



North Court Solar Farm Landscape and Visual Advice

Final report

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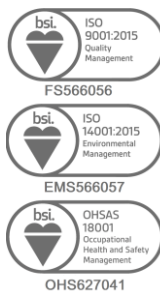
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Land Use Consultants Ltd
 Registered in England
 Registered number 2549296
 Registered office:
 250 Waterloo Road
 London SE1 8RD

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Chapter 1

Introduction

1.1 LUC was commissioned by SOWLIS to provide landscape and visual advice in relation to the submission of a planning application (PA/2022/2415) for the development of a solar farm and ancillary works (the 'proposed development') on land at North Court Farm, Lower Lees Road, Old Wives Lees (the 'application site') within the administrative area of Ashford Borough Council (ABC).

1.2 The advice note includes a review of the Landscape and Visual Impact Assessment (LVIA) prepared by Wardell Armstrong as part of an Environmental Statement (ES) to support the planning application. The review comments on the robustness of the LVIA in relation to current industry guidance - namely Guidelines for Landscape and Visual Impact Assessment, Third Edition (GLVIA3) - including the assessment findings, the choice of viewpoints/verified photomontages, and the appropriateness of proposed landscape and visual mitigation. It has been prepared by Chartered Members of the Landscape Institute and follows the framework set out in the Landscape Institute's Technical Guidance Note 1/20 'Reviewing Landscape and Visual Impact Assessments and Landscape and Visual Appraisals'¹.

Application site context

1.3 The application site is located between the settlements of Lower Ensden and Old Wives Lees. It is 47.62 hectares (ha) in size and lies to the north of Lower Lees Road/Shalmsford Road, and is separated by Lower Ensden Road into two separate parcels (that to the west being referred to in the ES as 'Parcel 1' and that to the east as 'Parcel 2') The application site is currently used for fruit farming and is made up of several orchard fields defined by hedgerows/shelter belt planting and small woodland blocks.

1.4 The surrounding landscape is rural in character and is made up of a mixture of arable, pasture and orchards plus woodland, with a predominance orchard/fruit farming to the north of Canterbury Road (the A28) and the A252. The landform to the south, south-west and west rises towards the Kent Downs Area of Outstanding Natural Beauty (AONB). The AONB is c. 250m to the west of the application site at its closest point. The application site occupies gently rising land of between 35m above ordnance datum (AOD) to the south-

¹ Landscape Institute (2020) Reviewing Landscape and Visual Impact Assessments (LVIAs) and Landscape and Visual Appraisals (LVAs).

east and 100m AOD to the north-west. It forms part of the northern valley side of the River Stour, which runs approximately north-east to south-west across the landscape in this location. The valley bottom contains the A29 and the 'Ashford to Canterbury' railway line. A number of settlements lie within the surrounding area, including Lower Ensden and Old Wives Lees located immediately to the north and south-west of the application site respectively, and Chilham c. 1.2km to the south-west and Shalmsford Street c. 1.2km to the south-east. Residential development also extends along Canterbury Road/Pilgrims Lane to the south.

1.5 The application site is located entirely within 'Landscape Character Area (LCA) 33: Old Wives Lees' identified within Ashford's Landscape Character Assessment (Jacobs, 2009). It is described as an '*unspoilt, secluded landscape...*' Key sensitivities identified for this character area include "*the patchwork of orchards, set within an enclosed network of shelterbelts, across a very undulating landform provid[ing] strong local distinctiveness and continuity throughout the area ... the oast houses and barns and the use of flint and distinctive chequered brickwork contribut[ing] significantly to the strength of place; and the location immediately adjacent to the Kent Downs AONB mak[ing] this a sensitive landscape*". The character assessment concludes that the overall sensitivity of LCA 33 is "*High*", based on it being "*Very Distinct*", having "*Historic*" continuity and "*Moderate*" sense of place, the landform being "*Dominant*", the tree cover being "*Intermittent*" and visibility being "*High*". The landscape analysis for LCA 33 also concludes that the landscape condition is "*Good*".

1.6 The Guidelines for LCA 33 are to 'Conserve', with the following suggested:

- Conserve the rural setting of the Kent Downs AONB.
- Avoid development on high and visually prominent ground...
- Conserve shelterbelts and hedgerows and gap up where they have deteriorated.
- Conserve and appropriately manage woodland blocks and shaws.
- Avoid the introduction of unnecessary fencing...
- Conserve the narrow, enclosed winding lanes and avoid widening.

The proposed development

1.7 The proposed development, as described within Chapter 4 of the ES, includes for the following:

- up to 75,000 photovoltaic panels, arranged in rows across the site on an east to west alignment facing

south, at a maximum height of 2.63m above ground level.

- Site access and access tracks through the site; primary operational and maintenance access will be via a new gated access onto Lower Ensden Road on the eastern boundary (Parcel 1) and a new gated access onto Lower Ensden Road (technically Shalmsford Road) on the southwestern boundary (Parcel 2).
- c. 2m high perimeter fencing and gates;
- CCTV cameras;
- 16 substations (no height given); and
- a132kV transformer/ substation, 3m in height.

1.8 As part of the proposals, the ES states that access to the North Downs Way PROW will be maintained during the construction phase, and reinstated in full once on-site construction works have been completed (paragraph 4.2.15).

1.9 A 6 month construction period for the proposed development is anticipated, with an operational lifespan of 40 years (unless extended via further planning application). After the project has reached the end of its operational life it will enter a phase of decommissioning, involving the dismantling and removal of all materials and equipment (paragraphs 4.3.1 and 4.3.2).

Chapter 2

Review of the LVIA

Methodology, scope and process

2.1 Paragraph 8.1.5 states that the LVIA has been undertaken in accordance with GLVIA3 and has been completed by Chartered Landscape Architects, which is appropriate. The components of the report generally align with the broad principles set out in GLVIA3, including baseline studies, description and details of the landscape proposals and mitigation, and the identification and description of the likely effects of the proposed development.

2.2 Appendix 8.1 provides the detailed methodology used to undertake the LVIA. This sets out thresholds and criteria used to form judgements, in accordance with GLVIA3. This includes for the sensitivity of landscape and visual receptors (including consideration of both value and susceptibility); magnitude of change to receptors (including consideration of size/scale, geographical extent, and duration and reversibility of effect); and overall level/significance of effect. However, no matrices are provided to show how judgements on sensitivity and magnitude of change are combined to arrive at overall level/significance of effect. LUC has questions about the weighting applied in coming to conclusions on overall effects (see below). Whilst GLVIA3 advocates against over-reliance on matrices, these would be useful in providing a framework for the conclusions and a greater level of clarity and transparency which is missing from this assessment.

2.3 The LVIA describes the site location and the proposed development and identifies a broad range of visual receptors. It also provides separate consideration of landscape and visual effects, and generally uses terminology consistent with GLVIA3.

2.4 Table 8.1 sets out a summary of the consultation activities undertaken in support of the preparation of the LVIA. This includes with ABC, Natural England and the Kent Downs AONB Partnership. Details on the outcome of the discussions are set out, including on scope of assessment, proposed viewpoints and requirement for verified photomontages. It is noted that photomontages (Landscape Institute Type 3 Visualisations) have been produced for seven of the viewpoints – Viewpoints 1, 2, 3, 4, 9, 15 and 16 – and baseline images (Landscape Institute Type 4 Visualisations) presented for all other viewpoints.

2.5 Overall, the scope of the LVIA seems appropriate and proportional to the scale of the project, notwithstanding the comments below.

Baseline content and assessment findings

Baseline content

2.6 Paragraph 8.3.7 states that *“the study area of the assessment was defined by a combination of the ZTV, and professional judgement, verified by field surveys”* and that this has resulted in a study area that encompasses up to 5 km from the site. It goes on to say that *“beyond this distance, it is anticipated that the Proposed Development would be unlikely to give rise to significant landscape or visual effects”*. This seems reasonable and based on our review of the Screened ZTV (Figure GM11691/100) and site visit the study area seems appropriate. Figure GM11691/100 states that the ZTV was modelled on a series of 3m high points, which is also appropriate and provides a worst-case scenario on theoretical visibility (as the actual proposed development would be 2.63m in height).

Landscape

2.7 The LVIA provides an overview of the published landscape character assessments within the study area at a national, regional and local level. The LVIA goes on to say that *“the countywide assessments offer a strategic approach to landscape character assessment and are not detailed sufficiently with regards to value, susceptibility and sensitivity”* and that *“therefore, this assessment has adopted Local Landscape Character Assessments as a basis of this LVIA”*. This is appropriate and provides a suitable scale for the landscape assessment. However, we note that these detailed judgements on value, susceptibility and value are not carried through into the LVIA.

2.8 The baseline section of the LVIA summarises the key characteristics and values identified for the application site and the Old Wives Lees LCA (LCA 33), within which the application site is located. However, no such value ratings are provided for the other individual adjacent LCAs as shown on Figure GM11691/111 (i.e. those identified within the Landscape Character Assessments for Ashford (2009), Swale (2004) and Canterbury (2012)). The applicant should provide this information, as the later assessment (i.e. establishing receptor sensitivity) depends on this.

2.9 Two Areas of High Landscape Value (AHLV) are identified within the study area, located approximately 1.1km to the north-east (Swale) of the site and 2.8km to the east (Canterbury). However, paragraph 8.6.7 states that effects on these designated areas are scoped out of the assessment as *“the ZTC indicates very limited visibility of the proposed*

development from these designated areas” and *“the change in land use and land cover will not alter the natural and cultural factors associated with [them]”*. This seems reasonable; whilst the ZTV indicates some theoretical visibility in the AHLV to the north-east, in reality this is a very well-wooded area (including Joan Beech Wood and Bower Wood) with very limited to no views available out to the south.

2.10 It should be noted that these Local Landscape Designations have been retained in the adjacent districts of Canterbury and Swale and are not designated within Ashford BC. The proximity of the adjacent national and local designations to the site would suggest that this area is likely to be of similarly high landscape value (albeit not formally ‘designated as such by the LPA), so while it is correct that the baseline identifies no AHLV covering the site, it would be appropriate to consider whether these values extend to the application site.

Kent Downs AONB

2.11 The AONB is identified as a receptor, is clearly shown on the mapping, and noted as extending to within 150 metres east of the site, and viewpoints have been identified within the AONB. Their key characteristics and special qualities are identified.

Establishing landscape value

2.12 The landscape value of the site, character area and wider study area is defined according to a set of factors and this is an appropriate approach. We consider that value of ‘medium’ is underestimated and does not recognise the range of national and local landscape value designations in close proximity, and the particular values of this landscape including the distinctive undulating landform, land cover pattern of orchards, strong local distinctiveness, unspoilt and secluded character.

Visual

2.13 The LVIA provides a digital Zone of Theoretical Visibility (ZTV), superimposed with the 16 representative viewpoint locations. The selected viewpoints represent the views available to a broad range of visual receptors from a range of directions and seems to correspond to pre-application consultation discussions (as set out in Table 8.1 of the LVIA).

2.14 Appendix 8.2 provides a description of the existing/baseline views for each of the representative viewpoints, providing a description of the nature, composition and characteristics of the existing views experienced at these viewpoints; and elements such as landform, buildings or vegetation, which may interrupt, filter or otherwise influence the views. This provides a reasonable amount of information and generally aligns with GLVIA3 (Paragraph 6.24). The

subsequent visual assessment has been undertaken on a receptor basis (i.e. people), rather than a viewpoint basis, which is appropriate and aligns with GLVIA3.

2.15 The viewpoint photography has been taken in winter when deciduous vegetation is out of leaf (as acknowledged in paragraph 8.7.1). Paragraph 8.4.6 and 8.4.7 also state that the assessment for year 1 and year 15 is based on winter conditions. This is appropriate.

2.16 However, we note the following in regards to viewpoint locations and photomontages:

- The baseline photograph for viewpoint 6 is located along Shalmsford Road near the entrance to Sunnyside Farm Caravan Park. However, if this was located further to the north, upon slightly higher ground, it is likely to provide clearer visibility towards Parcel 2. We would recommend that the Applicant provide an updated baseline photograph from this location.
- The baseline photograph for viewpoint 7 is located along Public Bridleway No. 0060/AE6/1 on the southern edge of Joan Beech Wood. However, if this was located further to the south, upon a small brow of higher ground (visible in the photograph) or to the south of the railway line, it is likely to provide clearer visibility towards the site. We would recommend that the Applicant provide an updated baseline photograph from this location.
- We would question whether the photomontage for Viewpoint 4 presents a true reflection of the likely appearance of the solar arrays within the left middle ground (i.e. those located to the south-east of Parcel 2, south of Chestnut Plantation). Within the image the arrays are barely discernible, and thus play down the likely visual impact on users of the North Downs Way at this location. We would recommend that the Applicant provide an updated photomontage image for this viewpoint.

2.17 The ZTV also indicates potential omission of viewpoints at locations from which the ZTV suggests a level of theoretical visibility. We have visited a number of these sites and conclude that there are also views from

- Footpath connecting Pilgrim's Way and Shalmsford Road in the vicinity of Mountsford Cottages to the south-east.
- The settlement edge of Old Wives Lees Along Selling Road to the west (including likely visibility from second storey windows as viewpoint 1, although these were not field checked).

Mitigation

2.18 The LVIA provides details of the landscape mitigation proposals, which are illustrated clearly on the Landscape Strategy Plan (Drawing GM11691-105).

2.19 Chapter 4 of the ES states that *“following feedback from members of the public, the overall panel layout has been reduced from the original proposal. Panels have been removed from the north-western field (north of Lower Ensden Road), and triangular field to the south west (adjacent to Shalmsford Road)”*. These fields are proposed to be left in their current state. There is no evidence to substantiate this statement and that public consultation indicated a desire for removal of panels in these locations as mitigation.

2.20 The ES also states that *“the existing hedgerows and trees which separate the fields on Site will be retained for screening purposes ... and ecology purposes...”* and that *“as part of the landscape strategy the existing hedgerows will be allowed to grow up to a height of 3 m to provide additional screening, with any gaps being planted up as necessary, with the exception of where access is required”*. This is at odds with the applicant's arboriculture assessment which indicates removal of a total of 140m of hedgerow.

2.21 Other landscape enhancements proposed within the Landscape Strategy include:

- the introduction of sections of woodland planting within Parcel 1, along Lower Ensden Road to break up the massing of development, and within the south of Parcel 2 to screen views from the south. Buffer zones are proposed around these areas of ancient woodland.
- conservation grazing / agricultural grazing, throughout the Site in between the arrays and the landscape buffer.

Assessment

2.22 The format of LVIA is clearly set out and adopts a proportionate approach. However, we note the following:

- LCA 33: Old Wives Lees is judged to have a medium sensitivity, based on a medium susceptibility to change and a medium value. However, the key sensitivities noted in the Ashford Landscape Character Assessment (Jacobs, 2009) suggest that the susceptibility and value should be higher (including the *“very undulating landform”*, which would increase susceptibility to solar development; it being *“Very Distinct”*, having *“Historic”* continuity, the landform being *“Dominant”*, visibility being *“High”*, and *“the location immediately adjacent to the Kent Downs AONB making] this a high value and sensitive landscape”*).
- The level/significance of effect on LCA 33 is judged to be Minor Adverse at Construction and Year 1 and

Negligible Adverse at Year 15. LUC would argue that this should be higher, due to a combination of the points above and a larger magnitude of change. The latter would be due to the application site/proposed development covering almost half of the LCA's area, and thus likely resulting in complete change in character.

- It appears that a single assessment is provided to cover all of the surrounding adjacent LCAs within Table 8.9, with a single susceptibility and value covering all. LUC questions this approach, as each individual LCA is likely to have differing susceptibility and value ratings, especially as some fall within the AONB.
- The assessment seems to be skewed to lower end of sensitivity, meaning effects appear to under reported, for example:
 - Assessment of Physical/Direct Effects on the site during construction/operation year 1: a medium sensitivity combined with a high magnitude of change is judged to result in a moderate level/significance of effect (LUC would argue that this should be at least Moderate/Major);
 - Physical/Direct Effects on the Old Wives Lees Orchard LCA during construction/operation year 1: a medium sensitivity combined with a medium magnitude of change is judged to result in a minor level/significance of effect (LUC would argue that this should be Moderate and significant, considering that the site covers a relatively large proportion of this LCA);
 - Visual effects on residents at Lower Ensden during construction/operation year 1 (Viewpoint 1): a High sensitivity combined with a medium magnitude of change is judged to result in a moderate level/significance of effect (LUC would argue that this should be at least Moderate/Major, considering the proximity of the visual receptors);
 - Visual effects on residents adjacent to The Downs (Shalmsford Street) during construction/operation year 1 (Viewpoint 9): a High sensitivity combined with a low magnitude of change is judged to result in a minor level/significance of effect (LUC would argue that this should be Moderate and significant).
- The effects on the setting of the Kent Downs AONB are summarised in Table 8.11 and judged to be Minor Adverse at construction, year 1 and year 15 (based on a high sensitivity combined with a low magnitude of change). LUC would argue that the magnitude of change would be higher than reported – i.e. a low/medium. The application site is partially enveloped by the AONB boundary to the west, south-west and south, and lies in

close proximity (c. 250m at its closest point). The proposed development would be visible in certain long-distance panoramic views north from the AONB, and the introduction of large scale energy infrastructure would be incompatible with the rural surroundings. The solar panels, by their very nature, would have an element of reflectivity (despite being designed to minimise this), which would make them noticeable features in the landscape and would have some impact on tranquillity through the introduction of additional built development. This would also alter the overall character of the Old Wives Lees LCA from one of orchard farming to one dominated by energy infrastructure (its location adjacent to the AONB is noted as a key sensitivity for this LCA). Despite the retention of hedgerows, the proposed development is also likely to have some impact on the character of rural roads and lanes on the periphery of the AONB (thus affecting how they are experienced when travelling to and from the AONB), in particular Lower Ensden Road, Lower Lees Road and Shalmsford Road.

- Effects on the Kent Downs AONB are summarised in Table 8.12 and judged to be Negligible Adverse at construction, year 1 and year 15 (based on a high sensitivity combined with a very low magnitude of change). LUC would argue that the magnitude of change would be higher than reported – i.e. a low/medium. Impacts on the 'Dramatic landform and views; a distinctive landscape character' special component would occur due to the proposed development being visible within views north from the AONB across predominantly open countryside. The introduction of the proposed development would also impact the 'Farmed landscape' special component by replacing existing orchards with large scale energy infrastructure, which would alter the rural landscape enjoyed in views north from the AONB (see point above in regard to Viewpoint 9). Additionally, the introduction of large-scale energy infrastructure into views would have some impact on the 'Tranquillity and remoteness' special component by altering the perceptual qualities of the AONB from certain locations.
- The LVIA considers the cumulative effects of the Proposed Development in combination with the potential effects of Cleve Hill Solar Park located approximately 1.5km to the north east of Faversham. LUC notes the following:
 - Cumulative landscape effects are considered against the landscape of the study area as a whole, with a single susceptibility and value covering them all. LUC would question this approach, as each

individual LCA is likely to have differing susceptibility and value ratings (as noted above).

- Cumulative landscape effects are judged to be Minor Adverse at construction and year 1 operation, and Negligible Adverse at Year 15 operation.
- Cumulative effects on the special components or setting Kent Downs AONB are not presented. However, having reviewed the location of the Cleve Hill Solar Park, LUC judge that cumulative effects are not likely.
- The LVIA concludes that there will be no cumulative visual effects. The Cumulative Screened Zone of Theoretical Visibility indicates very restricted potential intervisibility between the proposed development and the Cleve Hill Solar Park.

Presentation of the assessment findings

2.23 The LVA is presented in logical chapters utilising a mix of text, plans and photographs to communicate the assessment findings. As noted above, verified photomontages have been produced for six of the representative viewpoints.

2.24 The graphics have been prepared in accordance with current industry guidance and standards and are effective in communicating the characteristics of the proposed development.

2.25 The format of the LVIA is clearly set out and adopts a proportionate approach. However, as noted whilst the criteria used to form judgements is set out, LUC has questions about the weighting applied in coming to conclusions on overall effects. Whilst GLVIA3 advocates against over-reliance on matrices, these would be useful in providing a framework for the conclusions and a greater level of clarity and transparency.

Chapter 3

Summary and recommendations

3.1 The LVIA was prepared as part of the ES to support the planning application (PA/2022/2415) follows the general principles set out within GLVIA3. However, LUC has the following comments:

Summary: Issues with the LVIA

- There is a lack of clarity and transparency in the LVIA to show how judgements have been derived.
- There is insufficient information on the construction impacts of the scheme and specific effects on the rural lanes which are a feature of this landscape, and on the North Downs Way which runs along a main access route (Lower Leas Road).
- The LVIA does not link up with other environmental evidence provided by the applicant. For example, the Arboricultural Impact Assessment indicates loss of 140m of hedgerow which is not referred to in the LVIA. In Para 8.14.1 of the LVIA it states that the development will require ‘*no or minimal vegetation removal*’.
- The Non-Technical Summary places an overemphasis on the poor state of the current landscape and does not correctly report the extent of effects identified in the LVIA. Phrases such as “*due to the LCA’s susceptibility to development the effect is not considered significant*” (NTS Para 4.4.5) do not make logical sense.
- There is no information on the grid connection and any associated landscape and visual effects.
- Incorrect emphasis on the ‘*poor condition*’ and ‘*limited lifespan*’ of the existing orchard landscape, and its lack of distinctive features and diversity. There is no evidence to support this statement and no justification that the land would cease to be farmed/deteriorate in the absence of a solar farm. This also contradicts Ashford Borough Council’s own LCA description which evaluates the landscape as being in good condition.
- Judgements of effects on landscape and visual receptors are skewed to low throughout and effects consistently underplayed. We believe that there are significant residual effects that have not been recognised in the LVIA (see below).

- The landscape baseline is incorrect in the way it combines various landscape character areas around the site as a group and fails to recognise differences in landscape value/sensitivity (ie inside and outside the AONB).
- The assessment does not recognise high landscape value of the site itself and the LCA (133 Old Wives Lees Orchard LCA)– as a rural landscape that is located on the immediate edge of the AONB and adjacent to areas of High Landscape Value identified by the adjacent LPAs (Canterbury and Swale) as Local Landscape Designations. Our own observations indicate that the site and surrounding character area is of High Value, and this conclusion is supported by the ABC LCA.
- A number of the viewpoints are poorly chosen so that they do not show effects of the scheme – e.g viewpoint 6 (Shalmsford Road) and Viewpoint 7 (Joan Beech Wood). Moving both of these VPs a few metres further would more clearly show effects.
- Some of the photomontages are misleading, for example, VP 4 (from the NDW) barely shows the panels as perceptible. The amount of screening provided by new hedges is ambitious and some of the photo montages e.g VP 2 show this in full leaf when it should show the worst-case winter view. The pattern created by tall new hedges within the site is at odds with the landscape character and serves to block views to the wider landscape which are part of its distinctive and valued character.
- Mitigation proposed in the landscape strategy is not sufficient for a scheme of this size and scale. The mitigation by hedge planting appears overambitious in terms of the screening it provides, and in some of the photomontages the planting is shown in full leaf summer or is shown as ‘evergreen’. The photomontages should demonstrate a worse case or winter view. Examples are VP2 and VP4. The rigid linear pattern of screen planting within fields is not in keeping with the landscape character and serves to further block views of this visually exposed landscape.
- The comment in para 8.8.2 and elsewhere that the mitigation meets feedback from members of the public is not true, and there is no reporting of consultation responses or feedback to support this statement.

3.2 In summary, these issues means that the LVIA in its current form does not provide appropriate or accurate information on the extent of landscape and visual effects

such that ABC cannot make an informed decision on the application.

3.3 It is considered that there is potential for the following significant effects to occur during construction and operation:

Landscape

- The landscape fabric and character of the site
- Old Wives Lees Orchards LCA
- The surrounding LCA's
- The Kent Downs AONB setting and special qualities of the AONB notably the farmed landscape and tranquillity

Visual

- Residents at Lower Ensden, Old Wives Lees, including people along Selling Road who will have views from second storey windows
- People using the local roads
- People using the rights of way network/footpaths
- People on The North Downs Way National Trail (and potentially Stour Valley Way)
- Significant effects at the following viewpoints: 1,2,3,4,5, (if moved slightly further south), 6 (if moved slightly further north) 8, 9, 16

3.4 These effects are significant at year 1 and the majority will remain significant at year 15. There are a large number of landscape and visual effects that cannot be mitigated

Policy considerations

National Planning Policy Framework (NPPF)²

Conserving and enhancing the natural environment

3.5 Paragraph 174 states that planning policies and decisions should contribute to and enhance the natural and local environment by:

- (a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- (b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

² National Planning Policy Framework, Dept for Levelling Up, Housing and Communities, 2012, updated July 2021

3.6 In our opinion, the development does not protect a valued landscape on the edge of the AONB or recognise the intrinsic value and beauty of the countryside or the BM<V agricultural land.

AONB Setting

3.7 NPPF paragraph 176 requires great weight to be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. Amendments to the NPPF in July 2021 included reference to setting:

'... while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.'

ABC Policies (Ashford Local Plan 2030 (Adopted February 2029 (See detail in Appendix A)

ENV3a – Landscape Character and Design

In our opinion the development does not fit with the rural farmed landscape character and the underlying landform. We recognise that it does retain the pattern and composition of field boundaries.

ENV3b – Landscape Character and Design in the AONBs

This development does meet the requirements for proposals affecting the setting of the Kent Downs AONB.

ENV5 – Protecting Important Rural Features

The development construction is likely to affect rural lanes, including the route of the North Downs Way National Trail.

Kent Downs AONB Management Plan, 3rd Revision 2021-2026

3.8 The application site is in a landscape that is highly valued, equivalent to LLD, and is located in the immediate setting of the AONB with both close and longer distance views to and from the AONB. The landscape is similar in character to, and displays the special qualities of the AONB, notably its tranquillity and farmed character.

3.9 The proposed North Court solar farm would have an adverse impact on the setting of the AONB, as a result of:

- the loss of the sense of tranquillity and remoteness;
- introduction of an abrupt change in landscape character from farmland and orchards so characteristic of the area to a large solar farm development.

For these reasons, we assess that the proposed developed in contrary to the Kent Downs AONB Management Plan Principle **SD8**: Ensure proposals, projects and programmes do not

negatively impact on the distinctive landform, landscape character, special characteristics and qualities, the setting and views to and from the Kent Downs AONB.

Appendix A

Policy

Table A.1: Policy Summary

ABC Policies	LUC Assessment of effect of this development
<p>Policy ENV3a - Landscape Character and Design All proposals for development in the borough shall demonstrate particular regard to the following landscape characteristics, proportionately, according to the landscape significance of the site:</p> <ul style="list-style-type: none"> a. Landform, topography and natural patterns of drainage; b. The pattern and composition of trees and woodlands; c. The type and composition of wildlife habitats; d. The pattern and composition of field boundaries; e. The pattern and distribution of settlements, roads and footpaths; f. The presence and pattern of historic landscape features; g. The setting, scale, layout, design and detailing of vernacular buildings and other traditional man made features; h. Any relevant guidance given in the Landscape Character SPD; i. Existing features that are important to and contribute to the definition of the local landscape character shall be retained and incorporated into the proposed development; and, j. Any non-designated, locally-identified, significant landscape features justified 	<p>The proposed solar development does not comply with ENV3a and does not have regard to the high value landscape and significance of the site.</p> <p>It does not respond to the undulating landform and topography. It removes the traditional pattern and composition of the orchards, creates a series of new boundaries as screening which change the landscape pattern, affects rural settlement and a number of footpaths including the nationally significant North Downs Way. It does not conform with the relevant guidance for the landscape character area.</p>
<p>Policy ENV3b – Landscape Character and Design in the AONBs The Council shall have regard to the purpose of conserving and enhancing the natural beauty of the Kent Downs and High Weald AONBs. Major development proposals within the AONBs will only be permitted in exceptional circumstances and where it is demonstrated they are in the public interest. All proposals within or affecting the</p>	<p>The proposed development is directly adjacent to the Kent Downs AONB and is within its immediate setting, in a landscape of similar quality and value.</p> <p>It does not conserve, enhance or restore landscape character and adversely effects special qualities, distinctive</p>

ABC Policies	LUC Assessment of effect of this development
<p>setting of AONBs will also only be permitted under the following circumstances:</p> <ul style="list-style-type: none"> ■ The location, form, scale, materials and design would conserve and where appropriate enhance or restore the character of the landscape. ■ The development would enhance the special qualities, distinctive character and tranquility of the AONB. ■ The development has regard to the relevant AONB management plan and any associated guidance. ■ The development demonstrates particular regard to those characteristics outlined in Policy ENV3a, proportionate to the high landscape significance of the AONB. 	<p>character and tranquility. It does not have regard to the AONB Management Plan.</p>
<p>Policy ENV5 – Protecting Important Rural Features All development in the rural areas of the Borough shall protect and, where possible, enhance the following features:</p> <ul style="list-style-type: none"> a. Ancient woodland and semi-natural woodland; b. River corridors and tributaries; c. Rural lanes which have a landscape, nature conservation or historic importance; d. Public rights of way; and, e. Other local historic or landscape features that help to distinguish the character of the local area. 	<p>Construction of the proposed solar development would adversely impact on the rural lanes within this area, including the lane that forms part of the North Downs Way National Trail.</p>
Kent Downs AONB Management Plan	
<p>SD8: Ensure proposals, projects and programmes do not negatively impact on the distinctive landform, landscape character, special characteristics and qualities, the setting and views to and from the Kent Downs AONB.</p>	<p>The application site is located on land that is highly valued, and is located in the immediate setting of the AONB with both close and longer distance views to and from the AONB. The landscape is similar in character to, and displays the special qualities of the AONB, notably its tranquility and farmed character.</p>