

Suffolk County Council (20031377)

Comments on the Applicant's Response to ExA Second Written Questions [REP5-056]

Sunnica Energy Farm (EN010106)

Deadline 6

30 January 2023

Preamble:

This document sets out Suffolk County Council (**SCC**)'s comments on the Applicant's Deadline 5 (D5) Response to the ExA Second Written Questions (ExQ2). This table below has been prepared based on a template provided by the Planning Inspectorate case team, it sets out the relevant question reference number, the Applicant's statement, and details SCC's comments.

Question	Applicant's Statement	SCC's Comment												
2.0 Principle and Nature of the Development														
Q2.0.11	<p>As per the Applicant's answer to Q2.0.6, above, paragraph 5.9.21 of NPS-EN1 and paragraph 5.10.23 of Draft NPS EN-1 direct that for a loss of function to be warranted by way of its associated landscape benefit it must result in "a very significant benefit" and only "a small reduction in function". It sets out that the existence of circumstances where "mitigation to reduce landscape and/or visual effects outweigh the marginal loss of function" would be "exceptional".</p> <p>SCC and CCC have proposed the removal of panels in E13, E05, and W03 to W12. The generation capacity of each of these parcels is set out below:</p> <table><tr><th>Parcel</th><th>Power (MW)</th></tr><tr><td>E12</td><td>41.5</td></tr><tr><td>E13</td><td>14.7</td></tr><tr><td>E05</td><td>43.5</td></tr><tr><td>W03 to W12</td><td>228.6</td></tr><tr><td>Total</td><td>328.3</td></tr></table> <p>The removal of all of the parcels proposed by the Councils would result in the loss of more than 328.3 MW of generation capacity. In the language of NPS EN-1, this would represent a significant loss of function. The loss of E12 would result in the loss of 41.5 MW of generation capacity. In the language of NPS EN-1, this would represent a significant loss of function</p>	Parcel	Power (MW)	E12	41.5	E13	14.7	E05	43.5	W03 to W12	228.6	Total	328.3	<p>The Councils' response is structured as follows:</p> <ol style="list-style-type: none">1) The Councils disagree with the applicant that the landscape around Chippenham Park and The Limekilns is of low value and refers to:<ol style="list-style-type: none">a. Landscape Institute's Technical Guidance Note (TGN) 02/21: <i>Assessing landscape value outside national designations</i>b. Review of local landscape designations West Suffolk District, March 20222) The Councils disagree with Applicant that the request to remove parcels W03-W12 and E05, E12 and E13 goes against policy and refers to NPS EN1 and NPPF 174 (b) in relation to:<ol style="list-style-type: none">a. Good design and due consideration for the countrysideb. Small loss in (national) energy generation in exchange for exceptional benefit for landscape/amenity and ecology/biodiversityc. Timescale and capability for mitigation <p>1) The Councils disagree with the applicant that the landscape around Chippenham Park and the Limekilns is of low value and refers to:</p> <ol style="list-style-type: none">a. Landscape Institute's Technical Guidance Note (TGN) 02/21: <i>Assessing landscape value outside national designations</i> <p>The TGN 02/21 states several times that value is not always signified by designation, and that absence of designation does not mean absence of value (2.3.2).</p>
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	<p>and equates almost to a nationally significant infrastructure project on its own.</p> <p>The loss of E13 would result in the loss of 14.7 MW of generation capacity, which represent a significant loss of function.</p> <p>The loss of E05 would result in the loss of 43.5 MW of generation capacity. This would represent a significant loss of function and equates almost to a nationally significant infrastructure project on its own.</p> <p>The loss of W03-W12 would result in the loss of 228.6 MW of generation capacity. This equates to more than 150% of the generation capacity of the candidate design of the Little Crow Solar Park NSIP. In the language of NPS EN-1, this would represent a significant loss of function.</p> <p>At best, this loss of function would substantially reduce the renewable energy generation benefits of the Scheme. This would vastly reduce the contribution that the Scheme would make to the achievement of net zero and delivery of a secure and affordable energy system, as per the Governments commitments and targets. At worst, and what is most likely, it would mean that the Applicant would not proceed with the Scheme at all, meaning all Scheme generation benefits are lost.</p> <p>The Applicant considers that the loss of function (i.e. generation capacity) that would result in removal of all, or any, of the parcels identified by SCC or CCC would be significant, and that the benefits of removal of any of the</p>	<p>The TGN 02/21 2.2.10 also points out that <i>'Stakeholder engagement and early collaboration with local communities will add depth to the assessment by helping the landscape professional to understand what people value about the local landscape.'</i></p> <p>Instead of following this guidance, the applicant portrays expressions of value towards the local landscape as mere 'feelings'. This approach rather misses the point of both the technical guidance and policy, as will be demonstrated.</p> <p>The TGN 02/21 further states in appendix 4, A4.2.10 that the Landscape Institute supports an evidence-based approach. The landscape south of Chippenham Park (Sunnica West A) possesses many of the factors listed in Table 1 of the guidance note, which are generally agreed to influence value, such as for Cultural Heritage, Landscape Condition, Associations, Distinctiveness, Recreational, Perceptual (Scenic), and Functional. Similar to the historic landscape around Chippenham Park, the landscape of the Limekilns may not have been formally designated. However, it is evidently intrinsically linked to the historic landscape, which provides the setting for Chippenham Registered Park and Garden, including The Avenue. The visual connection between Limekilns and the land south of Chippenham Park means that the development would not only be detrimental to the character of LLCA 26 (The Limekilns) and its views, but it would also make the adverse changes to the setting of Chippenham Park and the historic landscape very noticeable. The argument provided by the applicant during ISH2 that the step from a modern agricultural landscape to a solar landscape is insignificant in comparison to the changes that took place in the</p>

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	<p>parcels would not come close to meeting circumstances where NPS EN-1 and Draft NPS EN-1 set out that a reduction in scale would be warranted.</p> <p>Further, a reduction in the scale of the Scheme is not required in order to make it acceptable in landscape terms. As explained by section 6.3 of the Planning Statement [APP-261], and by the Design and Access Statement [APP-264], the design of the Scheme has been an iterative process, which commenced in 2015 at the initial feasibility stage. It has been guided by the "criteria for good design" set out in the Overarching National Policy Statement for Energy EN-1 (NPS), published landscape character assessments and fieldwork analysis. This has resulted in the design process responding to the setting of the sites in order to develop a good design that takes advantage of the landscape and landform in order to reduce the impact of the Scheme on the landscape and limit the visual impact of the Scheme. The Applicant has applied a hierarchical approach to the design, by first considering the location, scale and positioning of built elements within the existing landscape framework. Through this approach the design retains perception of characteristic features, e.g. Pine Lines, distant skylines, landmarks and visual connections between settlements, thereby responding to setting and place. The Applicant's Technical Note on Settlement Design Iteration, submitted at Deadline 2 as Appendix A to the Applicant's Response to the First Written Questions [REP2-038] describes how landscape and visual effects have been an integral part of the design of the Scheme, and how that design has evolved to address landscape and visual effects identified through the Landscape and Visual Impact</p>	<p>rural landscape since the Second World War does not stand up to closer inspection for this area.</p> <p>Historic maps, such as OS six inch, 1888-1913, show that the majority of historic field boundaries is still intact and that the landscape south of Chippenham Park was no more vegetated a hundred years ago, than it is today. Many of the landscape features found today were already present over a hundred years ago. The existing railway line and road are located at the valley floor and well-integrated into the landscape by vegetation and do not greatly detract from these features. There are no industrial areas or open mineral and waste sites visible in this area, and no other solar developments.</p> <p>The landscape around Chippenham Park, as seen from The Limekilns provides cultural time-depth and continuity with regards to landscape character, landscape features as well as to the visual experience for visual receptors within and moving through the landscape, including around The Limekilns. This time-depth would vanish, if Sunnica West A was to be built.</p> <p>The conclusion must therefore be that this landscape, as it is today, still reflects its history very closely and is highly sensitive to the proposed development.</p> <p>b. Review of local landscape designations West Suffolk District, March 2022</p> <p>Additional pointers to the value around the area of Chippenham and The Limekilns can be found in Annex C, Valued landscapes, Detailed assessment of each Evaluation Area, EA6 Newmarket Chalk of the Review of local landscape designations West Suffolk District, March 2022.</p> <p>While the assessment lists many value indicators for EA 6, it concludes that a designation as 'valued landscape' would require</p>

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	<p>Assessment (LVIA) process. The following paragraphs set out how the evolution of the Scheme design has sought to minimise and mitigate the landscape impact of the parcels proposed for removal by SCC and CCC, as described in the Applicant's Technical Note on Settlement Design Iteration, and summarises the conclusions of the Environmental Statement of the landscape impact of those parcels.</p> <ul style="list-style-type: none"> W03-W12: Figure 1 of the Applicant's Technical Note on Settlement Design Iteration (Appendix A of [REP2-038]) shows the design evolution of the Scheme in relation to Chippenham and Chippenham Park. As explained in paragraph 3.6.7 of the Design and Access Statement [APP-264], a design decision was made between statutory consultation and submission of the Application to omit parcels W13, W14 and W16 adjacent to Chippenham Park in response to feedback received from stakeholders, including local planning authorities. This moved the northern boundary of Sunnica West Site A approximately 600m further south and avoided encircling La Hogue Farm. As noted in paragraph 10.6.309 of the LVIA [APP-042], the ZTV shows no visibility of the Scheme across Chippenham or Chippenham Park. This is confirmed by Viewpoint (VP) 30 from Chippenham High Street, illustrated in Figure 10.54A and 10.54B [APP-227]. This figure shows that intervening vegetation and buildings screen views of the land within the Order limits from within Chippenham. Similarly, for VP31 in Figure 10.55A [APP-227] and VP32 within Chippenham Park shown in Figure 10.98A to 10.98C [APP-228], vegetation and the tall boundary wall would screen views of the Scheme. 	<p>consideration in conjunction with an assessment of the wider area, which is located in East Cambridgeshire (p.68). This does not mean that this landscape (both in Suffolk and Cambridgeshire) is of insufficient value to be designated as a valued landscape, but rather that further studies should be carried out that look at this landscape in a holistic approach that straddles the boundary. The complex county boundary line between Suffolk and Cambridgeshire in this area may be partly responsible for why this landscape has not been given more attention thus far, as opposed to any intrinsic lack of value. With regards to cultural heritage, the assessment says for EA6: <i>'This landscape is particularly valued for its connections to the racing industry. Newmarket was given royal patronage by James I and this association has resulted in the historic growth of fine houses and stables built by the order of wealthy financiers and aristocrats attracted by royal patronage. Notable studs occur to the north of Newmarket and form part of the urban fabric of the town and are included within the towns Conservation Area. Other stud farms lie to the northeast e.g. Moulton Paddocks and between Exing and Landwade e.g. Northmore and Red House Studs. Each stud comprises a complex of stable buildings and is associated with paddocks and shelterbelts as well as menages. [...] Although these cultural heritage features and patterns are clearly legible, the significant extent of Newmarket and private nature of the stud farms means they are either not possible to fully appreciate or are best appreciated in the context of the wider landscape beyond West Suffolk District.'</i> (p.66)</p> <p>The Limekilns in East Cambridgeshire is one of the few areas where this landscape can be fully experienced and appreciated by the wider public.</p>

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	<p>Updated ZTVs were submitted at Deadline 1 [REP1-008 to REP1- 013].</p> <p>Effects on Local Landscape Character Area (LLCA) 21 (Snailwell), 23A (Chippenham), 23B (Chippenham Park), 25 (Kennett), 26 (The Limekilns and Gallops), and 41 (Newmarket) as a result of Sunnica West Site A (which largely comprises parcels W03-W12) are assessed by ES Appendix 10G: Landscape Effects [APP-042] as being either 'none' (LLCA 23A) or 'low' (LLCAs 23B and 26) and not significant during construction, operation and decommissioning of the Scheme. LLCA 24 (Lowland Estate Chalkland) which largely comprises the Sunnica West Site A site itself is assessed as experiencing a high impact during construction and decommissioning and a medium effect during operation, which are significant.</p> <p>Regarding LLCA26 (The Limekilns and Gallops), Limekilns cannot be considered to be a 'highly valued landscape'. It has no designation or recognition in national or local policy; and would not be considered highly valued when applying the criteria in Landscape Institute Technical Guidance Note (TGN) 02/21: Assessing landscape value outside national designations. This low status must therefore be what is balanced against the benefits of the Scheme; notwithstanding the feelings that Interested Parties might have.</p> <ul style="list-style-type: none"> • E12: Worlington (LLCA 8) is a small village to the south of the River Lark, within a rural and recreational landscape setting. Sunnica East Site B borders the southern and eastern edges of Worlington, though the nearest fields with solar panel arrays are approximately 0.5km to the 	<p>2) SCC disagrees with Applicant that the request to remove parcels W03-W12 and E05, E12 and E13 goes against policy</p> <p>a. Good design and due consideration for the countryside</p> <p>NPS EN-1 states at 4.5.1 that '<i>Applying "good design" to energy projects should produce sustainable infrastructure sensitive to place, efficient in the use of natural resources and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible.</i>'</p> <p>And in 4.5.3 '<i>[...]the IPC should satisfy itself that the applicant has taken into account both functionality (including fitness for purpose and sustainability) and aesthetics (including its contribution to the quality of the area in which it would be located) as far as possible. Whilst the applicant may not have any or very limited choice in the physical appearance of some energy infrastructure, there may be opportunities for the applicant to demonstrate good design in terms of siting relative to existing landscape character, landform and vegetation.</i>'</p> <p>The iterative design process referred to by the Applicant started too late in the process, i.e. after site selection, which did not include any landscape criteria. The Councils consider that parts of the project area were chosen despite not being suitable for the proposed development.</p> <p>NPPF paragraph 174 (b) states that '<i>Planning policies and decisions should contribute and enhance the natural and local environment by: 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.</i>'</p>

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	<p>south of the village within parcel E12, and 0.3km south of properties on Freckenham Road.</p> <p>Figure 8 of the Applicant's Technical Note on Settlement Design Iteration (Appendix A of [REP2-038]) shows the design evolution of the Scheme in relation to Worlington. The main changes were to introduce substantial ecological mitigation areas to the south west of the village and to remove the area directly south of the village from the Order limits. This effectively creates two parts to Sunnica East Site B, reducing its overall scale and impacts on the landscape setting of the village. The part of the Scheme previously proposed to the west of Parcel E12 has also been omitted to avoid a sense of coalescence with Freckenham and impacts on views on the journey between these settlements along the B1102 Freckenham Road.</p> <p>Native chalk grassland in parcel ECO3 to the south of Worlington, has been incorporated to create a substantial offset from Freckenham Road and residents in the village to reduce the perception of the solar panels and proximity to residents.</p> <p>The southern boundary of ECO3, which adjoins the proposed solar panels in Parcel E12, will be planted with hedgerows and woodland is proposed along the northern boundary of parcel E24. This planting will screen the panels and reduce the perception of the Scheme when travelling along Worlington Road.</p> <p>Effects on LLCA 4 (Barton Mills), 8 (Worlington), 9 (Six Acre Chalk Farmland), 12 (Freckenham), 14 (River Kennett) as a result of Sunnica East Site B, which includes</p>	<p>The Councils consider that the Applicant has demonstrated a degree of disregard for this intrinsic character and beauty of the countryside, its setting and place, and its wider benefits, with its assessments and proposals for the historic landscape around Chippenham Park, The Limekilns, the U6006 and the plane crash site.</p> <p>When considering <i>the contribution of Sunnica to the quality of the area it would be located in</i>, the overall balance is negative:</p> <ul style="list-style-type: none"> • The success of the proposed habitat creation, both for woodland and Priority species such as Stone Curlew, is uncertain. • While the proposals for additional woodland, hedgerow and grassland habitat creation are welcome, it has to be borne in mind that woodland ecosystems are highly complex and take a very long time to establish. Just as they would become valuable, they would be handed back to the landowners, currently without any security for ongoing protection and management. • The Councils consider that characteristic landscape features, such as pine lines would be less legible in the landscape in the context of the proposed development. Views to landmarks and distant horizons would be truncated. • The additional permissive footpaths cannot wholly make up for the losses of landscape character and historic landscape. The usefulness of the proposed permissive routes is limited and has the potential to conflict with the aims of ecological mitigation for the scheme. • Energy production cannot be considered to contribute to quality of place as the structure of the national electricity market means it cannot specifically benefit the local area.

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	<p>parcel E12, are assessed by ES Appendix 10G: Landscape Effects [APP-042] as being 'none', 'very low' or 'low' which are neutral, negligible or minor and not significant, during construction, operation and decommissioning. LLCA 13 (Elms Sandlands Mosaic) which largely comprises Sunnica Ease Site B itself is assessed as experiencing a high impact during construction, year 1 of operation, and decommissioning and a medium effect during year 15 operation, which are significant.</p> <ul style="list-style-type: none"> E13: Parcel E13 is located to the south east of parcel E12. Like parcel E12, it is offset from Worlington and from Freckenham Road by Native chalk grassland in parcel ECO3. Solar panels in E13 are set back from U6006 by at least 22m and the boundary fence is set back by at least 14m from U6006. Existing woodland is located between U6006 and parcel E13. This is illustrated by Figure 10 of the Outline Landscape and Ecology Management Plan [REP3-011]. Parcel E13 is taken into account in the assessment of the landscape impacts of Sunnica East Site B, the conclusions of which are summarised under 'E12', above. In summary, no more than a low impact would result as a result of Sunnica East Site B on any LLCA outside of LLCA 13 which largely comprises Sunnica Ease Site B itself. E05: Isleham (LLCA 10) is a nucleated village in a rural setting on the edge of the Fens, to the south of the River Lark. Isleham is approximately 0.5km to the northwest of the closest part of Sunnica East Site A (Parcel E05). The solar panel arrays have been sited away from Isleham to avoid the Scheme resulting in the physical coalescence 	<p>b. Small loss in (national) energy generation in exchange for exceptional benefit for landscape/amenity and ecology/biodiversity</p> <p>NPS-EN1 also states: <i>5.10.17 The scale of such projects means that they will often be visible within many miles of the site of the proposed infrastructure. The Secretary of State should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project.</i></p> <p>The Councils considers this reduction necessary to reduce the adverse impacts and effects of the scheme on the landscape to a level that is acceptable. The calculations by the applicant demonstrate just how vast this project is. Were the panels removed as per the request of the joint Councils, the project would still be able to generate energy equivalent to three solar farms at 50MW installed capacity, each of which would constitute an NSIP in its own right.</p> <p>The Councils disagree with the applicant on the scale of impacts and considers the harm of the scheme, in particular the harm resulting from parcels W03-W12, to be significant and that the removal of most of Sunnica West A would result in a benefit for the landscape, its users and the local communities that would outweigh the consequences of scaling the project back.</p> <p>Solar plants are in essence modular. The applicant demonstrates in its response that the scheme, even in its reduced form, would still result in a scheme that equates to more than 150% of the generation capacity of Little Crow Solar Park NSIP.</p>

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	<p>of settlements. This assists in retaining the open character to the south of Beck Road, between Isleham and Freckenham, including the enhancement of the character and quality of the landscape through the introduction of ECO1 and ECO2, which are areas of proposed native grassland.</p> <p>Solar panels in parcel E05 have been offset from Beck Road via a landscape buffer of native grassland and woodland as illustrated in Section 2, presented in Figure 9 of the OLEMP [APP-108]. This reduces the proximity of the panels to road users and retains views along the road corridor of churches in Isleham and Freckenham to retain the perception of travelling through the landscape that separates the settlements. The proposed woodland planting, which has also been set back from the road, will provide a more vegetated setting to the southern part of the village, reflecting the pattern of woodland to the south of Isleham, adjacent to the B1104 (Station Road). Effects on LLCA 5, (West Row and Thistley Green), 6 (West Row Village Chalklands), 7 (River Lark Valley), 10 (Isleham), and LLCA 12 (Freckenham) as a result of Sunnica East Site A, in which parcel E05 is located, are assessed by ES Appendix 10G: Landscape Effects [APP-042] as being 'none', 'very low' or 'low' which are neutral, negligible or minor and not significant, during construction, operation and decommissioning. LLCA 11 (East Fen Chalklands), which includes Sunnica East Site A, itself is assessed as experiencing a medium impact during</p>	<p>What these calculations, which focus solely on the installed capacity of each parcel, do not consider is how much energy will realistically be generated accounting for efficiency factors. According to Digest of UK Energy Statistics (DUKES) 2022¹, the capacity/load factor of solar in the UK is only 10-12% [REP1-024, LIR10.10]. This means that the removal of these parcels would translate into an actual loss in likely generation output of only approximately 23-28 MW.</p> <p>To be clear, the Councils are not using this observation to disagree with national policy on the need for new solar development: It remains the case that solar PV generation is fast and cheap to install and therefore it is and will continue to be an important part of the UK energy mix. Indeed, it is manifestly relevant to the present issue of determining whether a potential reduction is 'small' for the purposes of paragraph 5.9.21 of NPS-EN1 and paragraph 5.10.23 of Draft NPS EN-1. The Councils consider that that the removal of any given area from a solar scheme is less significant compared to other types of electricity generation.</p> <p>Therefore, the Councils consider that the loss in benefit with regards to energy production would be small in comparison to the extent of long-term harm that would be avoided in those areas most sensitive to impacts of the scheme. This would be in accordance with paragraph 5.9.21 of NPS-EN1 and paragraph 5.10.23 of Draft NPS EN-1.</p> <p style="text-align: center;">c. Timescale and capability for mitigation</p>

¹See: <https://www.gov.uk/government/statistics/renewable-sources-of-energy-chapter-6-digest-of-united-kingdom-energy-statistics-dukes> Table 6.3

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	<p>construction, operation and decommissioning, which is significant.</p> <p>NPS EN-1 paragraph 5.9.8 and Draft NPS EN-1 paragraph 5.10.9 set out the decision making principles for Energy NSIPs in relation to landscape impacts. They state that: "Landscape effects depend on the existing character of the local landscape, its current quality, how highly it is valued and its capacity to accommodate change. All of these factors need to be considered in judging the impact of a project on landscape. Virtually all nationally significant energy infrastructure projects will have effects on the landscape. Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate."</p> <p>Further, NPS EN-1 paragraphs 5.9.14 to 5.9.16 and Draft NPS EN-1 paragraphs 5.10.16 to 5.10.18 provide additional policy on decision making in relation to landscape impacts in areas outside of nationally designated landscapes. Paragraphs 5.9.15 of NPS EN-1 and 5.10.17 of Draft NPS EN-1 set out that the scale of energy NSIPs means that "they will often be visible within many miles of the site of the proposed infrastructure" and that the decision maker "should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project." Paragraphs 5.9.16 of NPS EN-1 and 5.10.8 of Draft NPS EN-1 clarify that when making this consideration the decision maker should consider whether adverse landscape impacts are</p>	<p>NPS EN1: 5.10.18 <i>In reaching a judgment, the Secretary of State should consider whether any adverse impact is temporary, such as during construction, and/or whether any adverse impact on the landscape will be capable of being reversed in a timescale that the Secretary of State considers reasonable.</i></p> <p>5.10.19 <i>The Secretary of State should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to minimise harm to the landscape, including by reasonable mitigation.</i></p> <p>The Councils consider that there would be long-term residual effects on the landscape, which cannot be mitigated and which in their accumulation should be considered to be significant. In respect of parcels E12 and E13 the Councils acknowledge and welcome the improvements achieved for the village of Worlington. However, these do not benefit the users of the U6006 to the same degree.</p> <p>The Councils welcome the additional circular footpath around E05, but considers the treatment of the plane crash site to be insufficient.</p> <p>In respect of these parcels, the Applicant ignores the relationship between agriculture, archaeology, ecology and landscape and that the whole is greater than the sum of its parts. There seems to be little appreciation by the Applicant for the fact that the introduction of the scheme in these areas dissolves the existing, relatively harmonious co-existence of agriculture, archaeology, ecology and landscape features and that no mitigation can be provided that recreates this fragile equilibrium.</p> <p>What becomes evident, when a scheme such as Sunnica is introduced to a multifaceted environment, such as the one present around Worlington and Isleham, is that mitigation will</p>

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	<p>capable of being reversed in a timescale that they consider reasonable.</p> <p>In summary, through careful design, the landscape impacts of parcels W03-W12, parcel E12, parcel E13 and parcel E05 have been successfully limited to resulting in significant effects only to the LLCAs in which they are located. These are LLCA 24 (Lowland Estate Chalkland), LLCA 13 (Elms Sandlands Mosaic), and LLCA 11 (East Fen Chalklands), which are all assessed of medium sensitivity. In accordance with NPS EN-1 paragraph 5.9.15, these localised landscape impacts, which do not affect any designated landscape, are not considered to be so damaging that they are not offset by the nationally significant benefits of the Scheme in generating renewable electricity. Therefore, it is not necessary to remove any parcels, or parts of parcels, from the Scheme in order to make it acceptable in landscape terms and the case for their retention is extremely strong.</p> <p>In particular, the removal of the entirety of parcels W03-W12 would result in the loss of more than 200 MW of renewable energy generation capacity. This would substantially and seriously harm the function of the Scheme, and would not come close to being justified by the avoidance of a localised 'medium' impact on a non-designated landscape during the operational phase.</p> <p>Regarding E05, the Applicant has already made some amendments that go some way to addressing the Councils' concerns. A new permissive path around the perimeter of the Scheme is proposed and land is excluded from development to avoid a World War II aircraft crash site, along with a proposals</p>	<p>always be crude and one-dimensional in comparison to what exists and has developed organically over a long period of time. The mitigatory needs of archaeology, ecology and public amenity/recreation are very difficult to integrate successfully with each other and often, as is the case is here, the needs are conflicting, and the mitigation aims mutually exclusive. In other words, what is best for ecology is often not best for archaeology or amenity/recreation, and vice versa.</p> <p>The applicant fails to recognise the conflicting interest between ecology and visual amenity for the users of U6006.</p> <p>The Councils do not agree with the Applicant's assertion that E05, E12 and E13 can be successfully integrated into landscape and safeguard the various elements of the natural and historical environment.</p> <p>It is for these reasons that the Councils conclude that the only way that all environmental aspects are adequately safeguarded, is through application of the top tier of the mitigation hierarchy: avoidance, specifically by removal of solar panels and associated infrastructure from parcels E12, E13 and E05.</p> <p>The Councils do not agree with the applicant that EN-1 'directs' a policy test that the avoidance or minimisation of landscape impacts can only justify a change to a scheme where the loss of function would be 'small' or not 'significant' and the landscape/visual benefit would be 'very significant'. In the first place, EN-1 has to be read as a whole. Neither para 5.9.15 nor 5.9.18, which set out the overarching considerations for landscape and visual impacts set out such a test. They call more neutrally for a balanced decision between harms and benefits. In the second</p>

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	<p>for a memorial to the casualties of the crash. The Applicant does not consider that the loss of generation capacity that would result from further reductions to E05 would be justified by the landscape benefits.</p> <p>Regarding E12, the scheme has already been reduced to the north of these parcels in order to provide offset to settlements and mitigate impact on stone curlew. The Applicant does not consider that the loss of generation capacity that would result from further reductions to E12 would be justified by the landscape benefits.</p> <p>Finally, regarding E13, the scheme has already been reduced to the north of these parcels in order to provide offset to settlements and mitigate impact on stone curlew and substantial offsets to U6006 are incorporated into the design. The Applicant does not consider that the loss of generation capacity that would result from further reductions to E13 would be justified by the landscape benefits.</p>	<p>place, para 5.9.21 is simply giving examples and (unsurprisingly) gives a simple example of where a reduction would be justified. If EN-1 intended that to be the only circumstance where a reduction would be justified, it would have said so.</p> <p>In the third place, the Councils do not accept that the losses of function here would fall into the 'significant' category. Using the updated figures that the Applicant has presented in answer to Q2.0.5, the loss of E05, E12, and E13 together would leave the proposal with some 84% of the total installed capacity of 630 MW. The loss of E13 would represent only 2.3% of the total installed capacity and yet the Applicant claims that even that would be a 'significant loss of function' in its answer to Q2.0.7. The loss of E12 or E05 would be less than 7% of the total installed capacity each. These are not 'significant losses' of function, and are justified by the resulting benefits.</p>