Ref: EN010127
- Figure 6.10.A – 6.10.E, Photomontages A – E;
- Figure 6.11, Green Infrastructure Strategy Plan; and
- Figure 6.12, Cumulative Schemes and ZVI Plan.

The Landscape and Visual chapter was read, and is assessed, in conjunction with the following documents;

- Arboricultural Impact Assessment (AIA) (Appendix 15.2) [EN010127/APP/6.2]
- Outline Construction Environmental Management Plan (oCEMP) [EN010127/APP/7.6]
- Outline Operational Environmental Management Plan (oOEMP) [EN010127/APP/7.7]
- Outline Decommissioning Environmental Management Plan (oDEMP) [EN010127/APP/7.8]
- Outline Landscape and Ecological Management Plan (oLEMP) [EN010127/APP/7.9]

Previous Consultation

1.7 As part of the DCO process as stipulated by *The Planning Act 2008 (PA2008)*, AAH have carried out pre-application landscape and visual consultation with the developer and relevant members of their design team, on behalf of LCC, over approximately a 12-month period. This has included discussion and consultation on:

- Expectations of the LVIA, including content and reflection of current best practice and guidance
- LVIA Methodology;
- ZTV parameters;
- Study Area extents (distance);
- Viewpoint quantity and locations;

- Accurate Visual Representations (AVRs), including the quantity and location, as well as type and Level.
- Mitigation Measures/Landscape Scheme/Site Layout;
- Cumulative landscape and visual effects, including identification of sites/projects; and
- Residential Visual Amenity Assessment (RVAA) if there are residential properties with receptors likely to experience significant effects to their visual amenity.

1.8 AAH have subsequently issued two Technical Memos summarising comments and consultation through the Pre-application period, included a review of the Scoping Report (May 2022) and Preliminary Environmental Information Report (**PEIR**) (August 2022). The AAH Technical Memos are included within **Appendix A**.

2.0 Presentation of the LVIA

The following section provides a review of the presentation of the LVIA:

- *Is the LVIA appropriate and in proportion to the scale and nature of the proposed development;*
- *Are findings of the assessment clearly set out and readily understood;*
- *Is there clear and comprehensive communication of the assessment, in text, tables and illustrations;*
- *Are the graphics fit for purpose and compliant with other relevant guidance and standards; and*
- *Are landscape and visual effects considered separately;*
- *Are receptors and all likely effects comprehensively identified;*
- *Does the LVIA display clarity and transparency in its reasoning, the basis for its findings and conclusions; and*
- *Is there a clear and concise summation of the effects of the proposals.*

LVIA Chapter

- 2.1 The LVIA introduction confirms compliance with GLVIA3, and reiterates the purpose is to identify and assess the significance of and the effects of change resulting from the development on both landscape as an environmental resource and on people's view and visual amenity.
- 2.2 Diagram 1 and paragraph 6.1.8 determines significance and states that the largest effects are considered as Major, with the least effects given a classification of minimal. It is stated that only effects classified as Major or Moderate-Major are considered as significant, and all other classifications are 'of lesser concern' and not significant. We consider this a break with the norm for LVIA's where any classification Moderate and above is considered to be significant.
- 2.3 Section 6.2 considers assumptions and limitations, stating that a 2km study area is an appropriate parameter to assess. Given the scale of the development it would have been

useful to identify viewpoints beyond the 2km area to identify the level of impact on the wider landscape.

- 2.4 Paragraph 6.2.3 identifies that photography was undertaken in February 2022 to identify the worst case scenario during the out-of-leaf period. Whilst this was a topic of consultation undertaken with AAH Consultants, it should be noted that the quality of the imagery is at times dark and sometimes lacking quality to determine effect. Illustrative viewpoints have been selected and these have been assessed in June 2022, the illustrative viewpoints were not agreed during the consultation process.
- 2.5 The assumed vegetation growth rates identified in paragraph 6.2.5 appear creditable, but we suggest these would be highly dependent upon the management and maintenance of the new planting. The details of which in the oLEMP appear vague and underestimate the impact of acute climate conditions prevalent in recent years, notably drought and excessive temperatures’.
- 2.6 Determination of the ZTV and the study area is considered in detail from paragraph 6.3.9 and confirms the assumed heights of the structures incorporating the development. The mapping is generated from a worst-case scenario of 13m height and presents a theoretical model of potential visibility. It indicates that the theoretical visibility of the development would generally fall within 2km distance of the Solar PV site and the Onsite Substation. Whilst this does appear plausible it is an omission that no viewpoints have been selected beyond the 2km limit to seek confirmation of the theoretical nature of the ZTV mapping.

LVIA Appendices

- 2.7 The Appendices produced as part of the LVIA provide very detailed supporting information relating to the assessment.

LVIA Figures

- 2.8 The Figures produced as part of the LVIA are appropriate in level of detail provided and clarity of information presented.

3.0 Methodology and Scope

The following section provides a review of the LVIA Methodology:

- *Has the LVIA been prepared by ‘competent experts’;*
- *Is the methodology in accordance with relevant guidance and meet the requirements of the relevant Regulations;*
- *Does the methodology and scope of the LVIA meet the requirements agreed in discussions at the pre-application stage during scoping and consultation;*
- *Has the methodology been followed in the assessment consistently;*
- *Are the levels of effect clearly defined and have thresholds and approach to judging significance been clearly defined;*
- *Is detail about various development stages provided and appropriately assessed;*
- *Have cumulative landscape and visual effects been addressed.*

Methodology

- 3.1 The Methodology to the LVIA is presented in Appendix 6.2; EN010127/APP/6.2. Beginning by reiterating the compliance with GVLIA3 guidance in assessing both landscape effects and visual effects as two related but different components. Reference is made to industry best practice guides including IEMA, Natural England and LI technical guidance notes.
- 3.2 The process of assessment is clearly presented, including a baseline assessment, the detailing of the design and an assessment of the effect of the development on the baseline conditions, to determine the significance of effects.
- 3.3 The baseline conditions have been determined following a mix of desk and field studies alongside consultation with LPAs. Desk research has included Local character Assessments and the Historic Landscape Character Assessment.
- 3.4 At this stage the methodology is clear and in paragraph 1.1.6 clarifies how the information is combined with reasoned judgements to identify which of the receptors are likely to be significantly affected and requires further assessment. As pointed out previously, we differ on the exact determination of what constitutes as significant impact. The operation phase is

assessed from year 1 to 15, which is standard practice and would expect to accommodate the full effects of mitigating factors reaching maturity.

- 3.5 In regards the design, paragraph 1.1.7 confirms that this remains an iterative process, and alongside consultation will help evolve the design. The mitigation aspects of the development are considered within the oLEMP/ Green infrastructure strategy as well as the LVIA.
- 3.6 The assessment of impact is considered from paragraph 1.1.8 utilising both tables and text to identify the threshold of assessment. Three phases of the project are identified, being: construction, operation, and decommissioning. It is noted that “construction and decommissioning stages would not result in any landscape and visual effects of greater significance than those identified for the operational stages of the Proposed Development”. Given the length of construction, and subsequently decommissioning as well as the road network condition relying on narrow roads with soft verges, we consider that this statement is not a true reflection given the potential for adverse effects as a result of the construction activity. We agree that the construction will be phased but dispute the terminology of ‘transient and intermittent’. It is noted that the current designs reveal little about the impact on existing vegetation from construction activity.
- 3.7 Paragraph 1.1.11 considers how the LVIA assesses the effects assessing the receptors against sensitivity (which is based upon susceptibility and value), magnitude of effect before using professional judgement to determine whether the effect is positive, neutral, or negative.
- 3.8 The tables within the methodology (1-7) clearly identify the parameters of assessment and follow standard practice.
- 3.9 Diagrams 1 and 2 are used to support the determination of significance, based on the magnitude of effect. Significance is considered the ‘importance or gravity of effect’. We do not agree with the assessment that an impact is only ‘significant’ if determined to Major-Moderate’ or above and believe the standard convention is that ‘moderate’ and above is the convention for classification as significant. The onus of the assessment of significance should be one of professional judgement, with a need for transparency.
- 3.10 The methodology confirms that impacts can be positive, neutral, or negative
- 3.11 The selection of viewpoints is considered from paragraph 1.1.47 of the methodology appendices. It highlights that the baseline assessment alongside the ZTV has been used to

determine receptors for further assessment. Different types of receptors are considered including walkers, visitors and residents and road users. Visitor Receptor Groups (VRG's) have been identified where the visual effects are likely to be similar on those particular receptors, these include individual settlements, areas of open countryside encompassing a number of highway, PRow, and farmsteads.

- 3.12 The viewpoints are identified as 'samples' on which to base a judgement of the scale of effect. With an illustrative viewpoint potentially representing multiple receptors in some cases. The term 'key viewpoint' is introduced, and it is stated that these will be assessed against duration and extent of impact- where extent reflects the extent to which the development affects the valued qualities of the view. It is not clear how these specific 'key' viewpoints were determined and given the scale of the development and the cumulative nature of the impact it is likely that all viewpoints would be key by this definition.
- 3.13 The process of delivering photomontages is presented within paragraph 1.1.57. However, the quality of the photography in some of the images is dark and makes fine grain analysis at times difficult. I am uncertain if these were agreed with LCC. Given a project of this scale a larger number of photomontages would have been appropriate and again some of the locations could have been scrutinised with more care to ensure the best representative view was selected.
- 3.14 The methodology concludes with an assessment of cumulative factors considered within the LVIA, again this is clear and well presented. Transport users are considered for sequential impacts as well as the potential for other PV developments within the study area.

4.0 Appraisal of Landscape Baseline and Effects

The following section provides a review of the Landscape Baseline and Effects:

- *Has the methodology been followed in the landscape assessment;*
- *Are all landscape receptors and all likely effects comprehensively identified and assessed;*
- *Has the value and susceptibility of landscape resources been appropriately addressed and at appropriate scales (e.g., site, local, regional, and national);*
- *Is there a clear and concise summation of the visual effects of the proposals; and*
- *Are potential cross-over topics, such as heritage or ecology, addressed.*

Landscape Baseline

4.1 The Landscape Baseline is considered in section 6.3 of the LVIA, Figure 3.1 confirms the Order limits, the area covers 852 hectares of undulating arable farmland. The baseline does follow the methodology and begins by describing the underlying conditions, identifying, through the use of figures aspects such as topography in succinct detail. The production of the ZTV, which is shown on Figure 6.6 is described in some detail with a PV height of 3.3m, ancillary buildings with a height of 6m, the transformers are set at 10.5m, the largest element being the lightning surge protection mast structure being set at 13m. Consequently, two ZTV were modelled at a height of 3.3m and 13m to capture worst case scenario. Paragraph 6.3.14 reiterates that the modelling of ZTV represents a theoretical reconstruction of potential visibility which, whilst using the bare earth approach is not taking in to account local vegetation or built features.

4.2 Theoretical visibility (figure 6.6) is described in paragraph 6.3.16 it is stated that visibility beyond 2km is fragmented and dispersed, with intervening landform, woodland and hedgerows meaning that there would be minimal or no visual effects arising from the proposed development. Given the landform and vegetation it is plausible to suggest that beyond 2km the visibility of the development as a whole will be diminished but it is conceivable that at certain points the development will be visible in the wider landscape and will represent a notable change. No viewpoints have been selected for consideration beyond the 2km scope and considering this is a

theoretical model it would have been prudent to test the assertion with fieldwork assessment, included within the LVIA for clarity.

- 4.3 The baseline landscape character is considered in detail from paragraph 6.3.24. It follows the stated methodology and details the studies that have been consulted to appraise.

Landscape Assessment

- 4.4 The Landscape Assessment focuses on the appraisal of impact from the 20 selected viewpoints and the 8 illustrative viewpoints. The consultation process that led to the selection of these viewpoints is detailed. The assessment commences with a review of Natural England's National Character Areas (NCA), the development lies within four NCA areas and each is considered in detail individually across the LVIA. It is considered in paragraph 6.3.29 that the development will contribute towards the Statements of Environmental Opportunities (SEO) for NCA 75. However, given the unconfirmed nature of the proposed mitigation the assertion is broad, it is not assessed further within the LVIA. It is welcomed, however, that the SEO's have informed the site layout. We would need to assess this matter further as the detail of mitigation and enhancements progresses.
- 4.5 In line with best practice methodology, the assessment of the LCA's progresses from national to local and finer grain. This finer grain includes the Lincolnshire Historic Landscape Characterisation project, Regional Character Areas, and Character zone SCL3 (Kesteven Parklands). The local landscape character areas (LCA) for both Rutland County Council (2003) and South Kesteven district Council (2007), Carlby Parish Council (2017) provide a baseline for assessment at the finest grain. LCA's beyond the 2km study area were not assessed as it was considered due to desk and fieldwork that the proposed development would result in minimal or no effect. As stated before, whilst this may be correct, it is likely that the development will be notifiable in the wider landscape beyond the 2km barrier and viewpoints to highlight the extent of this would have been useful.
- 4.6 The different character areas have been used to inform the baseline study of the LVIA through the description of the present landscape, the history of the landscape, legibility, and drivers of change.

5.0 Appraisal of Visual Baseline and Effects

The following section provides a review of the Visual Baseline and Effects:

- *Has the methodology been followed in the visual assessment;*
- *Are all visual receptors and all likely effects comprehensively identified and assessed;*
- *Has the value and susceptibility of visual resources been appropriately addressed;*
- *Is there a clear and concise summation of the visual effects of the proposals;*
- *Are the viewpoints that have been used appropriate and meet the number, location and requirements agreed in discussions at the pre-application stage during scoping and consultation; and*
- *Are the Visualisations/Photomontages that have been used appropriate and meet the number, location and requirements agreed in discussions at the pre-application stage during scoping and consultation.*

Visual receptors

- 5.1 Paragraph 6.3.50 uses GLVIA3 to define Visual receptors as; “the different groups of people who may experience views of the development”. Following fieldwork relevant Visual Receptor Groups (VRG’s) have been identified
- 5.2 Twenty representative viewpoints have been identified which resulted from a series of consultations with the local planning authorities, although the final selection was not agreed. These are listed in paragraph 6.3.51 and figures 6.8.1 to 6.8.20. It is considered that the selection of the viewpoints does reflect the consultation, the site particulars and provides a good range of users, however the lack of selection beyond the 2km barrier to help ascertain the assertion that visibility is minimal of the development would have been beneficial. The LVIA is light on detail regarding the rationality of the final selection criteria.
- 5.3 Eight illustrative viewpoints, figures 6.9A-6.9H are used to demonstrate a particular effect or specific issues. Again, these have been the subject of consultation. We are of the opinion that the selection of some of these is debatable and that other more appropriate locations would have aided more to the assessment process.

5.4 Visual receptor groups including residents, people at their places of work, motorists using local roads, passengers on railways and walkers/ horse riders using PRow are assessed and cross referenced to the representative viewpoints. There are fifteen in total (Table 6.1 and Figure 6.7). In instances where a VRG would extend beyond the study area it is uncertain if the VRG has been assessed in full or just to the extent of the 2km boundary. There is no indication of any groups identified beyond the 2km area nor the grounds for scoping out. Within the study area the local roads are often used by walkers, horse riders and cyclists yet it does not appear that this multi-use nature has been considered with the onus on motorists.

Visualisations/Photomontages

5.5 The twenty representative viewpoints are covered in figures 6.8.1 to 6.8.20 and were assessed in September 2022. Whilst the consultation process regarding the preferences for the viewpoint selection is noted, the specific location selection has on occasions missed the most optimum location or orientation. Following recent fieldwork, which replicated the views, there are a number of occasions where a better view could have been located a short distance, for example further along a footpath or a field gate instead of over a hedge. On some occasions a vehicle is dominant within the shot, to the detriment of the actual focus of the view. Whilst we agree to the worst case scenario being adopted with an autumn/ winter view without vegetation, some of the views are too dark to appreciate the finer grain of the wider landscape. Our assessment of the viewpoints was undertaken in early April 2023.

5.6 The illustrative viewpoints which are shown in figures 6.9A to 6.9H were assessed in August 2022 on a bright day and the quality of the images is superior to the representative viewpoints. Again, the precise selection of location may have been better chosen to yield a truer representation of the effect of the development for the particular receptor. These were not assessed for impact, the rationale behind their selection without assessment is not confirmed.

5.7 The five photomontages selected are represented in figures 6.10A to 6.10E, again some of the imagery is dark and once again the location could have been more carefully selected to yield a truer representation at slightly different locations without compromising the requirements laid out through the consultation. In some of the photomontages the scale of the tree guards in the images appear out of scale. The images assume full continuous establishment of the mitigation planting, which would require a robust management strategy, for the full duration of establishment extending to year 15. Given the scale of the

development only having 5 photomontages seems a small number, the rationale behind their selection is not confirmed.

- 5.8 Local landscape character and value is considered from paragraph 6.3.71, beginning by highlighting that within the DCO there are no statutory or non-statutory landscape designations or areas of defined landscape as described NPPF 174(a), with a relatively low requirement for landscape protection in accordance with the hierarchy of landscape designations outlined in paragraph 175 of the NPPF.
- 5.9 The assessment of value has identified a range of landscape features and characteristics that contribute to the value of the local landscape and in doing so the guidance included within Landscape Institutes TGN02/21 *Assessing landscape value outside national designations* has been referenced. The features are described briefly in 6.3.72. the desk based assessment alongside field work draws an assessment that the landscape within the order limits would be of local/ District value to which we agree.

6.0 Appraisal of Cumulative Landscape and Visual Effects and Residential Visual Amenity Assessment

The following section provides a review of the cumulative effects and Residential Visual Amenity Assessment (RVAA):

- *Have cumulative landscape and visual effects been addressed;*
- *Are the RVAA and cumulative effects methodologies in accordance with relevant guidance and meet the requirements of the relevant Regulations;*
- *Does the methodology and scope of the assessment of cumulative effects and RVAA meet the requirements agreed in discussions at the pre-application stage during scoping and consultation;*
- *Has the methodology been followed consistently;*
- *Are residential and cumulative receptors and all likely effects comprehensively identified; and*
- *Are any residential properties (receptors) likely to experience significant effects to their visual amenity.*

Appraisal of Cumulative Landscape and Visual Effects

5.1 Cumulative schemes are considered commencing paragraph 6.5.103 and detailed within figure 6.12. The definition of cumulative effects is given as ‘those that arise where the visibility of other developments overlaps or combines with the proposed development to incur an incremental effect’. The section reiterates the objectives of GVLIA3 in regards the assessment of cumulative impact, with this in mind the long list was presented for consultation with PINS and local authorities, this was then refined to planning applications that are considered to be relevant to the proposed development and those are listed in table 6.3 and shown on figure 6.12. None were considered to provide significant cumulative landscape and visual effects given the distance and intervening vegetation or in the case of the warehouse (ID5) its location within an established commercial area.

7.0 Mitigation and Design

The following section provides a review of the Mitigation and Design:

- *Is there evidence of an iterative assessment-design process and it is clear that this has informed the site redline, layout and primary and secondary mitigation;*
- *How appropriate is the proposed mitigation;*
- *Are potential cross-over topics, such as heritage or ecology, addressed and incorporated within the mitigation; and*
- *Is the long-term management of existing and proposed vegetation properly addressed in any long term management plans to promote establishment.*

Evidence of Iterative Process

5.2 Mitigation proposals, described in the LVIA reference a series of documents within the DCO package, these include the Hedgerow plans Figure 2.5 which show the scale and location of hedgerows to be removed as a result of the development. Figures 4.1-4,3 show the development of the masterplan from stage 1 to stage 2 and then the concept masterplan. Appendices 7.6 to 7.9 provides information regarding the Outline Construction Environmental Management Plan, the Outline Operation Environmental Management Plan, the Outline Decommissioning Environmental Management Plan, and the Outline Landscape and Ecological Management Plan (oLEMP). Figure 6.11 details the Green Infrastructure Strategy Plan.

Mitigation Measures

5.3 Combining all of the information presented both in these documents and the mitigation section of the LVIA, the overall strategy of mitigation can be summarised below:

- The development will be sited within the existing landscape structure, with the retention of the existing landscape fabric, this includes woodlands, hedgerows, ditches, and watercourses. This excludes hedgerows in the areas shown in figure 2.5, where it is necessary to remove for access purposes.
- New planting, which is described as 'substantial' across and throughout the order limits to provide visual screening to benefit the wide scale landscape character.

- Infilling and gap filling of hedgerows where necessary facilitating the reconnection of landscape features as well as providing visual screening
- 5.4 The design has evolved and appears to have responded to the consultation process, there is clear evolution from stage 1 to stage 2 of the masterplan. The mitigation has responded to the recommendations of the local landscape character area reports.
- 5.5 Of concern is the potential over reliance upon planting to mitigate the visual effect of the development, the character of the area is relatively open and too much planting without due care for location, simply to screen could have detrimental impacts. The numerous PRow's as well as the local roads enjoy an open aspect across the study area and care needs to take to prevent the loss of this character through an overbearing set of mitigation proposals. It is noted the offsets proposed, and these with careful design, will go some way to address the matter raised.
- 5.6 Section 3 of the oLEMP lists six objectives of the landscape and ecological mitigation including the desire to provide a minimum Biodiversity Net Gain of 10%, which it is considered will be achieved by creating new and diverse habitats. Alongside the new habitats, existing habitats will be enhanced through positive management to improve conditions. The West Glen river corridor is identified as a key part of the development site to enhance both to alleviate the channelisation and provide enhanced public access. A further feature of the mitigation includes the enhancement through planting of existing PRow's and new permissive footpaths. Objective 5 considers the provision of greater opportunities for protected species and species of concern. Paragraph 3.1.14 lists the aims of the objective including the erection of 50 bird and 50 bat boxes across the development site. This seems a light number for both given a site of this size. Objective 6 considers the mitigation measures around existing PRow's; it is imperative that the desire to screen does not overshadow the open appeal of the landscape. A 15m corridor could still at times have the potential to feel hemmed in and valuable long range views could be compromised. It is therefore important as the design and mitigation develops that the siting of the development considers the long-range views as well as the benefits of mitigation planting.
- 5.7 Section 4 details the required works to help ensure the objectives are achieved, and this links with the table in Appendix 1. Preconstruction, construction and enabling works requirements are given in detail. There is reference to the outline soil management plan, which mainly relates to the stripping of soils for the onsite substation. Enabling works mentions the protection of existing trees with the protection following BS5837 under the

guidance of an Arboricultural method statement, all of this adheres to best practice. Operational management is detailed with reference to the river corridor followed by a detailed description of the proposals for each of the habitat types e.g., hedgerows, woodland, calcareous grassland. It is useful to split this, but again, some more information is required as it is still vague at this stage of the design process.

- 5.8 It is welcome that the tree guards will be biodegradable and will be removed after year 2 from planting.
- 5.9 Appendix 1 of the Outline Operation Environmental Management Plan details the provision for management across 5 years in detail and then the measures proposed year5+. Additional management every 5 years and 10 years is also shown. This appears to offer sufficient management to ensure the objectives of the masterplan would be achieved. It is however at this stage vague, for example, in regards woodland it mentions 'regular watering' but given the on-going climatic conditions it would be useful to ascertain much more detail regarding this matter alongside the monitoring and replanting expectation in the event of failures rendering the objectives of the masterplan compromised.
- 5.10 Monitoring of the proposals is a key aspect of the mitigation plan and perhaps something which needs further development to ensure there is robustness to deal with the challenging climatic conditions when it comes to establishing new plantings. The regular updating of the LEMP will go some way to ensuring that is kept valid and can respond to issues and trends effectively. The updating every 5 years following the initial establishment period will also ensure that the LEMP can adapt to varying conditions.

8.0 Conclusions and Recommendations

The following section provides an overall summary and conclusion on the suitability of the Landscape and Visual elements of the DCO Application. This includes the adequacy of the LVIA, reviewed in accordance with the Landscape Institute *Technical Guidance Note 1/20 (10 Jan 2020): Reviewing Landscape and Visual Impact Assessments (LVIAs) and Landscape and Visual Appraisals (LVAs)* and whether it is sufficient to support making an informed decision.

Also, the Landscape and Visual elements of the supporting information (as listed in **Section 1.6** of this report) has been reviewed and comments made where relevant.

Finally, recommendations for further information to be sought are provided to assist in the Examination of the DCO Application.

Summary and Conclusions on the LVIA

- 6.1 The LVIA and the associated figures, appendices and documents provides a thorough analysis of the development. There are some questions regarding the selection and exact locations of some of the viewpoints and photomontages. Following a site review, in some instances a more representative view could be identified in close proximity of the selected view. The number of photomontages appears limited especially given the scale of the development and the level of interest during the process to date. Whilst the selection of the viewpoints has been an aspect during consultation, the exact location was not in all instances agreed.
- 6.2 Some of the images are of less than ideal quality with dark views rendering it hard to ascertain the finer grain of information. The choice of winter imagery is fine but the actually weather at the time of assessment should not diminish the value of the images. The close image of the assessors car adds little to the value of the panoramic.
- 6.3 The assessment is thorough and logical, although the conclusion that only Major or Moderate-Major are to be considered as significant is not a standard conclusion. We consider all effects moderate and above to be significant, so therefore dispute some of the conclusions of impact. The process of assessment is thorough and well explained in the volumes.
- 6.4 The 2km study area selection was explained in detail and whilst it is likely most effects do arise in that circumference, the impacts, however intermittent cannot be ignored beyond

the 2km boundary. There is no viewpoints beyond the 2km, even if just to prove the lack of impact.

- 6.5 There appears a lack of appreciation that the road network is used by pedestrians, cyclists etc not just motorists so the assessment of roadside viewpoints need to consider these multi-faceted users during the assessment.
- 6.6 The masterplan has evolved but the principles of it are very vague, there appears an over reliance upon planting, just to screen, without full attention to the impact of screening on this open landscape. The LVIA and appendices does not go into a lot of detail about the level of care to ensure the design of mitigation enhances the visitor, other than just screening the development.
- 6.7 The numbers of interventions for example bird and bat boxes, appear light for a project of this scale, also the onus on the river corridor is creditable, but it encompasses a small section of the development so should not be the total focus of mitigation.
- 6.8 The management plan appears to under-estimate how challenging the current climatic conditions can be when establishing vegetation, so we would wish to see a more robust set of targets and tasks supplemented by methodology for reviewing progress and ensuring compliance.
- 6.9 The construction impacts appear to be under-estimated including visual impact and the impact of damage or loss of vegetation due to access requirements. Again, we would wish to see more firmed up details regarding this matter.

Technical Memorandum 1 (AAH TM01)

Lincolnshire County Council, Mallard Pass, Essendine Solar Project

Visual Amenity: Viewpoint Comments

Following the meeting held on Tuesday 5th April 2022 over Microsoft Teams to discuss Landscape Viewpoints, a more focussed meeting was held on the 6th April 2022 between landscape architects from AAH and LDA to go over the general site visibility, viewpoints and potential receptors. We have reviewed the information presented to date provided by LDA, including the Mallard Pass Scoping Report, and subsequently attended site over the week commencing 11th April 2022.

We walked the Mallard Pass Solar site and surrounding area and visited all the viewpoints currently proposed by LDA. The proposed viewpoints were identified on the draft drawing: *7863_100 Zone of Theoretical Visibility (ZTV) Study Including Woodlands and Settlements – Proposed Viewpoints* (Dec 2021) that was appended to the LDA letter dated 10 January 2022. However, following the discussion on 6th April 2022, it was highlighted that through further fieldwork and consultation some additional viewpoints would be proposed by LDA. These were highlighted within the discussion and these additional potential locations were also visited on site by AAH.

Following this, we have the following general comments and requests:

1. Comments provided are based on the information provided to AAH and AAH fieldwork carried out to date. Therefore any comments are based on the layouts currently provided, which are confirmed as illustrative and undergoing development. This is to be expected as part of an iterative process. While we understand that the information provided to date is not intended to undergo wholesale changes, the layout is undergoing design development and subject to the final layouts presented, additional viewpoints or information may be requested. This is particularly pertinent for taller/larger elements such as sub stations or battery storage which due to their mass will likely be more conspicuous in the landscape.
2. Could an updated ZTV be issued to LCC/AAH when available with any additional proposed viewpoints illustrated. This would be a particularly useful set of information if this included the selected viewpoints, PROW and Roads marked on also. It should also be clear as to the height, extent and location of any proposals that the ZTV has been generated upon. Once these viewpoints have been located, AAH will be able to review on site;
3. When available/agreed, please could further details be provided about the final PV Arrays selection from the two options indicated within para. 3.1.7 of the Scoping Report. The final dimensions should also be clarified at this point and ZTV updated accordingly;
4. When available/agreed, please could further details be provided about the final Inverter selection from the two options indicated within paras. 3.1.14 to 3.1.16 of the Scoping Report. The final dimensions should also be clarified at this point and ZTV updated accordingly (and if appropriate);
5. The locations of ancillary elements, such as fencing, Battery Storage, Inverters, Transformers and Switchgears will be important in reducing visual impacts as these may appear more conspicuous than uniform PV arrays – their location should be carefully considered in relation to visual receptors, but also relating to the PV Arrays. The final size and location of

all these ancillary elements should be provided and indicated on the layouts when available to enable their impact to be understood;

6. Please could further details be provided about the on-site substation and control buildings (paragraph 3.1.22 of the scoping report), including location, size/massing and height, including what features would be 13 metres in height. As at this stage we do not have this information, the location of this would likely have visual impacts that would require additional viewpoints beyond those initially identified;
7. Please could further details be provided about the secondary points of access (paragraph 3.1.35 of the scoping report), including location, width of opening, vegetation removal, and surface material. As at this stage we do not have this information, the locations of these may have visual impacts that would require additional viewpoints beyond those initially identified;
8. Please could further details be provided about the implications on existing vegetation to facilitate construction access (paragraph 3.4.3 to 3.4.5 of the scoping report), both on site and along the access route to the site. As at this stage we do not have this information, the implication of this enabling work may have visual impacts that would require additional viewpoints beyond those initially identified;
9. While viewpoints from the railway line are not able to be safely obtained, views from receptors traveling on trains are likely and should be considered within the assessment; and
10. In regards to heritage assets (Listed Building and Scheduled Monuments), we would like to see the intervisibility with each of the key designated heritage assets (or groups of assets) identified within the study area be considered and where appropriate evaluated as part of the assessment, and the steps to mitigate the impact need to be set out.

The following comments are in regards to visibility of the site from specific receptors and viewpoints, and the plan attached to this memo should be referred to for these target notes, which we would suggest are discussed at a further workshop prior to finalising. All photography should provide the most advantageous views of the site and proposed development:

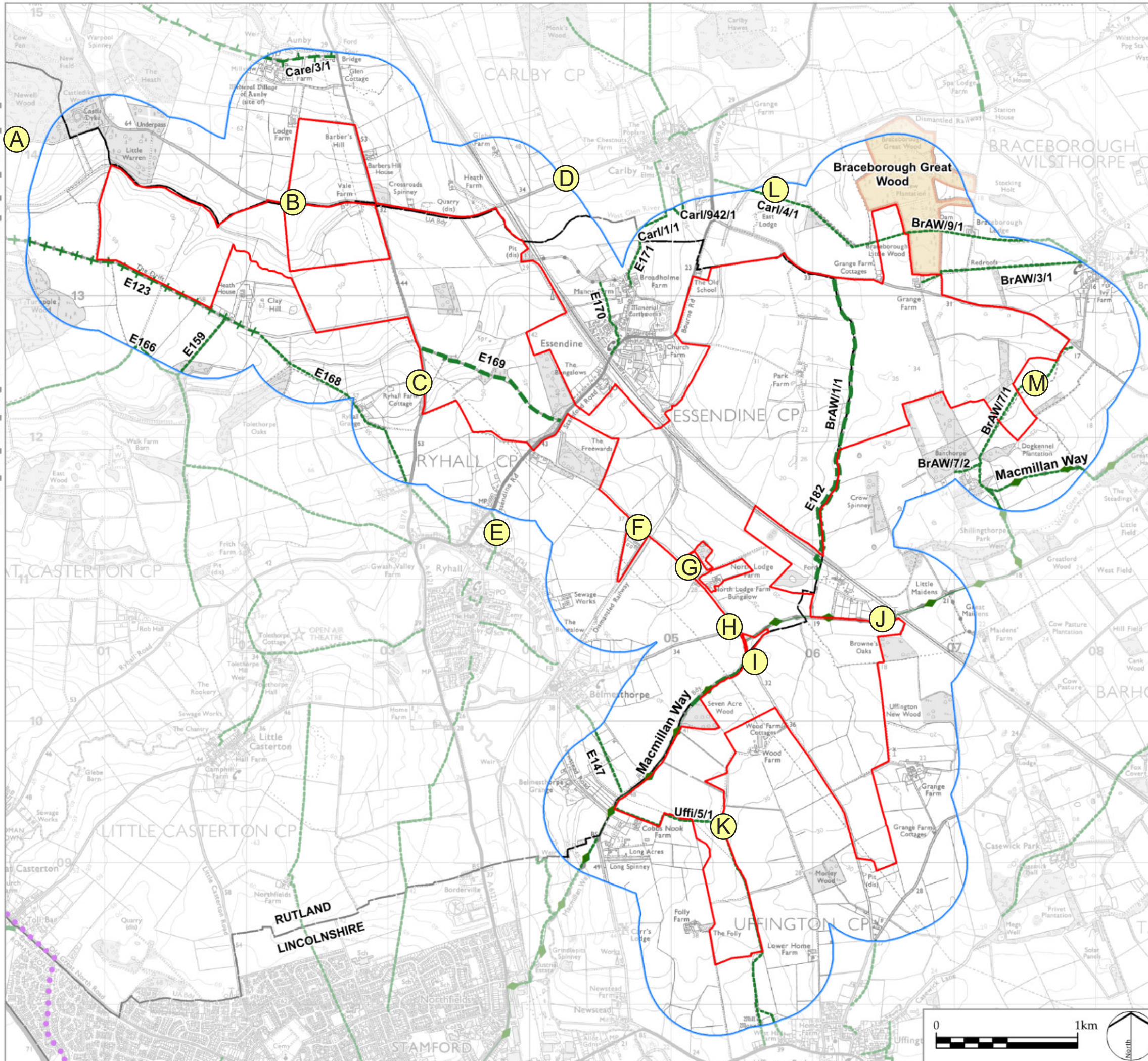
- A. **Additional viewpoint included from the lane south of Newell Wood.** There are likely views from a high point along this road, approximately at the location of a small pull in/lay-by, that allows views east and south east to the western area of the site;
- B. **Additional viewpoints included from the lane between Newell Wood and Vale farm.** There are several gaps in the carriageway vegetation allowing clear views north into the site, and potentially southern views, however these would be across an open field (not within the site redline) to the development;
- C. **Additional viewpoint included from b1176 AT Keepers Cottage Access.** There is a clear framed view to the northern extent of the site (just south of Crossroads Spinney and car/HGV storage yard);
- D. **Additional viewpoint included from high point along lane between Carlby and Railway Line.** There are views over low hedgerows from users travelling west along this lane to central and western areas of the site;

- E. It is unclear as to whether the PROW that runs between Back Lane to Essendine Road, north east of Ryhall, has views – please could this be reviewed and a clear statement provided as to potential views and them being reviewed and subsequently scoped out.
- F. **Additional viewpoint should be included from along Essendine to illustrate site access impacts.** The creation of the access and site lines will open up views of the site, particularly at construction and year 0/1;
- G. **Additional viewpoints included from along Essendine looking west.** While the layout is still being developed, as it is likely there will be taller elements (sub station) located in close proximity to the road, it is likely there will be views of these elements above the hedgerow;
- H. **Additional viewpoints included from junction of Main Street and Essendine looking east.** There are views over the low carriageway hedgerow along Essendine into the site.
- I. **Additional viewpoints included from Macmillan Way PROW at junction with Essendine looking east.** There are clear views over the low carriageway hedgerow along Essendine into the site for receptors travelling east along this PROW, and also the low hedgerow allows oblique views into the site from users of Essendine.
- J. **Additional viewpoints included from Macmillan Way PROW looking south/south west.** There are views directly into the site through numerous gaps in the low carriageway hedgerow along this PROW.
- K. **Additional viewpoint included from PROW Uffi/5/1 looking north.** There are likely direct open views directly into the site. Based on the current indicative layout, it has been assumed views from the southern section of this PROW have been omitted as they would be of landscape mitigation areas only.
- L. **Additional viewpoint included from PROW Carl/4/1 looking south.** There are likely views into the site from this PROW. While similar to proposed viewpoint B from Carlby Road, this would represent a wider northern view from more sensitive receptors.
- M. Based on the current indicative layout, it has been assumed views from PROW BrAW/7/1 have been omitted as they would be of landscape mitigation areas only.

As stated, at this stage we do not have details on the location and appearance/extent of taller/larger elements that for part of the development which would likely have visual impacts that would require additional viewpoints beyond those initially identified.

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05 May 2022



LEGEND

- Solar PV Siteboundary
- Study Area(500m)
- District Boundary
- National CycleNetwork Route
- Open AccessLand
- Public Rights of Way**
- Footpath
- Brideway
- + + + RestrictedByway
- + + + Byway open to all traffic
- x x x Longdistancefootpath

LDĀDESIGN

PROJECT TITLE
MALLARD PASS SOLAR FARM

DRAWG TITLE
Figure111: Amenity and Recreation

ISSUED BY	Oxford	T: 01865 887050
DATE	March 2022	DRAWN SG
SCALE @A3	1:27,000	CHECKED GE
STATUS	Draft	APPROVED RP

AAH MARK UP
REFER TO AAH TM01
May 2022



Technical Memorandum 2 (AAH TM02)

Lincolnshire County Council, Mallard Pass Solar: PEIR Landscape and Visual Comments

Introduction

AAH Consultants have reviewed the Mallard Pass Solar Farm: *Preliminary Environmental Information Report* (PEIR), on behalf of Lincolnshire County Council (LCC), in relation to Landscape and Visual matters. PEIR information downloaded from: <https://www.mallardpassolar.co.uk/documents> and the documents that have been referenced, are as follows:

- **Preliminary Environmental Information Report Volume 1: Main Text:**
 - Chapters 1 to 5 (not formally reviewed, but used to provide context to the site, development layout and proposals that would form the parameters for assessment);
 - Chapter 6: Landscape and Visual (main focus of AAH review);
 - Chapter 7: Ecology and Biodiversity (not formally reviewed, but to provide ecology context to the layout and landscape and visual matters).

- **Preliminary Environment Information Report Volume 2: Figures**
 - Figure 1.1 Site Location Plan
 - Figure 1.2 Administrative Boundaries
 - Figure 3.1 Extents of the Site, Solar PV Site, Mitigation and Enhancement Areas and Potential Highway Works
 - Figure 3.2 Field Numbering System
 - Figure 4.1 Stage 1 Concept Masterplan
 - Figure 4.2 Stage 2 Concept Masterplan
 - Figure 5.1(a) FSF Illustrative Development Layout
 - Figure 5.1(b) SAT Illustrative Development Layout
 - Figure 5.2 Indicative Elevations of Fixed South Facing and Single Axis Tracker Arrays
 - Figure 5.3 Indicative Elevations of Central Container Inverter
 - Figure 5.4 Indicative String Transformer / Switchgear Container
 - Figure 5.5 Indicative Primary Onsite Substation layout
 - Figure 5.9 Indicative Security Fencing and Access Gate Location
 - Figure 5.10 Site Access Locations
 - Figure 5.11 Indicative Access Track Cross Section
 - Figure 5.12 Indicative location of Primary and Secondary Temporary Construction Compounds
 - Figure 6.1 Topography
 - Figure 6.2 Landscape Policy
 - Figure 6.3 National Landscape Character Areas
 - Figure 6.4 Local Landscape Character Areas
 - Figure 6.5 Access and Recreation
 - Figure 6.6 ZTV and Viewpoint Locations
 - Figure 6.7 Zone of Visual Influence and Visual Receptor Groups
 - Figure 6.8.1 – 6.8.14 Baseline Photopanels and Representative Viewpoints
 - Figure 6.9.1 – 6.9.5 Photomontages
 - Figure 6.10 Stage 2 Green Infrastructure Strategy Plan

- Figure 9.1 Construction Access Routes and Vehicular Restrictions
- **Preliminary Environment Information Report Volume 3: Appendices**
 - Appendix 5.1 Outline Construction Environmental Management Plan (oCEMP)
 - Appendix 5.2 Outline Landscape Ecological Management Plan (oLEMP)
 - Appendix 5.3 Outline Decommissioning Environmental Management Plan (oDEMP)
 - Appendix 6.1 LVIA Methodology
 - Appendix 6.2 Visualisations and ZTV
 - Appendix 6.3 Landscape National Planning Policy
 - Appendix 6.4 Residential Visual Amenity Assessment
 - Appendix 6.5 Recreation and Amenity Assessment
- **Indicative Sections (3no. sheets).**

The review takes into account previous AAH comments (Refer to Mallard Pass *AAH TM01*), as well as meetings held with LDA and any subsequent meeting minutes. The comments provided are intended to assist in guiding the next (final) stage of the process development, refinement of the content of the LVIA chapter and the overall development proposals. It is not a review of any of the preliminary findings or initial assessments.

PEIR Landscape and Visual Comments

A. Main Overarching Comments on the PEIR:

1. The proposed development is subject to EIA, and a Scoping Report was issued by the developer: *Mallard Pass Solar Farm, Scoping Report*, prepared by LDA Design, February 2022, which contained a section on LVIA. Subsequently, a *Scoping Report Review* was carried out by LCC (4th March 2022) which was appended to the *Scoping Opinion* issued by PINS dated: 18th March 2022. Overall the scope of the LVIA is generally aligned with the scoping report and scoping opinion, as well as other AAH comments (*AAH TM01*) and meetings held with LDA.

However, notably paragraph 6.3.21 and the LVIA methodology still indicates that effects of Major-Moderate and above would be considered Significant, which is higher than typically acceptable, as we would expect that moderate effects may also be deemed to be significant. Further comments are provided below.

2. It should also be noted that a Technical Memo containing detailed comments on Viewpoints and pertinent issues was issued to LDA by AAH/LCC (refer *AAH TM01*), which have not been acknowledged or incorporated into the PEIR. We request that this information is discussed further with the development team as it is key to agree these, as far as is possible based upon layouts, prior to the LVIA and ES submission. *AAH TM01* identifies several additional viewpoints to be considered that have not been captured within the PEIR.
3. As outlined within Chapters 3 and 4 of the PEIR, the development proposals are still being developed and finalised. This includes the type of panel and location of taller/larger elements such as substations and battery storage. While it is understood that some aspects of the scheme cannot be confirmed “until the tendering process for the design and has been completed and the detailed design details have been approved by the local planning authorities”, we would expect a reasonable level of design fix for the final ES which would

clearly set out the parameters of the development, such as heights and locations of elements that have been used in the assessment, which if there are still some outstanding design and layout elements to be finalised would be based on a “worst case” scenario to ensure any effects are not underplayed. This is particularly important for larger and taller elements such as sub stations or battery storage.

4. It is requested that further landscape and visual consultation is carried out between AAH and District Authority landscape specialists and the developer team (LDA) following the conclusion of this second formal consultation phase. This would likely cover the PEIR comments and *AAH TM01* as well as development proposals and mitigation scheme, and location of any larger structures or buildings such as the substations, extent of vegetation loss for highways works, and also subsequent knock-on effects such as any requirement for additional viewpoints or AVRs.

B. Detailed Comments on Preliminary Environmental Information Report Volume 1: Main Text:

1. In regards to the landscape and visual matters of the proposed development (**Chapter 5 of the PEIR**):
 - Comments on the **Project Parameters** (Sections 5.2 to 5.7) are as follows:
 - As stated in previous correspondence (refer to paras. 3 to 8 of *AAH TM01*), at this stage, we do not have details on the final location and appearance/extent of taller/larger elements that form part of the development. Section 5.3 of the PEIR usefully provides details of the design parameters used for the PEIR, and paragraph 5.2.2 of Chapter 5 states: *“The use of the Rochdale Envelope approach is therefore being adopted to present a likely worst-case assessment of potential environmental effects of the parameters of the Proposed Development that cannot yet be fixed. Where necessary, design work will continue to further refine the proposed parameters prior to the submission of the DCO Application.”*
 - While this will likely be a reasonable approach for the solar arrays, we have concerns in regards to the larger and taller elements, such as the Substation and Control Building Parameters as outlined in table 5.7 (up to 12.5m in height) and more conspicuous elements such as energy storage, lightning protection masts (up to 6m in height), and conversion units/inverters. The final location and layout of these elements will have likely greater visual effects in this flat/gently rolling, rural landscape than PV panels.
 - We would expect the approximate location and “worst case” extent (footprint) of these elements to be identified for the LVIA to allow for a better understanding of the potential landscape and visual effects, an updated ZTV based upon these parameters and an understanding of the likely requirement for additional viewpoint photographs to capture views of the taller/larger elements which will be much more visible and conspicuous.
 - Paragraph 5.1.3. references the illustrative layouts Figure 5.1(a) and (b).: If indicative, the LVIA needs to clearly state what layout (assumed “worst case” parameters) and mitigation the assessment has been based upon, as different mitigation strategies will likely alter potential effects, and also a strategy to secure the proposed mitigation/offsets should be provided.
 - Regarding Overhead/ground lines: Could it be clarified the height of any above-ground cabling and associated poles are proposed within the site. Paragraph 5.8.1. indicates:

“Low Voltage Distribution Cabling between PV Modules and the String Inverters will typically be located above ground level (along a row of PV Tables), fixed to the Mounting Structure”, further detail would be required to understand the potential visibility of these. Section 5.8 clarifies that no further above ground lines are proposed at this stage, however if this changes and above ground on or off site OH lines are proposed, these will likely have additional visual effects and would need to be considered within the LVIA.

- Regarding vegetation loss:
 - The extent of any vegetation loss to facilitate construction access or the permanent site access points identified in section 5.11, is not identified. While paragraph 5.11.3 identifies that site access will be taken from existing agricultural tracks and field entrances, it is likely these may need vegetation cut back for sight lines and/or widening to 10.2 and 6.5m, as identified in paragraph 15.12.1: “The primary point of access into the Primary Onsite Substation will be 10.2m wide to facilitate two-way HGV traffic. The secondary points of access from the adopted highway will be up to 6.5m wide.”
 - Any vegetation loss to facilitate any potential wider highways works for construction access is not identified. Paragraph 5.14.5 identifies potential need for road widening following initial swept path analysis, and due to the narrowness of the surrounding roads and junctions, this may result in vegetation removal, opening up views and removing valuable elements of the local landscape.
 - We would expect this vegetation works or loss all to be clearly illustrated and included within any assessment as this has the potential to remove existing valuable features (that make up the character area) and open up views into or across the site or the wider area. We would expect any proposed vegetation removal to be surveyed to *BS:5837 Trees in Relation to Design, Demolition and Construction to Construction* so it is clear what the arboricultural value is (to aid assessment) and subsequently is appropriately mitigated as part of the proposals.
- Green infrastructure proposals are provided in section 5.13, and Table 5.13 clearly states the Minimum Offsets to Landscape and Ecological Features and Designations that are illustrated on Figures 5.1 and Illustrative Sections.

If the plans and sections for the LVIA are still intended to be indicative, the LVIA needs to clearly state what layout, offsets and mitigation the assessment has been based upon, as different mitigation strategies will likely alter potential effects, and we would expect the layout to not just deliver green infrastructure to the minimum offsets provided in Table 5.13. The Outline Landscape Ecological Management Plan (oLEMP) at Appendix 5.2 of the PEIR should be developed to provide a clear strategy to secure any mitigation and enhancement areas, as identified on Figure 5.1.

- Paragraph 5.20.3 states that a series of Design Principles will be developed to aid the local authority to control the detail design of the project. Could it be clarified what the format of these will be, and how these would be secured?
2. In regards to the Landscape and Visual chapter (**Chapter 6 of the PEIR**):
- No reference is made to previous consultation. The visual receptors and viewpoints were previously discussed with AAH, and subsequently AAH issued *AAH TM01* via email to LDA with initial comments on receptors and viewpoints, recommending additional viewpoints

or amendments to those proposed, and suggested a follow up workshop. It is therefore requested that further landscape and visual consultation is carried out between AAH and District Authority landscape specialists and the developer team (LDA) following the conclusion of this second formal consultation phase.

Identification of receptors:

- The PEIR identifies a range of landscape and visual receptors within the Study Area.
- The correct National and Local Landscape Character Areas (LCA) have been referred to within the PEIR and cover a range of scales, and there is potential to scope out character areas that would not be affected by the development. We agree with the statement within paragraph 6.2.6 that National Character Areas are at a large scale and typically provide context only, as opposed to being a receptor to be assessed.
- Seven potential landscape receptors at varying scales are identified for consideration in the LVIA within paragraphs 6.4.3. We would also expect a finer-grained site-level (and immediate context) character assessment and identification of individual elements or features of the site and landscape/landscape character areas to form the baseline of the LVIA.
- It would be useful to take into account the information collated as part of the Historic landscape characterisation project: *The Historic Character of The County of Lincolnshire (September 2011)*, to ensure that the development is sensitive to the historic landscape. The project documents and the mapping can be accessed here: [Historic Landscape Characterisation – Lincolnshire County Council](#)
- Fourteen viewpoints have been identified (paragraphs 6.3.12, 6.4.10 and Table 6.1) within the PEIR, which are located on Figure 6.6. The visual receptors and viewpoints were previously discussed with AAH, and subsequently AAH issued *AAH TM01* via email with initial comments on receptors and viewpoints, recommending additional viewpoints or amendments to those proposed. At this stage, this consultation or *AAH TM01* has not been acknowledged within the PEIR, and we would request further discussions and meetings are held between AAH and other stakeholders with LDA. It is also unclear as to whether detailed comments on viewpoints from the Mallard Pass Action Group, which was included within the scoping opinion appendices has been considered and incorporated. This should be clearly stated within the LVIA.

Also, as stated and noted in previous correspondence, at this stage, as we do not have details on the location and appearance/extent of taller/larger elements that form part of the development, which would likely have visual impacts that may require additional viewpoints beyond those initially identified. Viewpoints of access points identified in section 5.11 (vegetation loss) may also be required once final locations have been selected.

- Paragraph 6.4.11 states that five of the fourteen viewpoints will be developed as photomontages (viewpoints 1, 2, 4, 8, and 11). These have not been discussed or agreed with AAH/LCC, or as we understand any other stakeholders or appropriate consultee, at this stage, and the reason for selection of these views is not provided – this should be included within the LVIA. We request consultation is held with AAH/LCC and other

stakeholders in regards to agreeing the views taken forward as photomontages, the AVR Level that would be most appropriate to illustrate the proposals, which we would assume would be Level 2 or Level 3, however photo wire (Level 0 or Level 1) may be more appropriate in some long distance or fully screened views and what Type (would likely be Type 3 or 4), to Landscape Institute *TGN 06/19 Visual Representation of Development Proposals*.

- Paragraph 6.4.4 identifies groups of visual receptors. In regards to the groups: *Users of Local Roads*: while many of the surrounding lanes and tracks within the study area are rural and remote in character and primarily used for motor vehicles and farm access, they are also well used by dog walkers, horse riders and leisure cyclists, and subsequently the assessment should consider this within the baseline and methodology. The local value of these networks should be considered beyond being simply vehicle “road networks”, they also provide suitable connections for walkers improving the connectivity of the wider recreational footpath/PROW network.

Study Area:

- The PEIR identifies the extent of the Study Area of the development of 2km at paragraph 6.3.16, which defines the spatial scope of the area to be addressed. The ZTV does illustrate potential visibility beyond 2km, and from AAH site visits potential visibility of the site and development were identified beyond 2km, particularly to the north and west where the land rises. The LVIA Chapter should therefore include a clear statement on the justification for the extent of the Study Area.

C. Detailed Comments on Preliminary Environment Information Report Volume 2: Figures:

1. Generally: Figures are well presented and read well. However, LVIA figures (Figures 6.1 to 6.10) appear to be a lower resolution than other figures, making them pixelated and reducing clarity. We would expect full/high resolution figures for the LVIA.
2. Figure 3.1 Extents of the Site, Solar PV Site, Mitigation and Enhancement Areas and Potential Highway Works: Could it be clarified if this plan is intended to ultimately be developed to be issued as a parameter plan indicating areas of development and areas of mitigation and enhancement? This would make understanding the LVIA easier as it would be clear where and how areas would be changed from the baseline, or clearly describe/illustrate mitigation used – this would be pertinent where the avoidance of a likely significant effect is reliant upon illustrated mitigation measures. If not, this could be misleading as development could theoretically be anywhere on site, based on a worst case approach, therefore if plans are indicative, they should be very clearly labelled so.
3. Figure 5.1(a) FSF Illustrative Development Layout and Figure 5.1(b) SAT Illustrative Development Layout: These plans illustrate the site proposals and mitigation areas in the context of existing infrastructure and features. The final submission should clearly state if the final Layout plans and mitigation identified are indicative to allow for flexibility, or if fixed. If indicative, the LVIA needs to clearly state what layout and mitigation it has been based upon, and also a strategy to secure the mitigation should be provided.

Due to the evolving nature of the layouts, there are currently no Landscape and Visual Comments on the layout itself. However, it is requested that additional meetings and workshops be held with AAH/LCC to discuss these landscape and visual comments prior to

the final ES and scheme submission, and also that a continued dialogue is maintained in regards to the development proposals, including the location of any larger structures or buildings such as the substation.

4. Figure 6.5 Access and Recreation: The inclusion of “Solar PV Site” on the plan (in light blue) suggests this is fixed. If the intention is for this to align with a parameter plan fixing areas of development and mitigation and enhance, then this is fine. If not, this could be misleading as development could theoretically be anywhere on site.
5. Figure 6.6 ZTV and Viewpoint Locations: This is a useful figure, and presents a lot of pertinent information. While the slightly pixelated nature of the plan makes the information difficult to understand in detail, it would aid understanding of the visual elements of the development if this plan was supplemented with additional plans showing a breakdown of the information to make everything clearer, we would suggest:
 - Figure 6.6 with all information as shown in higher resolution, however could PROW be made clearer as currently difficult to see;
 - ZTV of PV Modules with PROW and Viewpoints overlaid;
 - ZTV of Substation with PROW and Viewpoints overlaid; and
 - Viewpoints on larger scale map (perhaps 20k scale) to aid understanding of where photographs have been taken from as at 1:40000 is difficult to pinpoint accurately.
6. Figure 6.7 Zone of Visual Influence and Visual Receptor Groups: The Zone of visual Influence appears to be tighter (smaller) than we would expect. Please could this be reviewed again on site, and could it be clarified if this relates to the redline, entire development or just PV Modules (not substation or taller elements), and if on the layout, is this indicative?
7. Figure 6.8.1 – 6.8.14 Baseline Photopanel and Representative Viewpoints: We have assumed these are interim, lower resolution images for the PEIR and would expect full resolution images for the final LVIA. Also, the paper/page size appears to be closer to A2 not A1 – please clarify and ensure images for LVIA are at an appropriate resolution and size to align with the Landscape Institute *TGN 06/19 Visual Representation of development proposals*.

As stated previously, the consultation comments issued to LDA by AAH in *AAH TM01* have not been captured in the PEIR. It is also unclear as to whether the Mallard Pass Solar Action Group viewpoint comments included within the scoping opinion have been considered and incorporated where applicable.

8. Comments on specific viewpoints as follows:
 - VP03: Viewpoint missing from PEIR.
 - VP06: Viewpoint missing from PEIR.
 - VP07A: Viewpoint missing from PEIR.
9. Figure 6.9.1 – 6.9.5 Photomontages:
 - Paragraph 6.4.11 states that five of the fourteen viewpoints have developed as photomontages, which are included as these Figures: viewpoints 1, 2, 4, 8, and 11. These have not been discussed or agreed with AAH/LCC, and it is unclear if any consultees have agreed these, at this stage, and the reason for selection of these views is not provided – this should be included within the LVIA. We request consultation is held with AAH/LCC

and other stakeholders in regards to agreeing the views taken forward as photomontages, the AVR Level that would be most appropriate to illustrate the proposals, which we would assume would be Level 2 or Level 3, however photo wire (Level 0 or Level 1) may be more appropriate in some long distance or fully screened views, and what Type (would likely be Type 3 or 4), to Landscape Institute *TGN 06/19 Visual Representation of Development Proposals*.

- We have assumed these are interim lower resolution images for the PEIR as the existing view is pixelated and the proposals are difficult to distinguish with some of the images being dark. We would expect full resolution images for the final LVIA.
10. Figure 6.10 Stage 2 Green Infrastructure Strategy Plan: could it be clarified if this is indicative or in detail? If indicative, could it be clearly stated how the mitigation will be secured and also assessed as part of the LVIA – would this plan be developed so as to be a landscape/mitigation parameters plan?
 11. Figure 9.1 Construction Access Routes and Vehicular Restrictions: While we have no comments in relation to Figure 9.1, we do request that extent of vegetation loss for highways works and access is clearly stated in the ES and that the LVIA includes this assessment.
 12. Indicative Sections (3no. sheets): The indicative sections provided are a useful illustration of typical treatments and offsets along Byways, the McMillan way and BOAT, and also demonstrating offsets and boundary treatments from specific receptors. Additional typical and long sections would be useful demonstrating treatments and offsets from other PROW, ecological features, or other boundaries. However, the LVIA should clearly state as to whether these are indicative, and if so it should be clearly stated how the mitigation will be secured and also assessed as part of the LVIA.

D. Detailed Comments on Preliminary Environment Information Report Volume 3: Appendices (focussed on Chapter 6 LVIA):

Review of Appendix 5.1 Outline Construction Environmental Management Plan (oCEMP)

1. No comments in relation to landscape and visual matters of the oCEMP at this stage.

Review of Appendix 5.2 Outline Landscape Ecological Management Plan (oLEMP)

2. Section 4.1 is limited in regards to ecological features (only hibernacula listed). We would suggest other elements be considered such as, but not limited to:
 - habitat piles from felled material on site;
 - Lying deadwood (from trunks of trees felled on site)
 - bird boxes;
 - bat boxes; and
 - Mammal gates.
3. Section 4.2 – this should refer to any arboricultural reports and impact assessments, which we would expect would identify and survey (to BS5837) any proposed vegetation removal.

Review of Appendix 5.3 Outline Decommissioning Environmental Management Plan (oDEMP)

4. No comments in relation to landscape and visual matters of the oDEMP at this stage.

Review of Appendix 6.1 LVIA Methodology

5. The methodology notes in paragraph 1.1.3 that the LVIA will be undertaken in accordance with recognised best practice documents and guidance, including GLVIA3, and paragraph 1.1.5 provides an overview of the key stages of the methodology.
6. Table 1 provides limited information to aid judgement, or transparency of the decision made, on the Susceptibility of a receptor. More information would assist the reader understand what “*undue consequences*” are judged against, which is not specified or clarified in the methodology, or glossary.
7. Paragraph 1.1.17 mentions visual receptors, however examples of the different levels of definition/criteria of these receptors may aid understanding of the judgements made and assessment process.
8. Paragraph 1.1.18 and assessment of landscape value should reference guidance provided within: *TGN 02/21 Assessing Landscape Value Outside National Designations, Landscape Institute 2021*.
9. Table 2 potentially implies that only designated landscapes may have medium or higher levels of value (or simply classed as having “value”). This is not the case, and GLVIA paragraph 5.19 states that “*value can apply to areas of landscape as a whole, or to the individual elements, features and aesthetic or perceptual dimensions which contribute to the character of the landscape*” and that “*the value attached to undesignated landscapes also needs to be carefully considered and individual elements of the landscape – such as trees, buildings or hedgerows – may also have value.*”.

It is important that the elements that make up the landscape of the study area or the site, are understood and assessed also, not just published landscape character areas.

10. No description or criteria to judge the value of views is provided. This would aid understanding of the process and add transparency.
11. The process described within paragraph 1.1.26 gives a good, clear transparent judgement process on the magnitude of change, however we would urge caution in regard landscape character areas, which often are assessed as having limited magnitudes of change as the change would be small scale and/or extent (development site) would only affect a small percentage of the overall, much larger, character area. Using this approach, any development in a large character area will always be deemed relatively “small”. We would encourage the LVIA assess what the change would be in that part of the character area and what identified key elements identified within the character areas are impacted, and how development change would affect those.
12. Paragraph 1.1.29 states: “*Effects that are Major-Moderate or Major are considered to be significant. Effects of Moderate significance or less are “of lesser concern” (GLVIA3,*

paragraph 3.35) and not significant". Therefore the methodology is stating that moderate landscape and visual effects would not be considered significant. We disagree with this, which is a variation from typical assessments that may class effects moderate (and above) as significant: no justification in the methodology is provided for this and could lead the assessment as being deemed as underplaying the identification of significant effects.

The GLVIA3 reference to paragraph 3.35 is also somewhat misleading in this respect, as GLVIA3 does not specify that moderate effects are of a lesser concern, however GLVIA3 does advocate the process of professional opinion and judgement to draw out the key issues for the general public and decision makers.

While there are no hard and fast rules about what makes a significant effect, and a standard approach for LVIA isn't appropriate with circumstances varying with the location, context and type of development, the assessment of significance should be one of professional judgement. Therefore, the judgement of significance needs to be transparent and it is typically accepted that effects towards the moderate to major range are deemed significant, which may (but not necessarily always) include moderate effects.

13. Paragraph 1.5.50 identifies potential visual receptor groups for each level of sensitivity. Having visited the site over the period of several days, as well as carrying out fieldwork in the local area for other projects, we have observed that while many of the surrounding lanes and tracks within the study area are rural and remote in character, and primarily used for motor vehicles and farm access, they are also well used by dog walkers, horse riders and leisure cyclists, and subsequently the assessment should consider this within the methodology. The local value of these networks beyond being road networks, which also provide suitable connections for walkers improving the connectivity of the wider recreational and PROW footpath network. Rail passengers should also be included as visual receptors, particularly with the railway line passing through the centre of the site.

Review of Appendix 6.2 Visualisations and ZTV:

14. Visualisations are proposed as Type 3 photomontages, as referenced in paragraph 1.3.2. We recommend this is subject to further consultation to agree the Type (essentially to agree to scope out Type 4) and agree the AVR Level that would be most appropriate to illustrate the proposals, which we would assume would be Level 2 or Level 3, however photowire (Level 0 or Level 1) may be more appropriate in some long distance or fully screened views.

Review of Appendix 6.3 Landscape Planning Policy:

15. No comments on the landscape planning policy appendix at this stage.

Review of Appendix 6.4 Residential Visual Amenity Assessment

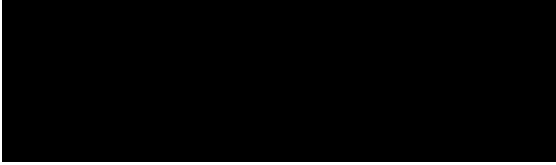
16. Paragraph 1.3.6 identifies that a 100m study area has been selected for the RVAA. We would suggest any properties (if there are any identified) that have close, clear/open views to the Substation and associated buildings should also be considered at a reasonable distance beyond 100m as these are potentially large proposed elements that may be conspicuous in the landscape.

Review of Appendix 6.5 Recreation and Amenity Assessment

17. No comments on the Recreation and Amenity Assessment appendix at this stage.

Oliver Brown CMLI

AAH Landscape



02nd August 2022

Reviewing Landscape and Visual Impact Assessments (LVIAs) and Landscape and Visual Appraisals (LVAs)

Technical Guidance Note 1/20 (10 Jan 2020)

The purpose of this guidance is to establish a framework for carrying out reviews of LVIAs and LVAs, analysing in a structured and consistent way if the assessment reflects the approach advocated in GLVIA3 and has led to reasoned and transparent judgements. Use of this framework should in due course further raise the standard of assessments

1. Introduction

The third edition of the *Guidelines for Landscape and Visual Impact Assessment* (GLVIA3) was published in April 2013. It has been widely welcomed, accepted and adopted for use in assessing the effects of projects on landscape and visual amenity and since publication been promoted by Landscape Institute (LI) training events.

GLVIA3 sets out that assessment of effects on the landscape and visual resource that may result from a development proposal may be undertaken formally as Landscape and Visual Impact Assessment (LVIA) typically as part of an Environmental Impact Assessment (EIA) or less formally as a Landscape and Visual Appraisal (LVA). The LI strongly recommends that GLVIA 3 is followed when undertaking these assessments and that the resulting LVIA and LVA should be objective with clear thinking, easy to follow, and demonstrate how they have informed appropriate siting, design, and mitigation.

The main difference between an LVIA and LVA is that in an LVIA the assessor is required to identify 'significant' effects in accordance with the requirements of Environmental Impact Assessment Regulations 2017, as well as type, nature, duration and geographic extent of the effect whilst an LVA does not require determination of 'significance' and may generally hold less detail.

In the case of LVIA, The Regulations have further implications for landscape professionals:

- Reg. 18 (5) stipulates that the developer must ensure that the ES is prepared by '*competent experts*' and that the developer must include a statement "*outlining the relevant expertise or qualifications of such experts*".
- Reg 4 (5) places obligations on the relevant planning authority or the Secretary of State because they "*...must ensure they have, or have access as necessary to, sufficient expertise to examine the Environmental Statement.*"

Note that the terms 'competent expert' and 'sufficient expertise' are not defined in the EIA Regulations. The Landscape Institute, in the absence of formal certification of specific competence, considers that a 'competent expert' would normally be a Chartered Member of the Landscape Institute who, has substantive experience of undertaking and reviewing LVIA. This may be evidenced by the assessor's CV, by reference to previous assessments, and by endorsement by other senior professionals.

Following on from GLVIA3, which focusses on how to *undertake* LVIA/LVA, this document provides guidance on how to *review* LVIA or LVA prepared by others. Such review may be undertaken from within the organisation which produced the LVIA/LVA, e.g. as part of a QA process, or by third parties on receipt of LVIA and LVA, such as landscape and or planning professionals in public sector bodies.

This guidance sets out a framework for carrying out such reviews in a structured and consistent way that reflects the approach to assessment advocated in GLVIA3 and use of it should further raise the standard of assessments.

2. Existing advice and guidance

GLVIA3 Chapter 8, under the heading “Review of the landscape and visual effects content of an Environmental Statement”, says:

“8.35 Competent authorities receiving Environmental Statements will often subject the documents to formal review of both the adequacy of the content and of their quality. The review process will usually check that the assessment:

- *meets the requirements of the relevant Regulations;*
- *is in accordance with relevant guidance;*
- *is appropriate and in proportion to the scale and nature of the proposed development;*
- *meets the requirements agreed in discussions with the competent authority and consultation bodies during scoping and subsequent consultations.*

8.36 The summary good practice points in this guidance should assist in review of the landscape and visual effects content of an Environmental Statement. In addition, several existing sources may also help anyone involved in reviewing this topic to decide what to look for:

- *IEMA has developed a series of general criteria for reviewing Environmental Statements and registrants for the EIA Quality Mark¹ must meet the criteria...*
- *The former Countryside Commission published criteria for reviewing the landscape and countryside recreation content of Environmental Statements...*
- *Appendix 1 of Scottish Natural Heritage’s Handbook on EIA² contains useful tests to help judge the landscape and visual effects content of Environmental Statements...”*

In addition, European Commission guidance on ES review³, published in 2001 and, although directed at whole ES review rather than topic specific review, has also provided useful pointers.

This review framework has been developed in this context.

¹ IEMA EIA Quality Mark, IEMA website: [redacted] accessed 200110]

² Scottish Natural Heritage, [A handbook on environmental impact assessment v5](#), 2018, SNH website: [redacted]

³ European Commission, [Guidance on EIA-EIS Review](#), Luxembourg: Office for Official Publications of the European Communities 2001 ISBN 92-894-1336-0, EC website: [redacted]

[redacted] [accessed 200110]

3. Carrying out the review

There are three main components of a review of a LVIA or LVA leading to a report containing the overall conclusion in respect of the completeness, competency and reliability of the LVIA/LVA.

- 1. Checking the methodology used to undertake the assessment, the criteria selected (including balance between), and the process followed;**
- 2. Checking the baseline, content and findings of the assessment;**
- 3. Checking the presentation of the assessment findings.**

As a starting point when undertaking a review, the reviewer will need to define the structure and process to be followed by for example setting out a set of headings or questions against which the LVIA or LVA is examined. Setting out standard or systematic questions will allow consideration being given to each step and each element covered in the assessment. The “good practice” bullet points at the end of each chapter in GLVIA3, noted above, may provide a starting point for such an approach. It is also important to bear in mind the principle of proportionality (cf. EIA Directive). Both the LVIA (or LVA) and the Review should have a defined scope and level of detail which is proportionate and reasonable to allow an informed decision to be reached.

In order to improve consistency and quality of reviews of LVIA's and LVAs the Landscape Institute has produced this framework. Those who undertake reviews should follow this framework and modify or adapt the framework to the Review being carried out and set out the reasons for such modifications.

Step 1. Checking methodology, criteria and process

In this phase, the reviewer will check the methodology, scope and process used in the assessment and how these relate to GLVIA 3. This involves reviewing the following:

- a) Does the scope of the assessment meet the requirements set out in the Scoping Opinion and/or as defined in the LVIA or LVA and if substantively different, are the reasons clearly set out and explained?
- b) What consultations have been carried out and have responses been acted upon?
- c) Has the scope and methodology of the assessment been formally agreed with the determining authority? If not, why not?
- d) As part of the methodology, has the terminology been clearly defined, have the criteria to form judgements including thresholds been clearly defined and have any deviations from good practice guidance (such as GLVIA3) been clearly explained?
- e) Does the assessment demonstrate a clear understanding and provide a separate consideration of landscape and visual effects?
- f) Does the assessment demonstrate comprehensive identification of receptors and of all likely effects? and
- g) Does the assessment display clarity and transparency in its reasoning, the basis for its findings and conclusions?

Step 2. Check the baseline, content, and findings of the assessment

As part of this stage in the review process the reviewer will consider the description of the baseline, both in narrative as well as in illustrations by plans, photographs and drawings etc. This may also include publicly available aerial photography, books, online resources, local plans and management plans.

The reviewer may also consider that a site visit may be necessary either to complement or to verify baseline information. The site visit and potential visits to viewpoints are also useful to check actual findings of the assessment.

This stage of the review typically includes further tests:

- a) What is the reviewer's opinion of the scope, content and appropriateness (detail, geographic extent) of both the landscape and the visual baseline studies which form the basis for the assessment of effects (supported by appropriate graphic such as ZTVs etc as appropriate)?
- b) Has the value of landscape and visual resources been appropriately addressed (including but not necessarily limited to) considerations of: local, regional and national designations; rarity, tranquillity, wild-land and valued landscape?
- c) Have the criteria to inform levels of sensitivity (both landscape and visual) and magnitude of change have been clearly and objectively defined, avoiding scales which may distort reported results?
- d) How well is the cross-over with other topics, such as heritage or ecology, addressed?
- e) Is there evidence of an iterative assessment-design process?
- f) Is it clear how the methodology was applied in the assessment, e.g.: consistent process, use of terms, clarity in reaching judgements and transparency of decision-making?
- g) How appropriate are the viewpoints that have been used?
- h) How appropriate is the proposed mitigation, both measures incorporated into the scheme design and those identified to mitigate further the effects of the scheme, and mechanisms for delivering the mitigation?
- i) What is the reviewer's opinion of the consistency and objectivity in application of the criteria and thresholds set out in the methodology for assessing the sensitivity of receptors, the magnitude of changes arising from the project, the degree/nature of effects, and the approach to judging the significance of the effects identified, in the case of EIA projects?
- j) What is the opinion on the volume, relevance and completeness of the information provided about the development or project including, where relevant, detail about various development stages such as construction, operation, decommissioning, restoration, etc.?
- k) Does the document clearly identify landscape and visual effects which need to be considered in the assessment? and
- l) Have levels of effect have been clearly defined and, in the case of LVIA, have thresholds for significance been clearly defined and have cumulative landscape and visual effects been addressed?

Step 3. Critique of the presentation of the findings of the assessment

This phase is perhaps the most straightforward. It involves examining the ‘presentation’ of the assessment including report text, figures/ illustrations, visualisations, and other graphic material forming the LVIA or LVA, and answering the following:

- a) Does the LVIA/ LVA display transparency, objectivity and clarity of thinking, appropriate and proportionate communication of all aspects of the assessment of landscape and visual effects, including cumulative effects.
- b) Have the findings of the assessment been clearly set out and are they readily understood?
- c) Has there been clear and comprehensive communication of the assessment, in text, tables and illustrations?
- d) Are the graphics and/or visualisations effective in communicating the characteristics of the receiving landscape and visual effects of the proposals at agreed representative viewpoints?
- e) Are the graphics and/or visualisations fit for purpose and compliant with other relevant guidance and standards? and
- f) Is there a clear and concise summation of the effects of the proposals?

Overall Conclusion: Report the review

The final step of the review process is to use the reviewer’s findings to draft a short report which would include (but need not be limited to):

1. Confirmation of the brief issued to the reviewer setting out the scope of the review;
2. A summary of how the review was undertaken);
3. A summary of findings of the review of the assessment methodology;
4. A summary of findings of the review of the scope of the assessment;
5. A summary of findings of the review of the actual assessment of effects;
6. A summary of findings of the presentation of the assessment;
7. A summary statement by the reviewer in respect of appropriateness, quality, comprehensiveness, compliance and conformity with relevant guidance and regulations;
8. Recommendations for further information to be sought (if necessary); and
9. Overall conclusions on the adequacy of the assessment and whether it is sufficient to support making an informed planning decision.

The report can also include further information not covered here but relevant to reporting on the compliance (or otherwise) of the LVIA or LVA with GLVIA3 or matters of competence or expertise. This guidance provides a summary framework for reviewing and reporting only; the Landscape Institute continues to regard GLVIA3 as the primary source of guidance for undertaking LVIA’s and LVAs.

4. Further information

For further information or to provide feedback on the guidance in use, please refer to the Landscape Institute's website, using the search terms GLVIA. At the time of publication, material is likely to be found in the following section: [REDACTED]

Authored by Mary O'Connor FLI on behalf of the GLVIA Panel and approved by LI Technical Committee
Nov 2019

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Document history

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Appendix B – LCC Historic Environment Officer Comments

MALLARD PASS SUBMISSION

The applicant has comprehensively failed to provide a reasonable baseline assessment of the archaeological resource and the development's impact upon it. This is contrary to relevant guidance and policy and to professional standards and it means that at this stage any proposed mitigation is uninformed and therefore cannot be fit for purpose. Further archaeological evaluation within the red line boundary is necessary to understand the extent, nature and significance of surviving archaeology so that appropriate mitigation can be determined.

Insufficient evaluation has been undertaken to allow for an understanding of the archaeological potential or to provide the basis for reasonable mitigation to deal with the impacts of this development. Sufficient baseline information on the archaeology to be impacted across the site is required by NPPF, EIA Regulations and National Policy Statement EN-1 which states "***The applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents (5.8.10).***"

The issues regarding cultural heritage in this submission are as they've been throughout the NSIP process and we have consistently responded that there must be enough evaluation to determine the impact upon the archaeology and enough assessment to understand the impact on settings of heritage assets and the historic landscape. As with the previous documents this submission is based on insufficient evidence by evaluation or competent assessment.

Instead the cultural heritage impact of this development is diminished and descoped in subjective statements that dismiss the potential of and impact upon cultural heritage which is contrary to professional standards and archaeological best practice as well as the policy and guidance listed within the document.

Those sections of these documents which deal with archaeological potential therefore have not been reasonably informed. The mitigation sections put forward 'no-dig', avoidance or archaeological mitigation methods but there is no baseline information for where they would be used in site-specific mitigation across the impact zone. Those sections dealing with setting impacts by descoping them are not a competent or effective way of providing assessment or mitigation of development impact.

Throughout the process we have advised on detailed specific requirements for this proposed development to provide a sufficient evidence base to allow for sufficient understanding of the site specific archaeological potential across the full extent of the proposed impact zone to produce a mitigation strategy which is reasonable, appropriate and fit for purpose.

The Cultural Heritage section has been based upon only a limited amount of evaluation work and yet it is presented as the complete and full understanding of the archaeological resource across the site. The impacts are reduced and dismissive throughout the supporting documentation, as it was with the Scoping Opinion which proposed descoping Cultural Heritage entirely.

We have consistently raised concerns over the approach taken by the applicant, below are some examples of the statements that we cannot agree.

Section 8.1.12 discusses the programme of archaeological trial trenching and states that *'These limitations are discussed in Appendix 8.6'*. Appendix 8.6 is the interim trial trenching report, there are no limitations discussed, apart from 1.4 which states that *'This document presents a short interim summary report of the results of the work completed to date, which solely concerns with trenches located within Rutland.'* **The baseline evidence put forward in this submission cannot have been informed by any trial trenching results in Lincolnshire and the mitigation response put forward cannot have been informed by those results.**

Section 8.1.13 states that *'The suite of desk-based and field investigations has allowed for confident and robust statements (acknowledging any specific and inherent limitations) to be made on the likelihood of the presence of buried archaeological remains, their potential importance, the likely effects of the Proposed Development and to direct a suitable mitigation strategy.'*

This reads as if a competent and wide-ranging trenching evaluation programme was undertaken. The very small percentage of trenching was not agreed by the curators and entirely inadequate in its purpose of understanding where archaeology is across the impact zone and its extent, depth and character. Instead the trenching was across a small sample of the archaeological sites identified in the geophysical survey and a very few trenches scattered elsewhere.

Section 8.2.5 says that *'trenches were deployed across the areas within the Solar PV Site, including the location of the substation. The trenches were targeted to explore the areas of greatest archaeological potential, focusing on locations identified during the desk-based assessment and geophysical survey. Trenches were also deployed to investigate areas where the geophysical survey had interpreted discoveries as being of likely geological origin (and not of archaeological interest). Furthermore, trenches were deployed in areas where there was no specific intelligence to suggest buried archaeological remains may be present, to test the quality of the geophysical survey.'*

As would be expected for a trenching programme of only 209 fifty metre long trenches across 906 hectares, there are vast areas of the impact zone which have had no evaluation and for those sites we do know about their extent has not been determined. The percentage of trenching undertaken across the scheme is 0.21%. We would expect at least 3% trenching to achieve a reasonable understanding of the archaeological potential across the site, to identify significant surviving archaeology and to inform an effective mitigation strategy to deal with the impact on areas of archaeological sensitivity in a reasonable and appropriate way.

Section 8.2.6 says *'Furthermore, the trial trenching has not revealed any important buried archaeological remains or any type of buried remains that cannot be adequately dealt with via the mitigation measures specified in the ES and CEMP, discussed further below.'*

To undertake woefully inadequate trenching and then extrapolate the results to cover the entire red line boundary is illogical and wholly insufficient. The presence and location of any important archaeological remains is currently unknown across the 99.79% of the site which has not been evaluated.

The mitigation measures specified in the CEMP refer us to the mitigation WSI that is appended to the evaluation report and is Appendix 8.6 in the ES, **we could not find the mitigation document that they are using to underpin their entire mitigation strategy.**

Table 3-3: Cultural Heritage and Archaeology in the CEMP (p23) lays out a suite of archaeological mitigation measures such as 'watching brief' or evaluation where preservation *in situ* areas are identified. Presumably these measures would be used for those archaeological areas identified

within the 0.21% of the site which has been adequately evaluated and there is sufficient baseline information to inform the type and extent of appropriate mitigation.

As a single example to illustrate the failure of the archaeological approach taken for this development: section 8.2.12 states that *'Iron Age activity has been identified through previous archaeological investigations within the centre of the Order limits. These recorded an area of settlement represented by pits, postholes, ditches and a possible waterhole, with occupation dating from the 5th to 2nd centuries BC.'* We do not know the extent of this site and despite three centuries of occupation there is no understanding or evaluation of where any associated human remains would be. Yet this site, along with the rest of the development impact area, would be subject to piling for which the mitigation strategy consists of the assumption that the piles would probably avoid most archaeological features and that anything that was destroyed is probably not of much importance. Unfounded assumptions of consecutive positive outcomes is not an effective mitigation approach.

Section 8.3.4 states that *'A critical component (assumption) of this assessment is the nature and scope of mitigation measures available to completely avoid or minimise adverse impacts. This is discussed in further detail in **Appendix 8.4**; however, in summary, the detailed design process will allow for important (specifically sensitive) buried archaeological remains to be protected from any form of disturbance. This will be achieved by the embedded measures set out within the **outline Construction Environmental Management Plan (oCEMP) [EN010127/APP/7.6]**, such as localised use of 'no-dig' construction solutions such as 'concrete or ballast shoes' to avoid piling; and / or localised areas where the installation of PV Arrays (and other construction work) can be avoided altogether.'*

We do not have enough baseline information to use this mitigation: where would these 'construction solutions' and/or localised areas be deployed? Effective mitigation requires sufficient site-specific evaluation to know where the archaeology is and its extent, character, significance and depth. Avoidance and limited impact solutions are certainly elements which can be used in a fit for purpose archaeological mitigation strategy but it needs to be based on enough baseline information to understand where the mitigation areas need to be and what type of mitigation response is reasonable.

It's important to note that the proposed mitigation would also have ground impacts: There are a number of issues with this: first, the important archaeological remains must be identified and their depth and extent determined; secondly 'no-dig construction' can also impact on archaeology, for example by compaction; and thirdly preservation *in situ* would not just involve leaving areas as open space.

The proposal for 'no-dig construction' requires a full understanding of the depth, extent, importance and nature of the surviving archaeology across the site. Any proposal in archaeologically sensitive areas will require a firm evidence base proving that any proposed work including decommissioning will have no impact upon the archaeology including not only direct destructive impact through groundworks, compaction or reduction in the depth of soil necessary for protecting the archaeology but also through environmental changes which would be detrimental to the surviving archaeology.

For preservation *in situ*, if archaeologically sensitive areas are identified which are to be mitigated in this way then the full extent of the archaeological areas must be determined and each area must be fenced off and subject to a programme of monitoring throughout the construction and the

decommissioning phases, and there will be no ground disturbance whatsoever which may disturb or affect the archaeological remains, including plant movement or storage.

Section 8.3.5 says that *'When the detailed design determines that 'no-dig' solutions are not viable or warranted small-scale and localised archaeological excavations will take place, to record the expected buried remains in advance of construction.'* Where will the excavations be, what is their extent? Again, insufficient baseline information.

Section 8.3.7 says *'These are industry standard (mitigation) and good practice responses to discovered (and important) buried archaeological remains'*

This is true, but where will these responses be used? Mitigation strategies need enough site-specific archaeological baseline information to determine where these techniques will be used. The mitigation strategy itself needs to be site-specific. As it currently stands no mitigation WSI appears to have been submitted and there is only Table 3-3 which lists generic options but there are no site-specific mitigations across the development impact zone. Competent mitigation requires enough information to identify locations and extents of archaeologically sensitive areas and then applies appropriate and fit for purpose mitigation.

Section 8.4.4 says *'The overall footprint of development that has the potential to impact on buried archaeological remains (encompassing piling, topsoil stripping, cable trenching and foundation excavation) is anticipated to be very limited in extent (typically a fraction of a percent of the total Solar PV Site).'*

Or to put it in a less dismissive way, there is potential for impacts for depths below the archaeological horizon across the development site. With the current inadequate evaluation any ground impact could result in the unmitigated destruction of unknown and unrecorded archaeology.

Section 8.4.4 goes on: *'With regard to piling, the quantity of displaced archaeological remains in the case of larger features such as ditches would be insignificant compared to that left undisturbed. For discrete or less robust buried features such as pits, post holes or stake holes, the probability that piles would be aligned in such a way that any more than a small percentage of the features would be affected is very low. As such, the magnitude of impact in the worst-case scenario upon archaeological remains (holding evidential and historic values) within the Solar PV Site, which are expected to be of no greater than Medium Importance, would be Low Adverse (via the loss of evidential value), resulting in a Minor Significance of Effect (not Significant).'*

As with all of the cultural heritage documents produced for this proposal this paragraph is sweepingly dismissive and deliberately reductive: 'displaced' means destroyed and the unexamined unrecorded archaeology may be 'ditches' or may be 'inhumations' To decide that unevaluated archaeology impacts are very low, that their importance is medium at most, that significance is minor, all of these are arbitrary. If unevaluated unknown archaeology must be given a value it should be High until sufficient work is undertaken to determine it is not. And to assume that piles would magically avoid significant archaeology is an unprofessional and fundamentally unsound approach to effective mitigation.

Section 8.4.7 states that *'Impacts upon potential buried archaeological remains would be confined to the construction phase of the development.'* We do not agree, decommissioning may also have an impact.

The sections on the development's impact on the settings of historic assets and the historic landscape are again dismissive and filled with subjective statements with no evidence base to support them, such as this from section 8.4.9: '*Views between the assets and the Order limits are heavily restricted and do not contribute to the understanding or appreciation of the values of the assets.*' No evidence is presented to inform these comments, but again there is No Impact. We do not agree.

In section 8.4.11 it's even stated that '*the Solar PV Site will retain elements of agricultural character for the duration of the operational phase, being managed as grassland and/or grazing. As such, there will be a **No Impact** on this asset of **Low Importance**, resulting in a **Neutral Effect.***' We would suggest that the shift from fields to many thousands of solar panels would have an impact and that this impact like all the other potential impacts should be competently assessed rather than arbitrarily dismissed and descoped. We do not agree.

Section 8.4.13 says there will be '*no additional disturbance to the ground than already assessed for construction is anticipated during decommissioning*' so archaeology will not be affected. We do not agree. How will the panels be removed without ground disturbance or potential compaction?

Section 8.5.1 says that '*No additional mitigation measures are proposed in response to buried archaeological remains, historic landscape features or built heritage*' and that impacts are minor, '*non-significant*' or neutral. We do not agree. Statements dismissing archaeological potential, development impact and setting do not form a competent baseline assessment or mitigation strategy. Sufficient archaeological evaluation is required and the results are needed to inform a site-specific mitigation strategy of the development impact zone.

We do not agree with Table 8.2: Assessed Heritage Assets where only three designated heritage assets were assessed. A competent professional objective Settings Impact Assessment is required.

Regarding setting impacts, sections 8.2.27 to 8.2.30 have scoped out the vast majority of designated heritage assets, the proposal area is within 5km of six registered parks and gardens, is adjacent to one Conservation Area with others nearby, and is within 1km of a dozen Scheduled Monuments. All but one of the dozen Scheduled Monuments have been scoped out. There is no evidential basis provided by the applicant to support any of this, and we do not agree with this dismissive and woefully inadequate approach.

For example, section 8.2.28 states that '*With no meaningful intervisibility or known historical associations with the land within the Order limits (and specifically the Solar PV Site), the four other proximate Conservation Areas at Ryhall, Braceborough, Greatford and Uffington all lie sufficiently distant such that further detailed assessment is not necessary.*' The Settings Assessment/Heritage Impact Assessment needs to begin from an understanding of the significance of each heritage asset which may be impacted, this is necessary in order to assess the potential impact of the development on them and to put forward any potential benefit or mitigation of proposed negative impact.

We do not agree with Table 8.3: Summary of effects, in which Cultural Heritage and potential impact upon it is again sweepingly dismissed and deliberately downplayed, as in the '*Receptor example*' being a Prehistoric field boundary rather than a Medieval settlement or a Saxon cemetery.

Regarding section 8.9.1 Conclusion, we do not agree that best-practice and relevant guidance has been followed or that the baseline surveys have been sufficient to either characterise the archaeology potential across the impact zone or to provide effective mitigation.

Section 8.9.2 states that archaeology survives within the Order limits which '*are no more than of Medium Importance*'. We do not agree, the conclusions are based on partial assessment of the site at best and the conclusion is unsound.

Section 8.9.2 goes on to say that '*Following the implementation of the embedded mitigation, effects can be avoided or minimised to a non-significant level.*' We do not agree that sufficient evaluation has been undertaken to allow 'embedded mitigation' to be implemented at a reasonable and appropriate level of mitigation.

In conclusion, we have never seen such an unprofessional unethical approach to Cultural Heritage as we have throughout the process for this development. From the initial scoping opinion which proposed descoping Cultural Heritage entirely through the very limited engagement throughout the process to insufficient evaluation and assessment and the subsequent generic floating mitigation, the approach of this application has been dismissive and expresses a wholesale devaluation of cultural heritage.

This submission does not meet the evidential requirements as set out in the relevant policy and guidance including Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (Regulation 5 (2d)), National Planning Statement Policy EN1 (Section 5.8), and the National Planning Policy Framework.