Rebuttal of Belvoir Solar Farm Independent Landscape Review

Belvoir Solar Farm

On behalf of JBM Solar

Date: March 2023 | Pegasus Ref: P19-2022

Author: Louis Spencer BA (Hons) MA LMLI TechArborA

Document Management.

Version	Date	Author	Checked/ Approved by:	Reason for revision
Rev001	15.02.23	KB	EF	
Rev002	20.02.23	KB	EF	Minor text changes. Inclusion of CEC email
Rev003	30.03.23	LS	KB	CEC updated Landscape Rebuttal received
Rev004	30.03.23	LS	KB	Minor text changes

Contents.

Appendices.

1. Introduction

1.1. The following provides a rebuttal of the independent landscape review provided by CEC Ltd (Ref: CEC - 1st December 2022) and subsequent Landscape Rebuttal note (Ref: CEC4229 – 16th March 2023) for Melton Borough Council (found at Appendix 1) in relation to Belvoir Solar Farm ("Proposed Development") and the following submitted planning application documents relating to landscape and visual matters:

- Environmental Statement Chapter 2 - Landscape and Visual Impact Assessment – Pegasus Group (January 2022) and Appendices.
- Potential Cumulative Effects on Landscape Character and Visual Amenity – Pegasus Group (November 2022) and Appendices.
- Design and Access Statement – Pegasus Group (February 2022).
- Environmental Statement – Non-Technical Summary – Pegasus Group (January 2022).
- Figure_1.4_-_Site_Layout_and_Landscape_Masterplan_01.04.22-1112503.

1.2. The executive summary provides a brief of the issues arising. The points raised are looked at in more detail in the following sections.

2. Issues Raised

Paragraph 2.1

> ***"The Rebuttal clarifies (under item 2.3) that the hedges will be maintained at a maximum of 3m height, and this was not disputed in the previous landscape comments. The CEC Review wanted to clarify that if a hedge is 'maintained' at 3m (i.e. cut to a height of 3m) then there will be growth on top of this before the hedge is cut again. Therefore for the hedge to not exceed 3m it will need to be 'maintained' at a much lower height to allow for seasonal growth before the next cut. Being unfamiliar with the timings of rotational cuts of hedges in this area, it is not possible for me to comment on the time period between hedge cuts, or how much growth the hedges can put on in this time. The result is that for a hedge not to exceed 3m in height between cuts it is likely to be maintained/cut to a much lower level. This would in turn provide reduced mitigation for the adverse visual effects experienced by those viewing the development over the hedges***

2.1. Throughout the Landscape Masterplan, the LVIA Mitigation and Enhancement Measures and the subsequent Landscape Rebuttal, it is stated that the hedgerows will be *"maintained at a maximum of 3m high"*.

2.2. Although the local landscape at the time of assessment portrays low-level hedgerows, it is unreasonable to consider that the hedgerows will remain this height throughout the year and over multiple years due to the nature of their growth, as illustrated in the previous google earth streetview images and commented upon in previous rebuttals. It is the landowner's discretion to let the hedgerows grow to 4 or 5m in height without recourse and there is clearly lots of variety in the landscape in terms of height of hedgerows, trees and woodland areas, as is the case for all character areas throughout the country.

2.3. Given the rationale for a maximum height of hedgerows to be 3m, it is sensible to assume that hedgerows will be cut to around 2m. This is in accordance with good practice and constitutes a "well-managed hedgerow" according to the Suffolk Hedgerow Survey (1998-2012) page 17, illustrating "minimum 2m high x 1.5m wide". This cut will be carried out every 2-3 years (para 3.8 of the EES) which will allow approximately 0.5m growth each year. This would, on balance, have the ability to retain the characteristic of low-level hedgerows for the majority of the time whilst still providing filtering effects for the sensitive receptors. This is a typical management regime for agricultural land, including solar development, throughout the UK.

2.4. An argument also has to be made for the ecological benefits of a more relaxed management of hedgerows in rotation, allowing species such as the predominant Hawthorn to flower and fruit more freely to benefit a wide selection of local wildlife. Melton Neighbourhood Plan: Landscape and Wildlife Evaluation (2020) para 5.5.1.3 '*Activities and development most likely to affect Hedgerow Priority Habitat in Melton*' states that "*Too-frequent flailing can lead to structural incoherence and – if carried out in successive years – loss of hedgerow fruit in autumn, as flowering and fruiting normally takes place on second year growth*".

2.5. It is clear that there are some discrepancies in terminology throughout the Environmental Enhancement Strategy which is in conflict with the recommendations within the LVIA and Landscape Masterplan, which CEC have remarked upon. As stated above, to make it clear,

the desired approach is for the hedgerows to be maintained at a maximum of 3m high. Specific details of this approach and timings can be formulated in a Landscape and Ecological Management Plan at a later date should this be necessary.

2.6. Given the average observer height would be 1.7m (in accordance with published landscape literature and average heights for men and women as set out in GLVIA3 and identified on the Pegasus SZTV plan), the majority of the receptors experiencing the view will still benefit from filtering effects through the course of this hedgerow management regime as they are to be 2m-3m.

2.7. Our previous Landscape Rebuttal (Rev002) provides additional context to refute these points which will not be repeated in this document.

Paragraph 2.6

> ***"a more detailed examination of the Public Rights of Way (PRoWs) which run along the boundaries of the site show approx. 2,280m of PRoW which have an existing or proposed hedge on one side and the site fence on the other (no hedge). This is the case for the whole of the PROW along Winter Beck. Here the identified Major significant adverse visual effects of the solar array will not be mitigated by any new hedges.."***

2.8. PRoWs that run along the boundaries of the site will inevitably experience change arising from the Proposed Development given that they are at such a close distance to the site. This is specifically detailed within our LVIA with Para 2.4.27 stating that *"viewpoints from PRoWs within the Proposed Development layout boundary have not been included with the selection of views as it is assumed that there would be a major effect on this high sensitivity group of receptors with such a direct view. Despite any mitigation measures there would still be a high to medium magnitude of change at all stages which would result in major effects*". This includes the majority of Winter Beck which is within the site boundary.

2.9. However, the mitigation approach for these areas illustrated throughout the design include the allowance of large buffers (10m wide) to field boundaries to set the solar arrays and security fencing away from the footpaths and other field boundary features to create generous field margins. The experience for the users travelling along these footpaths will therefore change, but the distance to the security fence will be approximately 10m. This buffer will be filled with species rich wildflower grassland meadow to introduce a botanically diverse and therefore biodiverse corridor to attract pollinators. The security fence will not directly abut the footpath and be imposing on the footpath users, and therefore the experience of the agricultural landscape and open vale character will remain.

2.10. The alternative option of providing a hedgerow along the entirety of these PRoW footpath just to screen the development would change the experience for users of the footpath considerably by creating a tunnel effect. This is not our desired approach and also not typical of the local landscape. The hedgerow and scattered trees along the one side of the Winter Beck corridor and other PRoW routes creates a pleasing and open environment whilst not being overbearing on the users, which the inclusion of more hedgerow may create.

2.11. Again, ecological benefits also need to be considered on balance with the landscape approach. Additional ecological enhancement proposals along this footpath with a beneficial impact on the landscape for users include heritage interpretation boards and information

boards; education areas; picnic areas; and a community orchard. Other enhancements along these boundaries and routes which will help create a biodiverse landscape will include bird boxes; bat boxes; hibernaculas; log piles; and beehives which will complement the wildflower meadow to create an attractive corridor for local wildlife and therefore local wildlife groups and communities. These are illustrated on the Landscape Masterplan and associated Indicative Cross Sections within the EES, alongside text and imagery to illustrate the design rationale.

Paragraph 4.1

> ***"The CEC Review highlighted that the additional Cumulative Assessment had looked at the potential cumulative effects on landscape character by looking at each separate 'character area' individually, rather than looking at the local landscape character within the 5km study area as a whole. This was why my email following the telephone discussion explained that it will be for Melton BC to make a judgement as to whether the consented solar farms in conjunction with the Belvior development create a landscape where solar farms become one of the defining characteristics of the Vale landscape, and whether this is acceptable.***

2.12. There is no landscape capacity study for solar farms in the vale. Each scheme should be judged on its own merits against current planning policy. We have carried out a detailed cumulative assessment with other schemes in the area to inform Melton BC to make their judgement on this matter.

3. Conclusion

3.1. The proposed measures for hedgerow include maintaining a maximum height of 3m, as described within the LVIA and Landscape Masterplan, as well as previous rebuttals. Hedgerow heights naturally fluctuate in the local landscape which is typical of agricultural management in the countryside and on solar farms throughout the UK. Ongoing rotational management described in the objectives and throughout the Environmental Enhancement Strategy document seeks to preserve the local landscape character whilst offering filtering effects for local receptors. We believe this result can be achieved through the measures described throughout our documentation, on balance with additional enhancement objectives.

3.2. PRoWs within the site boundary and directly adjacent to the site will experience a significant adverse effect as described within our LVIA. Embedded design mitigation measures include 10m wide buffers to these features so that the proposed built development (solar arrays) will not be overbearing for users of these footpaths. These generous buffers have been introduced along all PRoW footpaths throughout the site, as well as other field margins, to create a pleasing environment for receptors using these footpaths. These enhancement corridors comprise species-rich wildflower grassland and several other ecological enhancements to maximise wildlife opportunities, as well as resting areas and educational aspects for the local community. The design intention for mitigation within the landscape masterplan and LVIA is not to screen the Proposed Development, but to approach the landscape holistically offering multiple benefits for people, place and nature whilst retaining local landscape characteristics.

3.3. In the absence of a landscape capacity study, no significant potential cumulative landscape effects were assessed, and judgement should be made on its own merits against current planning policy.

Appendix 1: Belvoir Solar Farm, Independent Landscape Review, On behalf of Melton Borough Council (Ref: CEC4229 – 16th March 2023)

Ecology, Sustainability and Landscape Architecture solutions since 1992

Our Ref: CEC4229 **16 March 2023**

Gareth Elliot
Planning Development Officer
Melton Borough Council
Station Approach,
Burton Street,
Melton Mowbray,
Leicestershire

Dear Gareth

RE: CEC4229 – Review of Pegasus Group's Landscape Rebuttal on CEC's Review of the Submitted LVIA for Easthorpe Solar Farm – Muston Lane – Vale of Belvoir – Reference 22/00537/FUL

1. Introduction

1.1 I write to provide a review of the Landscape Rebuttal to my original independent Landscape Review (dated 01.12.2022 hereafter referred to as the CEC Review) of the Landscape and Visual Impact Assessment (LVIA) and Appendices prepared by Pegasus Group (January 2022) for the above 49.9MW solar farm (hereafter referred to as the Development) within the Vale of Belvoir.

1.2 Prior to the preparation of this Landscape Rebuttal (hereafter referred to as the Rebuttal) Kathryn Ball of the Pegasus Group called me to discuss matters raised in the CEC Review. This was a very brief conversation which I followed up with an email of matters discussed during the call.

1.3 The following responds to the matters raised in the Pegasus Rebuttal.

2. The height at which proposed and existing hedges are maintained

2.1 The Rebuttal clarifies (under item 2.3) that the hedges will be maintained at a maximum of 3m height, and this was not disputed in the previous landscape comments. The CEC Review wanted to clarify that if a hedge is 'maintained' at 3m (i.e. cut to a height of 3m) then there will be growth on top of this before the hedge is cut again. Therefore for the hedge to not exceed 3m it will need to be 'maintained' at a much lower height to allow for seasonal growth before the next cut. Being unfamiliar with the timings of rotational cuts of hedges in this area, it is not possible for me to comment on the time period between hedge cuts, or how much growth the hedges can put on in this time. The result is that for a hedge not to exceed 3m in height between cuts it is likely to be maintained/cut to a much lower level. This would in turn provide reduced mitigation for the adverse visual effects experienced by those viewing the development over the hedges.

2.2 The Layout and Landscape Strategy drawing P19-2022_10 labels existing and proposed hedges as 'maintained at a maximum height of 3m'. Item 2.4 of the Rebuttal states:

> *'A maximum of 3m has been specified to ensure the hedgerows match the proposed panel height. The maximum height merely suggests a limit to the hedge height and does not state that they should be maintained at 3m in absolute terms.'*

2.3 The LVIA has shown the importance of the hedges being maintained at 3m, as this height of hedge was assessed in the LVIA as reducing a Major significant visual effect to a Moderate visual effect which the LVIA then considered not significant.

2.4 The Pegasus' Supplementary Environmental Information (SEI) submitted to Gareth Elliott on 20th February 2023 also states that:

> *'The rebuttal identifies the proposed mitigation measures of newly planted hedgerows to grow and be maintained for a maximum height of 3m aims to mitigate potential significant effects identified within the ES chapter. This height could be reduced however there would be resulting potential major adverse significant effects on PRoW receptors within or close to the site.'*

2.5 Item 2.4 of the Rebuttal also states:

> *'The proposition of maintaining hedgerows at an increased height is a common approach to alleviating potential major effects on visual receptors. The screening of panels utilising existing hedgerows maintained to the height of the proposed solar panels* ***(up to 3m) or above***[1]*, is an effective way of ensuring the existing field structure is maintained whilst providing a screening function'*

2.6 However a more detailed examination of the Public Rights of Way (PRoWs) which run along the boundaries of the site show approx. 2,280m of PRoW which have an existing or proposed hedge on one side and the site fence on the other (no hedge). This is the case for the whole of the PROW along Winter Beck. Here the identified Major significant adverse visual effects of the solar array will not be mitigated by any new hedges.

2.7 In the phone call and following email I made clear that '*consideration needs to be given to the impact on landscape character and views of 3m high hedges which do not reflect the character of the Vale, versus hedges maintained at 2m where the rows of solar panels will become visible above the hedges*.'

2.8 My judgement on the need for hedges in the local landscape to be maintained at approx. 2m in height comes from reading the original Pegasus LVIA (dated January 2022) and personal verification when I visited the site on Tuesday 29th November 2022. The Pegasus LVIA included the following:

- images submitted with the LVIA referenced as '**Context Baseline Viewpoints'** 1, 2, 3, 4, 5, 6, 7, 11, 12 clearly show hedges at approx. 2m in height within the local landscape within and surrounding the site (excluding trees within them)
- under 2.3 Baseline Conditions, 'Woodlands, Hedgerows and Trees' paragraph 2.3.8 describes:

  'Field boundaries are generally delineated by ***well managed low hedgerows***[2]*, forming a strong field pattern'*

2.9 In the Rebuttal, 17 examples of hedges over 2m have been provided from Google Street View, however these have not been verified in the field. These hedges are all associated with highways, rather than agricultural fields. Many of these viewpoints show a dense lower hedge with seasonal growth on top. Other photos show

[1] My emphasis added in bold

[2] My emphasis added in bold

hedges containing trees, and this is not contested. Trees within field boundary hedges are accepted as part of the local landscape character.

2.10 The Rebuttal states that the maintenance of the hedges to an '*increased height*' was to '*alleviate potential significant visual effects'* created by the panels. However this increased height means the existing and proposed hedges would then be un-characteristic of the local landscape character.

2.11 The Layout and Landscape Strategy drawing P19-2022_10 shows that all the existing and proposed hedges on the site boundary and within the development are to be 'maintained' at 3m. The site covers 15 fields and measures 2.25km from north to south and 1km at its widest point, which is a significant linear metreage of hedges which would then not reflect the local landscape character.

2.12 The development proposes to maintain all hedges across the site at 3m in height, despite the Rebuttal stating that only 5 of the 15 viewpoints assessed in the LVIA rely on maintaining the hedges to a maximum of 3m. The viewpoint images included within the LVIA are taken of a single view in one direction. Those using PRoW roads etc. will not be limited to this one view as they move through the landscape.

3. The experience for recreational users of the public rights of way in close proximity to the site

3.1 The Environmental Enhancement Strategy was not reviewed as part of my response as it was/is not listed on the Melton BC Planning Portal under 22/00537/FUL.

3.2 Users of the network of PRoW are considered to be of the highest sensitivity to change brought about by development. The LVIA has assessed the significance of the visual effect on these users as Major significant adverse. It states the significance of visual effects are reduced to Moderate adverse (the LVIA terms this as not significant) after 15 years due to the increased height of the existing and proposed hedges which would be 'maintained at 3m'. Were the overall maximum height of the hedges to not exceed 3m then the hedges would need to be maintained at a much lower level to allow seasonal growth up to the 3m maximum. This would then in turn not reduce the identified Major significant adverse visual effects created by the 103.53 Ha of solar panels.

3.3 It is accepted that some of the PROW in close proximity to the site lie between existing and proposed hedges with up to 12m between these. However if the hedges are allowed to grow on to 3m, then the views of the wider landscape will be lost.

4. The cumulative impact of the Belvoir development in conjunction with other consented arrays in the wider landscape

4.1 The CEC Review highlighted that the additional Cumulative Assessment had looked at the potential cumulative effects on landscape character by looking at each separate 'character area' individually, rather than looking at the local landscape character within the 5km study area as a whole. This was why my email following the telephone discussion explained that it will be for Melton BC to make a judgement as to whether the consented solar farms in conjunction with the Belvior development create a landscape where solar farms become one of the defining characteristics of the Vale landscape, and whether this is acceptable.

Should you require any further clarification please do not hesitate to get in touch.

Yours sincerely

Kathryn Statham CMLI
Principal Landscape Architect

t: 07825 070611 e: Kathryn.Statham@cecenvironment.co.uk w: www.cecenvironment.co.uk

Appendix 2: CEC email, dated 23rd March 2023

From: Kathryn Statham <Kathryn.Statham@cecenvironment.co.uk>
Sent: 23 March 2023 19:33
To: Gareth Elliott <gelliott@melton.gov.uk>
Subject: RE: 22/00537/FUL: Fields OS 6700 6722 And 5200 Muston Lane Easthorpe

Good afternoon Gareth
When preparing the landscape response to the Pegasus Rebuttal I did look for the Environmental Enhancement Strategy in the list of documents on the Melton Planning Portal.
However none of the 148 documents were clearly titled 'Environmental Enhancement Strategy' and I had not allowed time in my assessment to open and check the content of the 148 documents saved on the Portal. I apologise for my unintentional oversight.

Although my landscape comments were prepared not having read parts 1 and 2 of the Environmental Enhancement Strategy, I have now read this document and do not wish to change my previously submitted comments in light of the content therein.

In response to the Environmental Enhancement Strategy (EES) I would make the following comments:

1. The Pegasus Landscape Rebuttal was clear that the increased height of the existing and proposed hedges to 3m *"aims to mitigate potential significant effects identified within the ES chapter. This height could be reduced however there would be resulting potential major adverse significant effects on PRoW receptors within or close to the site."*
   Para 2.6 of my landscape response highlights that approx. 2,280m of PRoW have an existing or proposed hedge on one side and the site fence on the other (no hedge). This therefore implies that approx. 2.28km of PRoW will experience major adverse effects. The ESS clearly describes the boundary fence of the solar array as "*steel mesh 'deer style' fencing of standard design with large aperture galvanised mesh stretched on wire and supported by wooded posts of approximately 2.0m in height*." This design of fencing will allow a clear and almost unobstructed view of the solar array, thereby leading to '*major adverse significant effects*'.

2. The ESS provides a welcomed description of the local landscape character under para 2.1 to 2.6 (previously not included in the LVIA). However no reference is made to the scale of the existing field boundary hedges in this section. My landscape response under 2.8 highlighted how the LVIA both describes the 'low' character of the existing hedges and illustrates their scale with '*Context Baseline Viewpoints'*.

3. Para 3.5 states '*hedgerow vegetation across the Site would be maintained at around 3.0m in height'* . I would refer to my landscape comments under Section 2.

4. Para 3.8 states '*The existing hedges on Site will need to be trimmed every two or three years in rotation*.' If the hedges are maintained (by that I understand it to mean cut) at 3m then their overall height will reach considerably more than 3m in the 2 or 3 years between cuts. This would not be in keeping with the local landscape character where hedges are presently cut to approximately 2m in height. Para 3.11 goes on to state that '*Existing and proposed hedgerows adjacent to the on-Site footpaths and across the Site would be maintained at 3.0m high once established, which is considered to be in keeping with the existing landscape character*'. My observations during my field work do not substantiate this.

5. The Indicative Site Cross Sections on pages 13 and 20 both show a proposed native hedge similar in height to the adjacent boundary fence labelled as being 2m in height. This is

despite the Maintenance and Management section on page 26 describing one of the 'Management Objectives' for retained hedgerows is to '*maintain the existing hedges at 5m in height on a phased rotational basis, and allow areas not currently the same height to grow up*' with '*Qualified horticultural staff to trim regularly to 3.0-4.0m in height*' . Managing existing hedges to this height is not considered to reflect or respect the local landscape character. These management proposals are also contrary to the LVIA, Landscape Rebuttal and para 3.5 and 3.11 of the EES, which describe management of retained hedges at 3m in height.

I hope these comments now provide a comprehensive landscape response to all of the material submitted by the developer in support of their planning application for the proposed solar array at Muston Lane, Easthorpe.

All the best

Kathryn Statham CMLI

Principal Landscape Architect

(Please note my normal working days are Monday to Thursday)

Mobile: 07825 070611

Email: kathryn.statham@cecenvironment.co.uk

www.cecenvironment.co.uk

Ecology, Sustainability and Landscape Architecture solutions since 1992.

Cornwall Environmental Consultants Ltd, Five Acres, Allet, Truro, Cornwall, TR4 9DJ

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

Cirencester
Pegasus House, Querns Business Centre,
Whitworth Road, Cirencester, GL7 1RT
T 01285 641717
E Cirencester@pegasusgroup.co.uk
Offices throughout the UK & Ireland

Expertly Done.

DESIGN | ECONOMICS | ENVIRONMENT | HERITAGE | LAND & PROPERTY | PLANNING | TRANSPORT & INFRASTRUCTURE

Pegasus_Group pegasusgroup Pegasus_Group

PEGASUSGROUP.CO.UK