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1 Introduction

1.1.1 This document has been prepared to provide NE with further consideration of the impacts of the against the special qualities of the Kent Downs NL as raised by the NE RR.

1.2 Context and Assessment Undertaken

1.2.1 The Project does not include land which falls within the designated area. The majority of the Kent Downs NL's Special Qualities relate to the characteristics of the designated area itself, which the Project will not have a direct effect on.

1.2.2 However, as the Project is located within the setting of the NL, the ES has considered its impact in relation to the following Special Qualities:

- Dramatic landform and views; a distinctive landscape character
- Tranquillity and remoteness

1.2.3 These aspects have been assessed in the ES on the basis of:

- The effects on visual receptors within the NL looking towards the Project;
- The effects on the landscape character of the NL, due to changes in its setting, including the impact on intervisibility;
- The effects on the night-time character of the landscape.

1.2.4 With respect to effects on landscape character, the approach taken in the ES was to focus on the Landscape Character Areas (LCA) of the Kent Downs AONB Landscape Character Assessment Update 2020, a document that provides an assessment of the key characteristics, condition and qualities of the landscape which underpin the NL designation.

1.2.5 This finer grain of detail proved useful to understand and describe:

- Variations in the relationship between the NL and its setting;
- The widespread but sporadic nature of views towards the Site from the Kent Downs NL; and
- The variations in the relationship between the Kent Downs NL and the Site.

1.2.6 The assessment of NL LCAs is set out in **ES Volume 4 Appendix 8.8: Landscape Effects Table** and **Appendix 8.12: Cumulative Effects Table (Doc Ref. 5.4)**.

1.2.7 The effects on visual receptors within the NL are assessed in **ES Volume 4 Appendix 8.9: Visual Effects Tables (Doc Ref. 5.4)**.

1.2.8 The remaining special qualities set out in Section 1.3 relate to the characteristics of the NL itself, and not its setting, and were therefore not included in the scope of the ES, however further information is provided in Table 1.

2 Kent Downs NL Special Qualities

2.1 Overview

- 2.1.1 Paragraph 1.2 of the Kent Downs AONB Management Plan 2021-2026¹ sets out the 'special components, characteristics and qualities of the Kent Downs AONB':

Dramatic landform and views; a distinctive landscape character

'The Kent Downs dramatic and diverse topography is based on the underlying geology. Key features comprise impressive south-facing steep slopes (scarps) of chalk and greensand; scalloped and hidden dry valleys, especially valued where they have a downland character; expansive plateaux; broad, steep-sided river valleys, and the dramatic, wild and iconic white cliffs and foreshore. Breath-taking, long-distance panoramas are offered, often across open countryside, estuaries and the sea from the scarp, cliffs and plateaux. The dip slope dry valleys and river valleys provide more intimate and enclosed vistas. The character of the Kent Downs is much valued; it arises from a distinctive, recognisable and pattern of elements in the landscape that make the Kent Downs particular and special as well as significant nationally and internationally.'

Biodiversity-rich habitats

'The unique landscapes of the Kent Downs create and contain a rich and distinctive biodiversity of local and often national or international importance. This landscape provides a home to several species that are largely or wholly confined to the Kent Downs in Britain. Habitats found in the Kent Downs include chalk grassland and chalk scrub; woodlands (ancient woodland, veteran trees and wood pasture), traditional orchards and cobnut platts, chalk cliffs and the foreshore, chalk streams and wet pasture, ponds and spring lines; heath and acid grassland. Hedgerows and trees outside woodlands are key features of the landscape and serve an important wildlife function along with networks of linear features of shaws, flower-rich field margins and road verges.'

Farmed landscape

'A long-established tradition of mixed farming has helped create and maintain the natural beauty of the Kent Downs. The pastoral scenery is a particularly valued part of the landscape. Farming covers around 64% of the AONB. Disconnected 'ribbons' of permanent grassland (shaves) are found along the steep scarp, valley sides, and on less productive land having been created by grazing. Locally concentrated areas of orchards, cobnut plats (nut orchards), hop gardens other horticultural production are also present, their regular striate form can enhance the rise and fall of the land, increasingly widespread vineyards add to this ordered character.'

Woodland and trees

'The Kent Downs is one of Britain's most wooded landscapes. Broadleaf and mixed woodland cover around 23% of the Kent Downs and frame the upper slopes of the

scarp, dry valleys and plateaux tops. Almost 70% of the woodlands are ancient woodland meaning they have been continuously present at least since at least 1600; they support nationally important woodland plant and animal species. Large areas of sweet chestnut coppice are present throughout the Downs. Woodland is a much-valued component of the landscape, the sights, changing colours, smells and sounds adding to the perceptual qualities of the landscape. Individual, hedgerow, fine and ancient trees outside woodlands are a most important, characteristic and sometimes dramatic element of the landscape’.

A rich legacy of historic and cultural heritage

‘Millennia of human activity have created an outstanding cultural inheritance and strong ‘time depth’ to the Kent Downs. In the original designation the characteristic villages, churches and castles are particularly noted and the historic settlement pattern remains an important distinctive component of the AONB. There are the remains of Neolithic megalithic monuments, Bronze Age barrows, Iron Age hill-forts, Roman villas, roads and towns, medieval villages and hamlets focused on their churches, post-medieval stately homes with their parks and gardens and historic defence structures from Norman times to the twentieth century’.

The Heritage Coasts

‘The Heritage Coasts either side of Dover, include the shoreline, marine flora and fauna cliffs, heritage features and adjacent downland. The White Cliffs form part of our national identity and display internationally important geological exposures, they form a soaring land and seascape of vast horizons of sea and sky extending westwards to the subtle crumbling Greensand and Clay cliffs of Folkestone’.

Geology and natural resources

‘The imposing landform and special characteristics of the Kent Downs is underpinned by its geology. This is also the basis for the considerable natural capital and natural resources which benefit society. These include the soils which support an important farming sector and can sequester carbon; soil represent and is important biodiversity resource in its own right. The water and the water resources which support rivers teeming with wildlife and offering enchanting landscapes. Hidden below the chalk is a significant aquifer providing 75% of Kent’s drinking water and feeding the much-valued chalk streams of the Downs. Fresh, clean air is experienced across the AONB and the vegetation patterns of the Downs are effective at removing air pollution’.

Tranquillity and Remoteness

‘Much of the AONB provides surprisingly tranquil and remote countryside – offering dark night skies, space, beauty and peace. Simply seeing a natural landscape, hearing birdsong, seeing and hearing the sea, watching stars at night or ‘bathing’ in woodland are important perceptual qualities of the AONB’.

2.2 Kent Downs NL Setting

- 2.2.1 The setting of the Kent Downs NL is not noted as a Special Quality in its own right, however it is acknowledged that the setting of the NL contributes to 'Breath-taking, long-distance panoramas', particularly from the south facing escarpments.
- 2.2.2 The AONB Management Plan defines the setting of the NL as *'broadly speaking the land outside the designated area which is visible from the AONB and from which the AONB can be seen, but may be wider when affected by intrusive features beyond that'*.
- 2.2.3 However, the AONB Management Plan also states that 'Proposals which would affect the setting of the AONB are not subject to the same level of constraint as those which would affect the AONB itself. The weight to be afforded to setting issues will depend on the significance of the impact. Matters such as the size of proposals, their distance, incompatibility with their surroundings, movement, reflectivity and colour are likely to affect impact'.
- 2.2.4 On the basis of the above, it is considered appropriate that the LVIA focuses on the impact of the Project on visual receptors experiencing views from the NL, as well as views towards the NL. In character terms, the LVIA's approach to assessing the effects on the NL's LCA's is also considered appropriate and proportionate.

3 Special Qualities Assessment

- 3.1.1 Further commentary on the assessment of the Project on the Special Qualities of the NL is set out in **Table 3.1**.

Table 3.1 : Commentary on National Landscape Special Qualities

Special Qualities	Response
<p>Dramatic landform and views; a distinctive landscape character</p>	<p>The Project is not located on or in close proximity to the dramatic landform that characterises the Kent Downs NL.</p> <p>The south facing steep chalk slopes of the North Downs ridgeline are located 4km north of the Site at its nearest point (measured from the Sellindge Substation), however the parts of the Site that are visible from the ridge are approximately 6km distant.</p> <p>The south facing scarp slopes of the greensand ridge are located approximately 400m south of the Site at the nearest point (measured from the southern edge of Parcel E). However, there is no intervisibility between the south facing greensand scarp and the Site, with views from this feature focused on the Romney Marshes to the south, and extensive intervening vegetation combining with landform to prevent intervisibility.</p> <p>For visual receptors experiencing long distance expansive panoramic views from the North Downs chalk scarp, the Project will be partially screened with limited parts of the Site visible at a distance of approximately 6.8km, within a varied landscape that includes existing settlement and infrastructure. The effect on visual receptors in this location has been assessed as minor-negligible as a worst case and are not significant.</p> <p>For visual receptors in the NL to the south of the Site, an isolated, glimpsed and partial view of the Project from Roman Road could be experienced, leading to a minor adverse effect as a worst case scenario (not significant). The Kent Downs NL team has requested additional vegetation planting on the south of the Parcel E to remove any visibility and this is secured in the [LEMP]. However, views from this location (i.e. north facing from the north side of the Greensand Ridge) are not considered to contribute to this special quality of the NL.</p> <p>With respect to the character of the NL, the assessment of indirect effects on the setting of NL LCAs concluded that LCA 4C Stour Valley and LCA 5b Lympne Greensand Escarpment would be subject to negligible effects (not</p>

Special Qualities	Response
	<p>significant). Effects on LCA 2C Postling Scarp and Vale were assessed as minor-moderate (not significant) as a worst case scenario, however this primarily relates to views towards the North Downs ridge, which are available in many locations within the setting of the NL, and are not subject to the same level of protection, or assigned the same value, as views from within the designated landscape. No direct effects on the landscape character of the NL would occur as a result of the Project.</p> <p>On the basis of the above, the Project is considered to result in a very limited effect on the Special Quality of Dramatic landform and views; a distinctive landscape character.</p>
<p>Biodiversity-rich habitats</p>	<p>The Project does not include land within the NL and therefore will have no direct effect on its habitats.</p> <p>Notwithstanding the above, the Project will be accompanied by a comprehensive landscape mitigation and enhancement strategy that includes:</p> <ul style="list-style-type: none"> ▪ Native woodland ▪ Orchard ▪ Native hedgerow and shrub planting ▪ Extensive areas of wildflower grassland ▪ Canopy trees ▪ Ponds and wet meadow grassland <p>As a result, the Project will result in an enhancement of the Site’s habitats, within the setting of the NL.</p> <p>The Project will not have an adverse effect on the NL Special Quality of Biodiversity-rich habitats.</p>
<p>Farmed landscape</p>	<p>The Project does not include land within the NL, and therefore has no direct impact on this Special Quality.</p> <p>The Project will not have an adverse effect on the NL Special Quality of Farmed Landscape.</p>
<p>Woodland and trees</p>	<p>The Project does not include land within the NL and therefore will have no direct effect on its woodland and trees.</p> <p>Notwithstanding the above, the Project requires minimal removal of existing trees and woodland and the illustrative landscape strategy includes extensive proposed planting, comprising a broad mixture of native trees and shrubs, also including sweet chestnut.</p>

Special Qualities	Response
	The Project will not have an adverse effect on the NL Special Quality of Woodland and Trees.
A rich legacy of historic and cultural heritage	<p>The Project does not include land within the NL, and therefore has no direct impact on this Special Quality.</p> <p>No heritage assets within the NL have been found to be significantly affected by the Project as confirmed by ES Volume 2 Chapter 7: Cultural Heritage (Doc Ref. 5.2).</p> <p>The Project will not have an adverse effect on the NL Special Quality of A rich legacy of historic and cultural heritage.</p>
The Heritage Coasts	<p>The Project lies approximately 15km west of the Heritage Coast designated area. The Project will not have an impact on the Special Quality.</p> <p>The Project will not have an adverse effect on the NL Special Quality of A rich legacy of The Heritage Coasts.</p>
Geology and natural resources	<p>The Project does not include land within the Kent Downs NL, and therefore will not result in any changes to the NL's geology, soils or natural resources.</p> <p>The Project will not have an adverse effect on the NL Special Quality of Geology and natural resources.</p>
Tranquillity and remoteness	<p>The Project does not include land within the Kent Downs NL and therefore does not impact directly on the designated area.</p> <p>Natural England's Guidance for assessing landscapes for designation as National Park or Area of Outstanding Natural Beauty in England provides criteria for assessing tranquillity. Factors that contribute to tranquillity are: <i>'Presence and/or perceptions of natural landscape, birdsong, peace and quiet, natural-looking woodland, stars at night, stream, sea, natural sounds and similar influences'</i>.</p> <p>Factors that detract from tranquillity are <i>'Presence and/or perceptions of traffic noise, large numbers of people, urban development, overhead light pollution, low flying aircraft, power lines and similar influences'</i>.</p> <p>In this context it is important to note that the Project will not at any time lead to urban development, large numbers of people, aircraft or overhead power lines.</p> <p>As set out in ES Paragraph 8.7.10, during the construction phase, the Project will temporarily result in increased activity and noise as construction activities progress across the Site. The construction phase is also expected to generate</p>

Special Qualities	Response
	<p>limited lighting, comprising temporary fixed lighting for construction compounds, small scale task lighting, and lights from vehicles associated with the construction process.</p> <p>However due to the distance between the Site and the NL, the partial nature of views and the Site’s context (i.e. including HS1, the M20 Motorway, Ashford), these changes are unlikely to alter the sense of tranquillity experienced within the NL.</p> <p>During the operational phase of the Project, there will be minimal activity and traffic and noise generated by the Project will be confined to small areas within the Site itself.</p> <p>The Site’s context, strongly influenced as it is by major existing infrastructure (M20 Motorway, HS1 railway), and areas of settlement including Ashford and surrounding villages is not perceived as remote. These influences contribute to an active landscape with varying land uses, which already forms a key characteristic of the setting of the NL. On this basis, and considering the nature of the development type proposed, the Project is not considered to negatively affect the sense of remoteness perceived within the NL.</p> <p>The Project will not have an adverse effect on the NL Special Quality of Tranquillity and remoteness.</p>

3.1.2 In summary, the Project will have a minimal effect on one of the NL’s Special Qualities, owing to effects on long distance views from the elevated chalk scarp of the North Downs.

3.2 Kent Downs National Landscape Team Representations

3.2.1 For ease of NE’s reference, the full Representations made to the DCO Application by the Kent Downs National Landscape Team (dated 2 September 2024) is provided below.

‘The site lies within the setting of the Kent Downs National Landscape, by virtue of the scale of the proposal, the proximity of the site to the National Landscape boundary and due to the fact parts of the site area are inter-visible with the AONB. Given the scale of the development and proximity to the National Landscape there is potential for harmful effects on the setting of the AONB. The National Landscape Team considers that due to the distance from the National Landscape boundary, topography and the nature of the mature woodland and hedge planting between the National Landscape and this site, and the siting of the panels facing southwards, the level of discernment of the solar array from the Kent Downs NL looking south from the escarpment, is not likely to be significant. The main impacts to the Kent

Downs NL are likely to be in respect of proposed Parcel E, and potential intervisibility from the part of the Kent Downs NL that wraps around to the south of the proposed site of the solar array.

The Kent Downs NL Team is keen to ensure that sufficient planting is incorporated along the southern/eastern boundary of Parcel E to help mitigate visual impacts from the AONB to the south. The proposal will, of course, result in a change in the landscape from an agricultural use to the industrialising impact of a very large solar farm, outside the AONB. However, given the context of the site, it is not likely to result in any material harm to those seeking to enjoy the Kent Downs AONB within the nationally protected landscape and, subject to the incorporation of sufficient landscaping, should not have a material impact on the setting of the Kent Downs AONB. The National Landscape Team has welcomed the positive engagement between the Applicant EPL 001 Limited and their consultants with the National Landscape Team to date, including the amendment of the proposals and incorporation additional mitigation planting in response to comments made by the Kent Downs NL Team to the statutory consultations.'

References
