

Response to feedback provided by the Landscape Consultant within Place Services dated 11.12.2023

1. We have reviewed the feedback provided by the Landscape Consultant within Place Services dated 11.12.2023. This note sets out our response to the matters raised. We have also prepared an updated photographic record which accompanied the LVIA. This is in response to Third Party comments regarding viewpoint locations.
2. The LVIA has been updated to address the updated planning policy context which has evolved since the application was submitted and replaces the version previously submitted.
3. For ease of reference the note addresses matters raised in the feedback provided by the Landscape Consultant in chronological order as it was set out within the response.

Site Context

The site is also within the Stour Valley Project Area. This assigned area has been defined as a valued landscape for a number of reasons: cultural connections, historical associations, beauty and tranquillity of the countryside. New development in the Stour Valley Project Area should not significantly impact those defined qualities of the area that make it important to residents and visitors. Any new development should also conform with the Dedham Vale AONB and Stour Valley Management Plan 2021–26 and their Management Plan Policies.

4. It is acknowledged that some impact on landscape character would arise, and this is reported in the LVA. The above documents have been considered and used to inform the landscape strategy for the site. In this context the Planning Statement sets out why it is considered that these effects are outweighed by the benefits of the development.

Review of the proposal

LVIA

The submitted LVIA has been prepared following the principles set out in the third edition of "Guidelines for Landscape and Visual Impact Assessment" (GLVIA3).

5. It is noted that the Landscape Consultant accepts that the LVIA has been carried out in line with the principles set out in GLVIA3.

The LVIA Appendix 1 – Methodology did not include descriptions for the Level of Effects terminologies: Major, Major/Moderate, Moderate, Moderate/Minor or Minor.

6. The methodology adopted in the LVIA is summarised in a series of categories of significance which reflect the combinations of sensitivity and magnitude and which aligns with GLVIA3 paragraph 3.33.
7. The following tables provide typical descriptions for landscape and visual effects.

Typical Descriptors of Landscape Effects	
MAJOR BENEFICIAL	<p>Substantially:</p> <ul style="list-style-type: none"> - enhance the character (including value) of the landscape; - enhance the restoration of characteristic features and elements lost as a result of changes from inappropriate management or development; - enable a sense of place to be enhanced.
MODERATE BENEFICIAL	<p>Moderately:</p> <ul style="list-style-type: none"> - enhance the character (including value) of the landscape; - enable the restoration of characteristic features and elements partially lost or diminished as a result of changes from inappropriate management or development; - enable a sense of place to be restored.
MINOR BENEFICIAL	<p>Slightly:</p> <ul style="list-style-type: none"> - complement the character (including value) of the landscape; - maintain or enhance characteristic features or elements; - enable some sense of place to be restored.
NEGLIGIBLE	<p>The proposed changes would (on balance) maintain the character (including value) of the landscape and would:</p> <ul style="list-style-type: none"> - be in keeping with landscape character and blend in with characteristic features and elements; - Enable a sense of place to be maintained.
NO CHANGE	<p>The proposed changes would not be visible and there would be no change to landscape character.</p>
MINOR ADVERSE	<p>Slightly:</p> <ul style="list-style-type: none"> - not quite fit the character (including value) of the landscape; - be a variance with characteristic features and elements; - detract from sense of place.
MODERATE ADVERSE	<p>Moderately:</p> <ul style="list-style-type: none"> - conflict with the character (including value) of the landscape; - have an adverse effect on characteristic features or elements; - diminish a sense of place.
MAJOR ADVERSE	<p>Substantially:</p> <ul style="list-style-type: none"> - be at variance with the character (including value) of the landscape; - degrade or diminish the integrity of a range of characteristic features and elements or cause them to be lost; - change a sense of place.

Typical Descriptors of Visual Effects	
MAJOR BENEFICIAL	Proposals would result in a major improvement in the view.
MODERATE BENEFICIAL	Proposals would result in a clear improvement in the view.
MINOR BENEFICIAL	Proposals would result in a slight improvement in the view.
NEGLIGIBLE	The proposed changes would be in keeping with, and would maintain, the existing view or where (on balance) the proposed changes would maintain the general appearance of the view (which may include adverse effects which are offset by beneficial effects for the same receptor) or due to distance from the receptor, the proposed change would be barely perceptible to the naked eye.
NO CHANGE	The proposed changes would not be visible and there would be no change to the view.
MINOR ADVERSE	Proposals would result in a slight deterioration in the view.
MODERATE ADVERSE	Proposals would result in a clear deterioration in the view.
MAJOR ADVERSE	Proposals would result in a major deterioration in the view.

We note that the Type 1 photographic records do not include any annotations to mark the extent of the site and important / relevant landscape features within the given views. As per “The Visual Representation of Development Proposals Technical Guidance Note (TGN) 06/19” (Landscape Institute, September 2019), Type 1 visualisations are annotated viewpoint photographs with the aim: To represent context and outline or extent of development and of key features. We would request that annotations are added to these viewpoints to identify location important features and to colour the site area/fields to inform of the location and extent of the site.

8. The updated photographic record incorporates annotations and/or additional graphics as considered appropriate.
9. It should also be noted that Type 3 visualisations were also prepared for key viewpoints (Viewpoints 1, 2, 7, 10, 11, 12 and 13) and included at Appendix 12 to the LVIA, which does not appear to have been acknowledged by the Landscape Consultant. The provision of 7no. Type 3 visualisations supplements the information illustrated in the Type 1 images to further convey the location of the proposed development from a variety of directions and distances.

Additional viewpoint locations to be included in the LVIA were previously requested in our response dated 01/11/2023 for DC/23/04373. On review of the submitted viewpoints, these have been omitted/not included. We would still like to see these viewpoints included as it will confirm whether views are or are not possible.

10. The updated photographic record adds the five requested locations (viewpoints 16 to 20).

The LVIA acknowledges that the site and wider landscape is a valued landscape with high landscape value and high sensitivity to the proposed development. Contrary to Table 1 – landscape effects, we consider the sensitivity of landform and topography is High as a result of its contribution to the Undulating Ancient Farmland landscape character type.

11. We note that there is agreement of the site and wider landscape being a valued landscape. However, in reaching such a conclusion, it is not unusual for there to be differences of judgement relating to components of the landscape and the concluding effects upon those, as is the case in relation to landform and topography.

We consider the magnitude of change for the LCT Undulating Ancient Farmland to be High as a result of an alteration to the physical and perceptual characteristics of the landscape – ‘undulating arable landscape’ change to solar development. The LVIA describes High Magnitude of Change as ‘A major loss or alteration to existing landscape features; Introduction of major new features into the landscape; Or a major change to the key physical and or perceptual attributes of the landscape.’

12. As described in relation to the previous point above it is not unusual for landscape professionals to conclude different judgements when assessing landscape change. It is noted, however, that the consultation response goes on to describe that *‘The LVIA confirms that the effects of the proposed development upon landscape character would be major adverse for the character of the site itself and moderate to major/moderate adverse upon Undulating Ancient Farmland LCT’* and it appears that these overall assessments are agreed with, despite the assessors arriving at slightly differing judgements for sensitivity or magnitude of change.

It is our professional opinion that the visual effects of the proposed development have been underestimated. The LVIA has demonstrated that the sloping valley side topography of the site and elevated nature of the surrounding viewpoint locations increase the visibility of the site and makes screening with the use of vegetation almost impossible when viewed from the opposite side of the valley to the north-east.

13. We do not accept that the LVIA has underestimated the effects on or visual amenity. It is unclear whether there are specific visual receptor judgements within the LVIA with which the consultee disagrees. Indeed, the following observations that were made within the consultee response which describe the general locations from where the proposed development could be visible and the reduction in visual effects by mitigation generally align with the conclusions of the LVIA.

We disagree with the LVIA conclusion that the development can be accommodated without undue harm to landscape and visual amenity.

14. This is noted.

Landscape Masterplan

As per our previous responses, we would recommend that Solar arrays and infrastructure are not proposed for the area between the two ancient woodland (as below). Instead this area should be proposed to provide ecological benefit. We would recommend this area should include some woodland edge habit to further increase the biodiversity of the site. Habitat creation of this type would be considered a long-term landscape enhancement, providing a positive landscape legacy beyond the lifetime of the proposed development, thus going some way to meet local and national planning policies, which require development to enhance the landscape.

15. We note the request; however, the development layout retains panels in this area of the site.

We have concerns on the proximity of solar panels to the RPAs of the existing field boundaries hedgerows trees T11, T12, T21 and T22. There could be a conflict between the RPAs and the solar panel supported piles. This should be reviewed in detail and changes made if necessary.

16. The project team has reviewed the scheme against tree constraints. In light of the revised development layout the Arboricultural Impact Assessment provides details for the protection and working methods near to existing trees and woodland.

Associated Infrastructure

As per our previous comments: Any buildings should be of a sensitive colour to blend in with the surrounding landscape. The use of colour green will not be acceptable. Instead the colours black, dark grey or dark brown will be more suitable.

Drawings O4806-RES-BAT-DR-PT-001 Rev 1 Battery storage enclosure and O4806-RES-SOL-DR-PT-002 Rev 2 Inverter substation and storage layout indicate that units will be white/light grey colour. We appreciate that these colours may have been chosen for a non-landscape related reason, however these colours would be visibly prominent in the wider landscape and therefore would not be acceptable. We request that the proposed colour for the units is amended. We would recommend that the colours black, dark grey or dark brown are considered as per our previous recommendations.

17. The project team have reviewed the consultee comments and have revised the proposals to refer to 'dark colours such as black, dark grey or dark brown', subject to agreement with the Council via submission of details in relation to an appropriately worded condition.

The proposed traditional deer fencing of timber posts and wire mesh is appropriate for this site. Any other metal structures/poles or fencing such as the proposed mesh fence and gates should be specified as colour black. This also applies to CCTV post and any lighting posts.

18. The response at point 17 also applies to this comment.

We notice that fencing and access track is encroaching into the buffer area to Park Wood. Fencing is also encroaching the north-east area of Lownage Wood. Due care to protect ancient woodlands will be required. An Arboricultural Method Statement should be produced, and recommendations followed in full to guarantee no damage to Park Wood and Lownage Wood.

19. The location of fencing has been adjusted to reduce the effects upon these buffers. Nonetheless, the Arboricultural Impact Assessment (AIA) provides details for the protection and working methods near to existing trees and woodland and concludes that 'the proposal is feasible from an arboricultural perspective' and 'if carefully implemented according to an approved arboricultural method statement there would be no or only a low potential negative impact upon the retained trees'.

Summary

The LVIA says that the proposed development will be visible during construction, year 1 and year 7 resulting in a Moderate to Major/Moderate Adverse level of effect. The effects of the proposed development will extend beyond year 7 to the full operational phase of the development, which is estimated to be 40 years.

The LVIA concludes that “the development can be accommodated without undue harm to landscape and visual amenity.” As above, we do not agree with this statement. The proposed mitigation cannot fully reduce the landscape harm or visual effects and therefore there will be a residual effect and level harm that cannot be mitigated.

We do however recognise the potential benefits in terms of biodiversity and contribution to landscape character arising from the proposed woodland areas and landscape strategy associated with the proposed development.

20. It is acknowledged that some impact on landscape character and local views would arise but that the landscape masterplan has been carefully considered to positively respond to local character and provide visual mitigation as far as practicable, and this is reported in the LVIA. It is considered that the impacts would however be relatively limited and localised and confined to locations adjacent to the site itself or within more distant views from the south-facing valley side. In this context the original Planning Statement sets out why it is considered that these effects are outweighed by the benefits of the development.