



Mallard Pass

Solar Farm

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**Applicant's Responses to
Interested Parties' Deadline 2
Submissions - Landscape and
Visual**

Deadline 3 - June 2023

EN010127

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Applicant's Response to Interested Parties' Deadline 2 Submissions on Landscape and Visual

Parties Raised	Sub-Theme	Issues Raised	Applicant's Response
REP2-044(LIR), REP2-045(FWQ), REP2-046(WR), REP2-048(LIR), REP2-050(FWQ), REP2-047(WR), REP2-220, REP2-191, REP2-182, REP2-159, REP2-169, REP2-057, REP2-073, REP2-155, REP2-096, REP2-163, REP2-218, REP2-167, REP2-179, REP2-138, REP2-198, REP2-146, REP2-117, REP2-106, REP2-151, REP2-134, REP2-184, REP2-136, REP2-165, REP2-194, REP2-097, REP2-108, REP2-209, REP2-104, REP2-214, REP2-177, REP2-154, REP2-166, REP2-211, REP2-164, REP2-113, REP2-231, REP2-124, REP2-176, REP2-126, REP2-066, REP2-	Impacts on the character of the countryside and the local settlements	<p>Concerns surrounding the impact that the Proposed Development upon the local characteristics of the surrounding villages. This impact is considered to be negative and significant on the appearance and character of the landscape.</p> <p>Follow-up concerns that the proposed mitigation will not have the potential to screen the negative visual impacts expected.</p>	<p>Consideration of the potential impact on settlements was identified as a Project Principle (PE4) for the design of the Proposed Development within the Design and Access Statement (DAS) [REP2-018]. Section 5.0 of the DAS sets out the design evolution of the Proposed Development and how the site layout has responded by setting back the Solar PV Site from settlements and residential properties.</p> <p>The Landscape and Visual Impact Assessment (LVIA) [APP-036] provides an assessment of the potential impacts on landscape character and visual amenity including the surrounding villages within the relevant visual receptor groups. Photomontages have also been produced at a number of viewpoint locations to illustrate the effects at years 1 and 15 of operation. These photomontages are intended to inform the assessments within the LVIA although are not restricted to them.</p> <p>The LVIA concludes that there would be Major Significant and Adverse effects on the RCC Rutland Plateau Clay Woodlands LCA (Dii) and the SKDC Kesteven Uplands LCA within the Solar PV Site and Onsite Substation during operation year 1. The effects on landscape character would reduce to Major-Moderate Significant and Adverse by year 15 of operation. Effects during the construction and decommissioning stages would be Moderate or Slight Not Significant and Adverse.</p> <p>However, the LVIA concludes that the overall effects on both the RCC Rutland Plateau Clay Woodlands LCA (Dii) and the SKDC Kesteven Uplands LCA would significantly reduce beyond the immediate environs of the Solar PV Site such that they would be Slight (Not Significant) and Adverse in the wider context of the 2km study area.</p> <p>The LVIA confirms that whilst the effects on landscape character impacts would be significant, they would be limited in extent to the</p>

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150, REP2-160, REP2-161			<p>Solar PV Site and Onsite Substation. These key components would be further set back from the surrounding settlements and properties in response to feedback from consultees and the public consultations.</p> <p>The Outline Landscape and Ecology Management Plan (oLEMP) [updated for Deadline 3] provides guidance and controls for the management and maintenance of the proposed planting to ensure it establishes and remains effective as a mitigation measure.</p> <p>It should also be noted that the appearance of scale on plan view is significantly broken down when experienced on the ground, through existing and proposed hedgerows, tree and woodland planting and the existing topography. The overall scale of the development would therefore appear subdivided and compartmentalised such that it would not be entirely visible from any given location. Chapter 6 of the ES Landscape and Visual [APP-036]) explains the extent of large-scale visual effects as follows:</p> <p>“The extent of Large scale visual effects, where the Proposed Development would form a major alteration to key elements, features, qualities and characteristics of the view such that the baseline will be fundamentally changed, would generally be limited to locations within or immediately surrounding the Solar PV Site and Onsite Substation. This would include from Bridleway BrAW/1/1 between the railway bridge and Carlby Road within the eastern parcel; Essendine Road near The Freewards; public footpath Uffi/5/1 between Cobbs Nook Farm and Uffington within the southern parcel; and Bridleway E169 within the north-western part of the Order limits.”</p> <p>Paragraph 6.5.52 states:</p> <p>“Negligible scale effects would be experienced in the wider landscape where the Proposed Development is barely discernible from the more distant parts of the 2km study area.”</p>

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<p>REP2-048(LIR), REP2-050(FWQ), REP2-047(WR), REP2-220, REP2-057, REP2-138, REP2-198, REP2-209, REP2-160</p>		<p>Concern that the Proposed Development will result in Essendine Village's character changing and becoming a part of the solar farm rather than separate. This impact is considered to be negative in relation to the visual appearance and character of the area and the setting of the village.</p>	<p>Consideration of the potential impacts on settlements was identified as a Project Principle (PE4) for the design of the Proposed Development within the DAS. Section 5.0 of the DAS sets out the design evolution of the Proposed Development and how the site layout has responded by setting back the Solar PV Site a greater distance from Essendine village.</p> <p>The LVIA [APP-036] provides an assessment of the potential impacts on landscape character and the visual amenity of Essendine village. Photomontages have been provided from within the village to illustrate the effects at year 1 and 15 of operation.</p> <p>Essendine village is located within Visual Receptor Group 1 which was considered to be High-Medium Sensitivity (community value + high susceptibility). The LVIA concludes that due the offsets provided from the settlement, the Proposed Development would result in Slight (Not Significant) and Adverse effects during operation year 1 and 15. The effects during the construction and decommissioning stages would be Slight or Minimal (Not Significant) and Adverse.</p> <p>The scale and extent of the Solar PV Site would be visible to varying degrees from Essendine village although would not result in significant harm to the character, appearance or setting of Essendine village in the long term in particular given the compartmentalised nature of the Proposed Development.</p>
<p>REP2-235</p>	<p>Impact on local landscape</p>	<p>Concern that as a result of the development being a ribbon development, it will negatively impact the local makeup of the landscape.</p>	<p>The Applicant disagrees that the Proposed Development comprises a ribbon development in terms of configuration or appearance. The Proposed Development does comprise a utility scale Solar PV development which is separated and compartmentalised into a number of smaller parcels, such that the overall scale and extent of the development would not be experienced at ground level from any particular viewpoint within the surroundings of the Order Limits.</p> <p>Paragraph 6.2.9 of the LVIA [APP-036] notes that <i>"there is often a disparity of opinion and public attitudes towards renewable energy</i></p>

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			<p><i>development from adverse to positive. Third party representations often refer to 'the industrial character of a solar farm'. Whilst some local objectors might view a solar farm in this way, equally, other people would simply view solar farms as essential infrastructure that should be delivered as a matter of urgency to tackle climate change.</i></p> <p><i>In light of this, a precautionary approach is applied to the LVIA which assumes that all the effects are considered to be 'adverse' [or negative] unless otherwise stated. Notwithstanding this precautionary approach there are many positive effects that would arise through the proposed landscape mitigation and enhancement measures which have been taken into account within this assessment."</i></p> <p>There would be a number of positive and negative landscape and visual effects that would be concentrated within the immediate locality of the Order Limits that would need to be considered within overall planning balance.</p>
REP2-044(LIR), REP2-045(FWQ), REP2-046(WR), REP2-050(LIR), REP2-051(FWQ), REP2-052(WR) REP2-112, REP2-227, REP2-138, REP2-235	Impacts on landscape character	Concern that the impacts upon the landscape as a result of the Proposed Development will be permanent and negative to the landscape character and appearance.	<p>The LVIA [APP-036] has assessed the effects during operation year 1 and 15 as permanent effects as no timeframe is submitted for the decommissioning stage of the Proposed Development.</p> <p>The LVIA [APP-036] has assessed a range of effects on landscape character and visual amenity depending on a number of factors. The LVIA has adopted a precautionary approach when assessing the Proposed Development.</p>
REP2-109, REP2-100, REP2-169, REP2-096, REP2-155, REP2-194,		Concern of industrialisation of the countryside, due to the rolling local topography and concern that screening mitigation is not enough when using bridlepaths.	<p>The consideration of PRow has been a key Design Principle as detailed within the Design and Access Statement (DAS) [REP2-018] which has driven the spatial design response as illustrated in the Green Infrastructure Strategy Plan [APP-173].</p> <p>The impacts to PRow both within the Order Limits and in the vicinity has been assessed with the Amenity and Recreation Assessment (ARA) [APP-058] which forms Appendix 6.5 of the</p>

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<p>REP2-235, REP2-176, REP2-090</p>			<p>LVIA [APP-036]. The impacts of mitigation proposals have been considered within this assessment. Please also see responses in the Public Rights of Way and Permissive Paths theme.</p> <p>Indicative sections for design and mitigation of the existing PRoW are presented on page 39 of the DAS [REP2-018]. These design principles and corridors would also be adopted for the proposed permissive paths providing enhanced accessibility across the Order Limits.</p> <p>The 'modular' arrangement and 'passive' nature of solar farms means that they are very different in character than more 'traditional' forms of heavy industry and energy generation. They would not be viewed as a continuous block of development with spacing provided between the solar strings. This allows them to be more sensitively assimilated into the existing context in comparison to other forms of energy generation.</p> <p>The LVIA [APP-036] recognises that there is often a disparity of views and public attitudes towards renewable energy development. Third party objector groups often refer to the 'industrialisation of the countryside' whilst others may view the proposals as essential infrastructure to tackle climate change. The LVIA adopts a precautionary approach whereby all effects are considered to be adverse unless stated otherwise.</p>
<p>REP2-044(LIR), REP2-045(FWQ), REP2-046(WR),</p>		<p>Concern that given the length of construction and decommissioning phases, it is considered that the impact upon the landscape character will be far greater than outlined by the Applicant within the submission.</p> <p>It is noted that the current designs reveal little about the impact on existing vegetation from construction activity.</p>	<p>The Landscape and Visual Impact Assessment (LVIA) [APP-036] provides an assessment of the potential impacts to the visual amenity and landscape character of the landscape for construction, operation and decommissioning stages.</p> <p>Consideration of the potential impact on existing vegetation was identified as a Project Principle (PE4) for the design of the Proposed Development within the Design and Access Statement (DAS) and Section 5.0 of the DAS sets out the design evolution of the Proposed Development and how the design has responded by providing further offsets from existing woodlands and hedgerows within the surroundings of the Order Limits.</p>

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			<p>An Arboricultural Impact Assessment (AIA) [APP-103] has been submitted to the ExA which identifies the removal of any existing vegetation groups. The losses of individual trees, tree groups or hedgerows has been avoided as far as possible. Where avoidance has not been possible, the Green Infrastructure Strategy [APP173] illustrate proposed planting that would compensate for the relatively small number of tree and hedgerow losses.</p> <p>The Applicant does not agree that the limited construction period for the Proposed Development will lead to a greater impact to landscape character than which has been previously assessed within the LVIA [APP-036].</p>
<p>REP2-057, REP2-138, REP2-172, REP2-190, REP2-135, REP2-114,</p>		<p>Concern that the installation of the manmade structures, including the substation, will visibly alter the local landscape character. The height of the proposals do not take into consideration the wider landscape.</p>	<p>The LVIA [APP-036] provides an assessment of the potential impacts on landscape character and visual amenity based upon the maximum development height parameters for the DCO. This includes close proximity, medium and distant views from the key components of the Proposed Development.</p> <p>Photomontage E [APP-172] illustrates the potential impacts of the proposed Onsite Substation from Stamford Road (A61210) which constitutes some of the taller manmade structures and infrastructure within the Order Limits.</p> <p>The DAS [REP2-018] explains how the design of the development has responded to the wider landscape.</p>
<p>REP2-044(LIR), REP2-045(FWQ), REP2-046(WR),</p>	<p>Validity of Viewpoints</p>	<p>Concern that no viewpoints have been selected beyond the 2km limit. Therefore, doesn't allow for potential impacts to the wider landscape to be assessed correctly.</p>	<p>The scope of the LVIA study area was agreed with RCC, SKDC and LCC.</p> <p>An initial 3km study area was used for production of the Zone of Theoretical Visibility (ZTV) plan submitted as part of the ES Scoping Report which was refined to a 2km study area following field surveys and observations and the likelihood of any significant effects occurring beyond 2km from the Order Limits.</p> <p>The Applicant notes that a 2km study area was also considered appropriate for other DCO solar applications including Longfield,</p>

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			<p>Cleve Hill and Little Crow (all of which have been granted development consent).</p> <p>The locations of the representative and illustrative viewpoints were the subject of consultation via letter with LCC on 10th January 2022, RCC on 7th January 2022, and SKDC on 7th January 2022. Copies of these letters and correspondence to the relevant planning and landscape officers are contained within Appendix 6.6 [AS-001].</p> <p>A consultation response was received from AAH consultants on behalf of LCC on 5th May 2022 (TMO1) requesting the inclusion of a number of additional viewpoints. These viewpoints were subsequently included within the LVIA chapter as representative or illustrative viewpoints. No additional viewpoints were requested beyond the 2km study area by LCC at this stage in the process.</p> <p>The submission LVIA, therefore, includes 28 no. representative and illustrative viewpoints following consultation with LCC, RCC and SKDC. These representatives and illustrative viewpoints are considered to provide a proportionate selection of views at different distances and directions from the Order Limits, noting that the assessments within this LVIA are not in any event limited to these viewpoint locations.</p>
<p>REP2-044(LIR), REP2-045(FWQ), REP2-046(WR), REP2-172</p>		<p>Challenge of the validity of the selected viewpoints.</p>	<p>As further explained in Row 8 above, the locations of the selected viewpoints were the subject of consultation with RCC, SKDC and LCC as outlined within Appendix 6.6 [AS-001].</p>
<p>REP2-044(LIR), REP2-045(FWQ), REP2-046(WR),</p>		<p>Concern that the most appropriate viewpoints were not chosen as part of this assessment. Appropriate viewpoint locations would have aided more in the assessment process.</p>	<p>As further explained in Row 8 above, the locations of the selected viewpoints were the subject of consultation with RCC, SKDC and LCC as outlined within Appendix 6.6 [AS-001].</p> <p>The selected viewpoints are considered to provide a proportionate range of views of the Proposed Development at different distances and directions from the Order Limits. The assessments within the LVIA are not in any event limited to the locations of the representative and illustrative viewpoints.</p>

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<p>REP2-044(LIR), REP2-045(FWQ), REP2-046(WR),</p>		<p>Concern regarding the lack of rationale behind the choice of viewpoints. Further clarity is requested.</p>	<p>The locations of the representative and illustrative viewpoints were the subject of consultation via letter with LCC on 10th January 2022, RCC on 7th January 2022, and SKDC on 7th January 2022. Copies of these letters and correspondence to the relevant planning and landscape officers are contained within Appendix 6.6 [AS-001].</p> <p>The Applicant notes the importance placed on proportionality as advocated within GLVIA3 para 6.2 which acknowledges that viewpoints are representative and that it is simply not practical to capture all or every possible view that may arise from the Proposed Development.</p> <p>The representative and illustrative viewpoints are considered to provide a proportionate range of views of the Proposed Development at different distances and directions from the Order Limits. The assessments within the LVIA are not in any event limited to the viewpoint locations.</p>
<p>REP2-048(LIR), REP2-050(FWQ), REP2-047(WR), REP2-154, REP2-218, REP2-117, REP2-138 REP2-163, REP2-227, REP2-176, REP2-238</p>	<p>Impacts on Amenity</p>	<p>Concern that the impact upon residential amenity is great, and it will take a significant amount of time before any screening benefits are felt.</p>	<p>A Residential Visual Amenity Assessment (RVAA) [APP-057] has been undertaken which considers in detail the potential visual impacts on residential properties in close proximity within approximately 100m of the Order Limits. The RVAA has concluded that the Proposed Development would not result in any overbearing or overwhelming effects such that the threshold for acceptability on living conditions within the surrounding properties has not been breached.</p> <p>The LVIA [APP-36] provides assessments at year 1 and 15 of operation to account for the additional screening that would be provided through the proposed Green Infrastructure Strategy Plan [APP-173]. However, the proposed new hedgerows are likely to provide at least partial screening of the development within 5 years of planting.</p>
<p>REP2-057, REP2-138, REP2-190, REP2-143,</p>		<p>Concern about the visual changes surrounding the public rights of way, roads and proposed permissive paths. The imposition of solar panels on these vistas will be unacceptable,</p>	<p>The consideration of PRow has been a key Design Principle as detailed within the DAS [REP2-018] which has guided the spatial</p>

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		<p>and the mitigation screening will not be beneficial immediately.</p>	<p>design response as illustrated on the Green Infrastructure (GI) Strategy Plan [APP-173].</p> <p>The impacts to PRoW both within the Order Limits and in the vicinity of the Solar PV Site has been assessed with the Amenity and Recreation Assessment (ARA) [APP-058] which forms Appendix 6.5 to the LVIA.</p> <p>Indicative sections for design responses and mitigation for the existing PRoW are presented on page 39 of the DAS [REP2-018]. These principles would also be adopted for proposed permissive routes passing through the Solar PV Site.</p> <p>Photomontage F - Additional photomontage from within Field No. 35 approximately 50 metres to the north of Viewpoint 6B (ExQ1/Q8.04) shows the proposed planting and visual screening along Bridleway E182 (BrAW/1/1) within the Solar PV Site during operation year 1 and 15.</p> <p>Please also see the responses in the thematic table on Public Rights of Way and Permissive Paths also submitted at this Deadline 3.</p>
<p>REP2-044(LIR), REP2-045(FWQ), REP2-046(WR),</p>	<p>oLEMP</p>	<p>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.</p>	<p>The Outline Landscape and Ecology Management Plan (oLEMP) [updated for Deadline 3] provides guidance and controls for the management of planting in accordance with best horticultural practice to ensure that the best prospect of establishment and visual screening.</p> <p>Further detailed LEMPs along with detailed planting plans and specifications would be produced should the DCO be granted.</p> <p>Project Principle C2 as set out within the DAS [REP2-018] specifically relates to 'designing for resilience to future climate change' and ensures that future detailed design takes account of this.</p>

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REP2-044(LIR), REP2-045(FWQ), REP2-046(WR), REP2-172, REP2-129, REP2-143, REP2-160	Photomontages , quality of images	Concern that the photomontages submitted with the application are not a direct reflection of the Site. The quality of the images results in this.	The methodology for the provision of the photomontages is detailed within Appendix 6.2 [APP-055]. The photomontages have been produced in accordance with the <i>Landscape Institute's, Technical Guidance Note 06/19, Visual Representation of Development Proposals</i> . It should be recognised that all photomontages are illustrative and the Applicant would recommend that these are reviewed at the relevant viewpoints in the field.
REP2-044(LIR), REP2-045(FWQ), REP2-046(WR),	Landscape and Visual Impact Assessment (LVIA)	<p>It is considered in paragraph 6.3.29 that the development will contribute towards the Statements of Environmental Opportunities (SEO) for NCA 75. However, the assertion is broad given the unconfirmed nature of the proposed mitigation. It is not assessed further within the LVIA. However, the SEOs have informed the site layout.</p> <p>We would need to assess this matter further as the detail of mitigation and enhancements progresses.</p>	The Applicant notes these comments. The Applicant would add the GI Strategy Plan [APP-173] and Outline Landscape and Ecology Management Plan (oLEMP) [updated for Deadline 3] provides clear intention for the guidance and controls for the spatial location and management of proposed planting and habitats to ensure that it provides effective mitigation and positive contribution to SEO objectives.
REP2-169		<p>Disagree with conclusions of significance of effects.</p> <p>The assessment of VRGs 4 and 5 overlook several things:</p> <ul style="list-style-type: none"> • Impractical to screen off Field 36 due to industrialised nature. • Turning off the A6121 junction heading down Carlby Road to Greatford, the field parcel on the corner is not part of the Order limits. The Applicant is not in control of the screening. • Assumes no interconnectivity of footpaths and walking routes assuming 	<p>The Applicant notes these comments. In terms of the specific issues raised:</p> <ul style="list-style-type: none"> • The proposed Green Infrastructure Strategy Plan [APP-173] together with Photomontage C [APP-170] shows that the solar arrays would be set back approximately 260 metres from the Carlby Road. A native treebelt would be planted along the northern of limit of Field 36 to provide visual screening in the long term. • The field on the corner of the A6121 junction with Carlby Road is not located within the Order Limits. The Applicant and landowner is in control of Fields 28 and 29 and the hedgerows which will provide partial visual screening of the solar arrays from the junction of the A6121 and the Carlby Road.

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		<p>all routes other than BRAW/1/1 won't be affected, that is just not the case.</p> <p>To characterise the changes of low magnitude and going to slight and minimal respectively yet still being adverse cannot be the case. The MPAG landscape and visual report unpicks some of the methodology anomalies.</p>	<ul style="list-style-type: none"> The LVIA assess the effects on the PRoW within the relevant Visual Receptor Groups (VRG's) where the effects are considered to be similar in nature. The effects on the character and experience of the PRoW when walking through the landscape has also been within the ARA [APP-058]. Please also see the Applicant's responses in the Public Rights of Way and Permissive Paths thematic table, which considers identified walking routes by MPAG. <p>A specific response to MPAGs landscape and visual report is provided below. The Applicant confirms that the findings of the LVIA [APP-36] remain unchanged on review of these comments.</p>
<p>REP2-044(LIR), REP2-045(FWQ), REP2-046(WR), REP2-073, REP2-056, REP2-104, REP2-169, REP2-172, REP2-235, REP2-143,</p>	<p>Landscape mitigation measures</p>	<p>Concerns raised regarding the 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 the location, simply to screen could have detrimental impacts.</p>	<p>Enclosure by hedgerows and hedgerow trees is characteristic of the Kesteven Uplands and Rutland Plateau – Clay Woodlands landscape character areas as set out in the Rutland Character Assessment (2003) and South Kesteven Character Assessment (2007) which promote new woodland and hedgerow planting and the use of new planting to minimise visual impacts. The Proposed Development therefore contributes positively towards these objectives.</p> <p>The design of the Proposed Development has sought to utilise the existing woodlands and hedgerows for visual screening and provide supplementary planting where required. The detailed planting design and specifications would be separately submitted and agreed with RCC and SKDC pursuant to the detailed LEMPs.</p>
<p>REP2-073, REP2-104, REP2-172, REP2-176, REP2-193</p>		<p>Concern that mitigation planting alongside PRoWs, Permissive paths and residential properties will offer limited screening provision of the development for the first several years.</p>	<p>The impacts to PRoW both within the Order Limits and in the vicinity have been assessed within the Amenity and Recreation Assessment (ARA) [APP-058] which forms Appendix 6.5 to the LVIA [APP-036].</p> <p>Indicative sections for design treatments and landscape mitigation for the existing PRoW are presented on page 39 of the DAS [REP2-018]. These design principles which include a 15m wide offset and hedgerow planting to avoid a channelling effect would also be applied along the proposed permissive routes.</p>

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			<p>As an example, Photomontage F - Additional photomontage from within Field No. 35 approximately 50 metres to the north of Viewpoint 6B (ExQ1/Q8.04) shows the proposed planting and visual screening along Bridleway E182 (BrAW/1/1) within the Solar PV Site between operation year 1 and 15. Once established, planting will provide increased visual screening year on year until full maturity is reached.</p> <p>These photomontages consider mitigation based on Forestry Commission growth rates which would also apply to all planting for the Proposed Development.</p> <p>As a general rule of thumb these growth rates are approximately 0.4m per year and means planting would therefore start to provide a developing level of screening before year 15 given those growth rates (e.g. by Year 5, this would be 2 metres high, which is the equivalent of a 6.5 foot human).</p>
REP2-169		Concern that the choice of mitigation is not in keeping with the vegetation of the wider area.	<p>Enclosure by hedgerows and hedgerow trees is characteristic of the Kesteven Uplands and Rutland Plateau – Clay Woodlands landscape character areas as set out in the Rutland Character Assessment (2003) and South Kesteven Character Assessment (2007) which promote new woodland and hedgerow planting and the use of new planting to minimise visual impacts. The Proposed Development therefore contributes positively towards these objectives.</p> <p>The design of the Proposed Development has sought to utilise the existing woodlands and hedgerows for visual screening and provide supplementary planting where required. The detailed planting design and specifications would be separately submitted and agreed with RCC and SKDC pursuant to the detailed LEMPs.</p>
REP2-169, REP2-098, REP2-234		Concerns raised regarding the discrepancies between proposed mitigation strategies within each submitted document. Further clarity on the final proposed mitigation strategies has been requested.	The proposed mitigation strategies are set out in outline as part of the dDCO. Each management plan and strategy will be prepared in detail prior to construction of the Proposed Development, but the principles of the mitigation proposed are secured through the DCO itself. Further details will be agreed with the local authorities

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		<p>Paragraphs 5.4, 5.4.1 and 5.4.2 of REP2-169 suggests that there is an anomaly in the application documents. This concerns the proposed planting of a hedgerow to the south of Carlby Road and along the northern boundary of the eastern parcel within Fields 34 and 36 near the Carlby Road.</p>	<p>in relation to specification of planting following the grant of the development consent.</p> <p>With regards to paragraphs 5.4, 5.4.1 and 5.4.2 of REP2-169, the proposed Green Infrastructure Strategy Plan [APP-173] together with Photomontage C [APP-170] shows that the solar arrays would be set back approximately 260 metres to the south of the Carlby Road. A native hedgerow would be planted directly to the south of the highway and a native treebelt would be planted along the historic alignment of a previous hedgerow setback approximately 260 metres within the Solar PV Site.</p> <p>A National Grid gas NHP main route is located to the east of the bridleway BrAW/1/1 within the eastern area. The proposed Green Infrastructure Strategy Plan [APP-173] currently shows a 40 metre wide easement and gap through the Solar PV Site to the south of the Carlby Road. <i>National Grid's Notes for Guidance – Tree Planting On Pipelines</i> advises that hedgerows may be planted across the pipeline easement. However, tall tree planting would need to be offset 6m from the pipeline route. Subject to detailed design, a lower section of hedgerow planting may be required over the gas pipeline over approximately 12 metres although the majority of the treebelt would comprise native woodland for visual screening. It should be noted that there are no solar arrays within the gas pipeline easement, therefore will not expose any additional views of the development. A hedgerow will also be planted along the Carlby Road which is the closest publicly accessible location to the easement and vegetation gap. The native treebelt and hedgerow planted along the northern edge of the solar arrays would provide visual screening in the long term.</p>
REP2-193		<p>Concerns arisen regarding the maintenance and enforcement of the proposed mitigation strategies. Who will ensure that the mitigation strategies are implemented as per the application.</p>	<p>The oLEMP [updated for Deadline 3] provides guidance and controls for the management and maintenance of planting to ensure that it provides effective mitigation.</p> <p>Further detailed LEMPs along with detailed planting plans and specifications will be provided should DCO consent be granted and these would be subject to approval by RCC and SKDC.</p>

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			The management and maintenance of proposed planting would be secured through the detailed LEMPs which subject to approval would be enforceable by RCC and SKDC – non-compliance with them would be a criminal offence.
REP2-048(LIR), REP2-050(FWQ), REP2-047(WR),		In respect of the stated landscape objective of creating new woodlands in the less wooded parts of the landscape character area, the proposal only includes two areas of proposed new woodland. This is despite a considerable amount of land being set aside around the panel locations for wildflower and tussock grassland. Further clarity on this mitigation strategy requested.	The design principles and landscape objectives which forms part of the embedded mitigation is set out within the DAS [REP2-018] and is further illustrated in the Green Infrastructure (GI) Strategy Plan [APP-173]. Section 6.0 of the DAS provides further details on the GI strategy and the reasoning for the vegetation types and areas of new habitats proposed within the DCO.
REP2-044(LIR), REP2-045(FWQ), REP2-046(WR), REP2-048(LIR), REP2-050(FWQ), REP2-047(WR),	Woodland maintenance and management	Further clarity surrounding the meaning of 'regular watering' in regards to the woodland as a result of the outline Operation Environmental Management Plan. 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.	The oLEMP [updated for Deadline 3] provides guidance and controls for the management and maintenance of the planting to ensure the successful establishment and effective mitigation. Should consent be granted, detailed LEMPs will be submitted for approval with RCC and SKDC. These detailed LEMPs would be enforceable by the LPA's once approved.
REP2-195, REP2-196 REP2-150	Soil mounds	Further clarity is requested regarding the current lack of definition as to the location and size of these 'mounds' makes it impossible to determine their impact which may be significant.	Further details regarding waste arising and topsoil storage are provided within the Outline Soil Management Plan including Outline Excavation Management Plan [PDA-007]. Paragraph 3.2.1 clarifies that the topsoil mounds would be located adjacent to the compounds and would be limited to circa 2 metres in height. The impacts of the mounds would therefore not be significant in comparison to the other elements of infrastructure within the DCO application.
REP2-172	Cumulative visual effects	Concerns regarding the lack of consideration to the cumulative visual effects.	Cumulative visual effects is assessed within Section 6.0 of the LVIA [APP-036]. A summary of potential cumulative effects, including intra-cumulative effects, is provided at Chapter 16 of the Environmental Statement [APP-046].

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REP2-090, REP2-138	Visual impact caused by the Substation	A substation is not appropriate. It would be clear to all passing traffic on A6121 and residents facing the substation from Glen Crescent as well as distant views from the site. Effective mitigation is not possible due to topography.	<p>The Onsite Substation is a functional requirement of the DCO to allow the export of electricity generated from the solar arrays and export onto the National Grid network. The Onsite Substation is located adjacent to the existing Ryhall Substation.</p> <p>The impacts of the proposed Onsite Substation are assessed within the LVIA [APP-036]. Glen Crescent is identified in visual receptor group 2. Impacts to this receptor group are concluded to be Slight and Adverse (Not Significant) at Year 1 and Year 15. Photomontages have also been produced at years 1 and 15 to inform the LVIA.</p> <p>Photomontage E [APP-172] illustrates the potential impacts of the proposed Onsite Substation from Stamford Road (A61210) during operation year 1 and 15.</p>
REP2-090, REP2-138	Description of the landscape	The description of the locality being characterised by <i>dispersed small settlements</i> is inappropriate and ignores the true scale and scope of the project.	The South Kesteven Landscape Character Assessment for the Kesteven Uplands Landscape Character Area (LCA) notes a key characteristic as a " <i>A dispersed, nucleated settlement pattern, mostly following the river valleys</i> ". This is an assessment undertaken on behalf of SKDC and is not related to the scale of the Proposed Development.
REP2-044(LIR), REP2-045(FWQ), REP2-046(WR), REP2-172	The conclusion of the assessment of effects on the landscape.	Concerns raised regarding the assessments of effects approach. It is usually understood that any classification of moderate or above is considered to be significant. This approach has not been replicated within the assessment, and therefore further clarification on this is requested.	<p>Within the EIA Regulations, judgements regarding the likelihood of significant or not significant effects must be clearly set out by a suitably qualified consultant. However, no particular threshold is given for the determination of significant or not significant effects, and it is for the assessor or suitably qualified consultant of the relevant topic to determine this threshold. The threshold for a significant or not significant effect may vary between EIA topics.</p> <p>Paragraph 2.4.7 of Chapter 2 [APP-032] states that "<i>Moderate or Major effects are considered to be significant, whilst minor and negligible effects are considered to be not significant. However, professional judgement will be applied for each topic, including taking account of whether the effect is permanent or temporary, its duration / frequency, whether it is reversible, and / or its likelihood of occurrence.</i>" The threshold for significance will therefore vary from topic-to-topic depending on different criteria of relevance to the particular chapter within the ES.</p>

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			<p>Paragraph 2.24 of the Guidelines for Landscape and Visual Impact Assessment 3rd Edition (GLVIA3) notes that <i>“Professional judgement is a very important part of LVIA. While there is some scope for quantitative measurement of some relatively objective matters, for example the number of trees lost to construction of a new mine, much of the assessment must rely on qualitative judgements, for example what effect the introduction of a new development or land use change may have on visual amenity, or about the significance of change in the character of the landscape and whether it is positive or negative.”</i></p> <p>Professional judgement has been applied to the LVIA methodology [APP-055] to consider the threshold of significant and not significant effects in the context of the Proposed Development and the mitigation measures to be applied. The significance ratings within the LVIA methodology [APP-055] indicates a ‘sliding scale’ of the relative importance of effects with Major being the most important and Minimal being the least important and this sliding scale has been applied accordingly. The Applicants methodology [APP-055] and threshold for the determination of significant or not significant effects has been considered appropriate for other DCO / NSIP applications and has been tested and considered acceptable at numerous other examinations and planning appeals including the approved EDF Sizewell Nuclear Power Station DCO.</p> <p>Finally, the independent review of the ES undertaken by Stantec did not raise any concern regarding the content, the robustness of the LVIA methodology, or the results of the assessment set out [APP-055].</p>
REP2-090	Landscape	<p>Justification requested for the use of the following statement within the non-technical summary, due to the lack of support.</p> <p><i>“the land within Lincolnshire has the potential to locate large scale solar development. This is</i></p>	<p>The statement within the Non-Technical Summary (NTS) is consistent with the findings of the LVIA which clarifies that the landscape within the Order Limits is considered to be a capable of accommodating a utility scale solar PV development.</p>

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		<i>due to the existence of large open areas of undeveloped land, which is predominantly made up of gently undulating topography and generally sparse settlement patterns."</i>	
REP2-044(LIR), REP2-045(FWQ), REP2-046(WR),	Definition	Agree that the construction will be phased but dispute the terminology of 'transient and intermittent'.	The Applicant notes this comment. Paragraph 6.5.9 of the LVIA [APP-36] further clarifies that due to the construction phasing, the construction effects would only be experienced at specific points in time and are therefore considered to be transient and intermittent in nature.
REP2-048(LIR), REP2-050(FWQ), REP2-047(WR),	ExQ1 – Q8.0.5 Viewpoints and visual receptor groups	The proposed viewpoints were discussed with RCC at the pre-application consultation stage of the process, and responses were provided to the applicant at that time.	The locations of the representative and illustrative viewpoints were the subject of consultation via letter with LCC on 10th January 2022, RCC on 7th January 2022, and SKDC on 7th January 2022. Copies of these letters and correspondence to the relevant planning and landscape officers are contained within Appendix 6.6 [AS-001].
REP2-044(LIR), REP2-045(FWQ), REP2-046(WR),		Whilst the selection of the viewpoints has been discussed with LCC during the preapplication consultation stage, the exact locations have not in all instances been agreed.	The LVIA [APP-036] includes a total of 20 no. representative and 8 no. illustrative viewpoints that were the subject of consultation with LCC. The Applicant notes the importance placed on proportionality as advocated within GLVIA3 para 6.2 which acknowledges that viewpoints are representative and it is simply not practical to capture all or every possible view that may arise through a Proposed Development. The selected viewpoints are considered to provide a proportionate range of views of the Proposed Development at different distances and directions from the Order Limits. The assessments within the LVIA are not in any event limited to the locations of the representative and illustrative viewpoints.
REP2-050(LIR), REP2-051(FWQ), REP2-052(WR)		Response: As set out in the LIR submitted by SKDC, the authority has commissioned an ES review by Stantec, jointly with RCC. This review concludes that the EIA has been undertaken in accordance with the appropriate legislation and guidance and comprehensively assesses the likely significant effects of the proposed	The Applicant notes this comment.

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		development. In addition, SKDC have been involved in the agreement of viewpoints at the pre-submission stage and therefore have nothing further to add in respect of viewpoints.	
REP2-048(LIR), REP2-050(FWQ), REP2-047(WR),	ExQ1 – Q8.0.17 the potential for cumulative landscape and visual effects	a) see plans attached at appendix 1 b) Approval Granted: 24/6/2021 Time Period: 3 years Implementation: Completion notice was issued in respect of the development in November 2022	The Applicant notes this comment. The development shown at Appendix 1 of REP2-050 (Deadline 2 submission from RCC) for the new warehouse in Essendine has been considered within the cumulative assessment in paragraphs 6.5.103 to 6.5.109 of the LVIA [APP-36]. This representation does not change our findings within the cumulative assessment within the LVIA.
REP2-048(LIR), REP2-050(FWQ), REP2-047(WR),	ExQ1 – Q8.0.18 Requirement 7 Landscape and Ecology Management Plan (LEMP)	Given the identified impacts set out at year 15 of the project, RCC considers that maintenance of the proposed landscaping should be provided to at least this stage in order to ensure that the mitigation proposed within the submission is secured and achieved.	The oLEMP [updated for Deadline 3] provides a framework for the management and maintenance for the duration of the operational phase of the Proposed Development (i.e. beyond 15 years) and the DCO requires that the measures in the OLEMP are maintained for the operational lifetime of the Proposed Scheme. The oLEMP will be augmented with detailed LEMP(s) at the detailed design stage which would be agreed and enforceable by the LPAs.
REP2-044(LIR), REP2-045(FWQ), REP2-046(WR),		A proposed maintenance period of five years is not considered appropriate and should be extended to at least 15 years reflecting the assumptions/assessments contained within the LVIA. This will ensure that the benefits of visual screening and mitigating effects of any landscaping is secured and achieved as predicted.	As above.
REP2-050(LIR), REP2-051(FWQ), REP2-052(WR)		Response: SKDC considers that any commitment to mitigate landscape effects that the assessment identifies as being necessary should be secured over the full period i.e. A minimum of 15 years, as this will ensure that the mitigation is embedded over the period for which it is necessary and ensures a robust approach is undertaken.	As above.

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REP2-090	Landscape Written Representation Appendix		<p>The written representation appendix in relation to landscape and visual matters made by MPAG covers a wide range of issues, some beyond landscape including health and wellbeing, quality of life, 'social amenity' and economics. The Applicant notes that there is agreement between parties in some areas, particularly in relation to Local/District value of the local landscape character areas (para 5.2.5) and impacts to Visual Receptor Group 1 (5.3.30). MPAG also acknowledge that some people may view solar development as a positive change (para 5.4.24).</p> <p>However, disagreements do remain. The Applicant does not intend to address each point specifically but instead provides a consolidated response under the below themes, where considered relevant:</p> <p>Size and Scale</p> <p>The Applicant provides responses to the size and scale of the Proposed Development under Section 2.0 of the Deadline 3 response. The proposals do comprise a utility scale solar photovoltaic development although the size and scale would be appear compartmentalised and divided by the prevailing landform, woodland and hedgerows such that the overall size and scale of the proposals would not be perceived from any given viewpoint.</p> <p>LVIA / RVAA Study Area</p> <p>A 2km LVIA study area was agreed as part of the EIA scoping exercise in consultation with LCC, RCC and SKDC, which was originally based on a 3km Zone of Theoretical Visibility (ZTV). The Applicant notes that other Solar DCO's including Longfield, Cleve Hill, Sunnica and Little Crow also uses a 2km LVIA study area. The Applicant notes that the viewpoints identified by MPAG during Statutory Consultation were all located within approximately 1km of the Order Limits. The LVIA has been independently reviewed on behalf of the LPA's by Stantec [APP-055] who did not raise any concerns with the robustness of the LVIA methodology [APP-036] or the extent of the study area.</p>

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			<p>The Residential Visual Amenity Assessment [APP-057] study area is informed by the findings of the LVIA and where it is considered there is potential for visual effects to residential properties to be 'overwhelming' or 'overbearing'. This is likely to be within close proximity to the Order Limits hence a 100m study area is used. It should be noted the RVAA test is not if the Proposed Development is visible (or not) but whether it would be visible to the extent visual effects are considered 'overwhelming' or 'overbearing' such that there would be an unacceptable effect on the living conditions within the particular property. The Applicant notes that RVAA's have not been produced for the consented Longfield, Little Crow or Sunnica Solar Farm DCO's due to the limited opportunity for 'overwhelming' or 'overbearing' effects.</p> <p>Threshold of Significance</p> <p>Within the EIA Regulations, judgements regarding the likelihood of significant or not significant effects must be clearly set out by a suitably qualified consultant. However, no particular threshold is given for the determination of significant or not significant effects, and it is for the assessor or suitably qualified consultant of the relevant topic to determine this threshold. The threshold for a significant or not significant effect may vary between EIA topics.</p> <p>Paragraph 2.4.7 of Chapter 2 [APP-032] states that <i>"Moderate or Major effects are considered to be significant, whilst minor and negligible effects are considered to be not significant. However, professional judgement will be applied for each topic, including taking account of whether the effect is permanent or temporary, its duration / frequency, whether it is reversible, and / or its likelihood of occurrence."</i> The threshold for significance will therefore vary from topic-to-topic depending on different criteria of relevance to the particular chapter within the ES.</p> <p>Paragraph 2.24 of the Guidelines for Landscape and Visual Impact Assessment 3rd Edition (GLVIA3) notes that <i>"Professional judgement is a very important part of LVIA. While there is some</i></p>

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			<p><i>scope for quantitative measurement of some relatively objective matters, for example the number of trees lost to construction of a new mine, much of the assessment must rely on qualitative judgements, for example what effect the introduction of a new development or land use change may have on visual amenity, or about the significance of change in the character of the landscape and whether it is positive or negative.”</i></p> <p>Professional judgement has been applied to the LVIA methodology [APP-055] to consider the threshold of significant and not significant effects in the context of the Proposed Development and the mitigation measures to be applied. The significance ratings within the LVIA methodology [APP-055] indicates a ‘sliding scale’ of the relative importance of effects with Major being the most important and Minimal being the least important and this sliding scale has been applied accordingly. The Applicants methodology [APP-055] and threshold for the determination of significant or not significant effects has been considered appropriate for other DCO / NSIP applications and has been tested and considered acceptable at numerous other examinations and planning appeals including the approved EDF Sizewell Nuclear Power Station DCO.</p> <p>Conflation of Landscape and Visual Effects</p> <p>The Applicant has undertaken separate landscape and visual assessment, recognising as GLVIA3 notes at paras 2.20 to 2.22 that the two are separate but interrelated topics. The Applicant disagrees that visual effects do not influence landscape character effects – the ability to see or not see a development within a particular Landscape Character Area (LCA), and the ability to screen and filter potential views through additional planting will have an influence on the level of impact that character area may experience. Individual landscape elements that contribute to landscape character and local value are considered in para 6.3.71 of the LVIA. The scale, extent and duration of visibility arising from a Proposed Development determines the magnitude of change on particular LCA although it does not necessarily follow that a</p>

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			<p>significant effect will occur simply by virtue of a development being visible.</p> <p>Mitigation as Harmful Both the LVIA and ARA recognises there would be a change to the character of views along PRow within the Solar PV Site as result of the proposed hedgerow planting as part of the embedded mitigation. The LVIA and ARA considers the loss of views across the countryside from these PRow although does not consider the mitigation planting to be harmful in itself or a 'high level adverse effect' (MPAG para 5.4.51). Enclosure by hedgerows and hedgerow trees is characteristic of the Kesteven Uplands and Rutland Plateau – Clay Woodlands landscape character areas as set out in the Rutland Character Assessment (2003) and South Kesteven Character Assessment (2007) which promote new woodland and hedgerow planting and the use of new planting to minimise visual impacts. The Proposed Development therefore contributes positively towards these objectives. The DAS [REP2-018] also explains how the Applicant has sought to account for the local landscape character. It therefore refutes any suggestion that its mitigation proposals are 'harmful'.</p> <p>Security Fencing The use of timber post and wire mesh (deer type) fencing is a widely accepted and a commonly used approach for securing solar farm developments across the UK. The Applicant is not aware of any issues of insuring such proposed security measures.</p> <p>Update of Photomontages The Applicant has produced photomontages in accordance with best practice guidance produced by the Landscape Institute's TGN 06/19 <i>Visual Representation of Development Proposals</i>. These are based on the maximum development parameters of the Proposed Development. The assumed growth rates for planting are 0.5m per annum for the proposed woodlands, hedgerows and trees. On this basis, the partial visual screening of the PV arrays</p>

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			<p>at 3.3 metres agl would take approximately 6-7 years as the proposed hedgerows establish. However, the exact timescales for visual screening can never be guaranteed as the growth rates of the proposed planting would be variable depending on a number of factors. Without specific details, it is not clear what alleged error/update MPAG is referring to in para 3.6.6.</p> <p>Difference between LVIA and ARA Whilst interrelated, the LVIA [APP-036] and ARA [APP-058] are separate assessments. The ARA is informed by the LVIA but also considers other factors in the appreciation of recreational amenity including potential noise and dust effects. The ARA provides a sequential assessment of the potential impacts to the PRoW resource taking into consideration the amenity recreational experience as a whole. It is therefore a more 'holistic' and hence why findings differ in some instances from those within the LVIA.</p> <p>MPAG Assessment The Applicant notes that whilst MPAG's LVIA assessment is 'high level' (para 2.2.12) it disagrees it is undertaken in accordance with GLVIA3. MPAG's assessment does not provide a detailed assessment using the framework advocated by GLVIA3, this is perhaps a result of 'budgetary constraints' (para 2.2.15) and it is acknowledged by MPAG at paragraph 5.4.24 in that it was "not possible to test conclusions due to limited scope". Any conclusions drawn from the MPAG assessment should recognise these significant limitations.</p> <p>Evidence Base The Applicant notes that whilst the MPAG representation has been submitted by a professional Chartered Member of the Landscape Institute (CMLI), much of the evidence base for the conclusions are anecdotal, involving conversations or assumptions of what 'may' be visible (para 5.4.16). Whilst the Applicant recognises the importance and value of local knowledge, the limitations of any source information that relies</p>

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			<p>upon third party observations or interpretations should be recognised and understood when drawing conclusions from this representation. As advised by GLVIA3, the LVIA has utilised existing official published and verified baseline studies, including those not directly related to solar development where appropriate, and an agreed scope of field study, to inform judgements in relation to landscape and visual sensitivity and value.</p>