



EAST PARK ENERGY

East Park Energy

EN010141

Written Summary of Applicant's Oral Submissions at Issue Specific Hearing 3 (ISH3) and Action Points

Document Reference: EN010141/DR/8.41

Infrastructure Planning (Examination Procedure) Rules 2010

July 2026
Version P01

EAST PARK ENERGY

Planning Act 2008

Infrastructure Planning (Examination
Procedure) Rules 2010

Written Summary of Applicant's Oral Submissions at Issue Specific Hearing 3 (ISH3) and Action Points

Planning Inspectorate Scheme Reference:	EN010141
Application Document Number:	EN010141/DR/8.41
Author:	Burges Salmon LLP / Axis PED Ltd

Version	Date	Status
P01	July 2026	Deadline 4

© AXIS P.E.D. Ltd 2026. All rights reserved.

This document and its accompanying documents contain information which is confidential and is intended only for the use of the client. If you are not one of the intended recipients any disclosure, copying, distribution or action taken in reliance on the contents of the information is strictly prohibited.

Unless expressly agreed, any reproduction of material from this document must be requested and authorised in writing from AXIS P.E.D. Ltd. Authorised reproduction of material must include all copyright and proprietary notices in the same form and manner as the original and must not be modified in any way. Acknowledgement of the source of the material must also be included in all references.

CONTENTS

1.0	Introduction	2
1.1	Introduction.....	2
1.2	Issue Specific Hearing 3.....	2
1.3	Note about National Policy Statements	3
2.0	The Applicants' Summary of Oral Submissions Made at ISH3	4
2.1	Agenda Item 3a – The overall approach to the design of the proposed development in relation to Public Rights of Way (PRoW)	4
2.2	Agenda Item 3b – PRoW and Landscape	17
2.3	Agenda Item 3c – Current position between the Applicant, local authorities, and other IPs	32
	Appendix A: List of Action Points	41
	Appendix B: Hearing Action Point 2	43
	Appendix C: Hearing Action Point 6	48

1.0 INTRODUCTION

1.1 Introduction

- 1.1.1 This note summarises the submissions made by BSSL Cambsbed 1 Limited (the “Applicant”) for the East Park Energy project (the “Scheme”) at Issue Specific Hearing 3 (ISH3) on 9th June 2026.
- 1.1.2 This document does not purport to summarise the oral submissions of parties other than the Applicant; summaries of submissions made by other parties are only included where necessary in order to give context to the Applicants’ submissions.
- 1.1.3 The Applicant has supplemented the written summary below with additional information where relevant to the action points raised in ISH3.

1.2 Issue Specific Hearing 3

ISH3 took place on the morning of 9th June 2026 and followed the **Agenda for Issue Specific Hearing 3 [EV6-001]** which was published by the ExA in advance of the hearing:

Agenda for Issue Specific Hearing 3	
1	Welcome, introductions, arrangements for the hearing
2	Purpose of the issue specific hearing
3a	The overall approach to the design of the proposed development in relation to Public Rights of Way (PRoW). The applicant will be asked to explain its overall approach to the design of the proposed development in relation to PRoW and consideration of alternative designs to limit the impact on the PRoW network.
3b	PRoW and Landscape. The applicant will be asked to explain its overall approach on the impact on views by users of the PRoW network, significant effects and mitigation proposed.
3c	Current position between the Applicant, local authorities, and other IPs. The ExA will ask the Applicant to set out progress in resolving concerns

Agenda for Issue Specific Hearing 3	
	about the perceived negative impact on the PRow network. Local authorities and other IPs will be given the opportunity to set out their concerns.
3d	Any other matters
4	Next Steps
5	Closing

- 1.2.1 The Applicant did not provide any material comments on Agenda Items 1, 2, 3d, 4, or 5 of the Agenda for ISH3.

1.3 Note about National Policy Statements

- 1.3.1 Section 1.6 of the 2026 National Policy Statement (NPS) EN-1 confirms that for schemes accepted for examination before the final publication of the approved 2025 amendments, the 2024 suite of NPSs should have effect. East Park Energy was accepted for examination in October 2025 prior to the final publication of the 2025 amendments. The 2024 NPSs therefore have effect for decision making.
- 1.3.2 All references to the NPSs in this document are to the 2024 NPSs unless stated otherwise.
- 1.3.3 The Applicant has prepared a separate **Note on updated National Policy Statements EN-1, EN-3 and EN-5 [PDA-018]**.

2.0 THE APPLICANTS' SUMMARY OF ORAL SUBMISSIONS MADE AT ISH3

2.1 Agenda Item 3a – The overall approach to the design of the proposed development in relation to Public Rights of Way (PRoW)

Introduction

- 2.1.1 The Applicant explained that this question has two separate strands: firstly, the design approach to public rights of way and the impact on amenity of users of those public rights of way, and secondly, the impact of the development-related traffic on public rights of way users.

Comments on the design approach to public rights of way, and the amenity of public rights of way users

- 2.1.2 The Applicant has adopted a design-led approach throughout the evolution of the Scheme, consistent with national policy and guidance on achieving good design for Nationally Significant Infrastructure Projects. This is summarised within the **Design Approach Document [APP-034]**.
- 2.1.3 The Scheme has been developed through a multidisciplinary and iterative process involving landscape, ecology, heritage, engineering and planning specialists, supported by consultation with local communities, stakeholders and statutory consultees. Design decisions have been informed by site context, environmental constraints and opportunities, technical requirements and stakeholder feedback, with the objective of delivering a scheme that makes a significant contribution towards renewable energy generation whilst remaining sensitive to its surroundings.
- 2.1.4 The interaction with public rights of way and impact on public rights of way users has been a consideration in site selection and design evolution from the outset of project development.

-
- 2.1.5 Early design principles sought to ensure that the Scheme would be sensitive to landscape character, views, heritage assets and biodiversity, whilst also seeking opportunities to deliver wider environmental and social benefits. These early design principles informed both the identification of land suitable for development and the subsequent evolution of the Scheme layout. This is reported on within Section 5.3 of the **Land Identification Report [APP-059]**.
- 2.1.6 The public right of way network within and around the Site comprises a series of public footpaths, bridleways or byways that provide local access to the countryside. There are no national trails in the local area. There are no promoted long distance recreational trails which cross the Order limits, with the closest being the North Bedfordshire Heritage Trail, which is located on footpaths within the south-western extent of the study area, between Riseley and Keysoe Row; and the Three Shires Way, which is located on footpaths within the northern extent of the study area, just to the north-east of Great Staughton. There are also no nationally designated landscapes such as National Park or National Landscapes in proximity to the Site, and neither are there any locally designated landscapes. The Applicant is not aware of any promoted viewpoints, such as those identified on Ordnance Survey mapping, that overlook the Order limits and could serve as a destination for additional visitors. There are also no country parks or similar outdoor destinations in proximity to the Site that would be expected to attract recreational users to the area.
- 2.1.7 Therefore, whilst the Applicant acknowledges that the affected public rights of way and access to the countryside are locally valued, there are no indicators of regional or national interest.
- 2.1.8 Accordingly, in developing the Scheme design, as a general approach there were no specific public rights of way where avoidance of impact was considered a necessity. The design approach instead focused on masterplanning around the public rights of way that cross the Order limits to minimise effects as far as practicable, whilst ensuring the Scheme responds positively to the characteristics of the receiving landscape and the Design Principles established for the project. With reference to Section 5.2 of the

Design Approach Document [APP-034], of most relevance these design principles include:

- Principle 2.1: Protect views towards tall church spires, which are visually prominent landmarks in the landscape and contribute towards creating a sense of place
- Principle 2.2: Protect the sense of openness, wide views and skylines with long views from elevated positions across the Kym valley.
- Principle 2.6: Protect recreational access via rights of way network and the network of quiet lanes.

2.1.9 Evidence on how the Scheme design responds to these design principles is set out in Section 5.6 of the **Design Approach Document [APP-034]**.

2.1.10 The Applicant has designed the Scheme to retain all existing public rights of way within the Order limits throughout the operational phase. Where solar panels might be located on either side of any PRow, those routes will have a minimum 10m buffer between the centreline of the definitive right of way alignment and the solar fenceline on either side. This will result in a minimum 20m wide corridor where solar development occurs on both sides of the PRow, incorporating grassland, hedgerows, trees and woodland planting. The Applicant considered both narrower and wider corridor widths as part of the design process, but concluded that 20m wide corridors generally represented the right balance between efficient land use and the protection of amenity.

2.1.11 To provide some context to the scale of the proposed 20m wide corridors, the Applicant notes that the width of the local roads around the Site including hedgerows is generally between 12m and 18m wide. The Applicant's proposed routes are therefore consistent with and generally slightly wider than the local roads.

2.1.12 The Applicant has refined development parcels and fencing lines to provide separation from routes, setbacks from selected footpaths and bridleways, retention of existing hedgerows and field boundaries, and the provision of landscape buffers and woodland belt planting.

2.1.13 Some specific examples of the design approach include:

- At the western end of the Site, the Applicant has avoided introducing solar development on the south-east side of Bridleway Bolnhurst and Keysoe 37 to retain views out across the Kym valley towards the east. Whilst solar development will be visible at the base of the valley across East Park Site B, this will be seen in the context of the extensive tree and hedgerow cover within Site B. The openness of views across the landscape will remain intact. Photomontages to demonstrate this are available from Viewpoint 12 included in **Environmental Statement - Vol 3 Chapter 5 Landscape and Visual Figures P01 - Part 3 of 14 [APP-131]**.
- On the western side of Little Staughton the Applicant's design response within the southern extent of Site B has been to provide a wide set back (circa 50m) to development on the northern sides of public rights of way to retain views looking out over the top of solar arrays towards the distant horizon. Therefore, whilst the solar development is visible in the foreground of views, the connection with the wider landscape of the Kym valley to the north would not be lost. Photomontages to demonstrate this are available from Viewpoint 33 included in **Environmental Statement - Vol 3 Chapter 5 Landscape and Visual Figures P01 - Part 8 of 14 [APP-136]**.

In addition to setting back the solar development, the Applicant's proposed planting design does not attempt to provide a complete visual screen of the Scheme, but instead allow filtered views out across the valley. In this way there will be less enclosure for users of the route wishing to look out over the valley, but effective screening of oblique views of the solar development in views along the footpath.

- At the eastern end of the ridgeline to the south of East Park Site C, the Applicant has taken a similar design approach, providing wide set backs between the public rights of way along the ridgeline and the solar development to the north. Therefore, whilst the solar development may be visible, the openness of views across the Kym valley to the north are not lost. Photomontages to demonstrate this are available in **Environmental**

Statement - Vol 3 Chapter 5 Landscape and Visual Figures P01 - Part 11 of 14 Viewpoint 57 [APP-139].

2.1.14 The design has therefore sought not only to reduce visual effects where practicable, but also to retain landscape legibility and the relationship between settlements, rights of way and the wider rural environment. The Applicant has had regard to the experience of users of the Public Rights of Way network throughout the design process. Whilst the network primarily comprises local connections between roads, farms and settlements, it also provides opportunities for people to experience the landscape at close range and therefore forms an important consideration in the assessment of visual effects. The layout of the Scheme, retention of existing landscape features where practicable, and development of the environmental masterplan have all sought to reduce effects on PRow users whilst responding positively to local landscape character.

Comments on the on the impact of the development-related traffic on public rights of way users

- 2.1.15 The most significant period of impact, or interactions between PRow users and vehicles will occur during the 30-month construction phase.
- 2.1.16 During the operational phase, the number of maintenance vehicle movements travelling across or alongside the affected PRowS are likely to be very low, and would be comparable to, or less than, the normal agricultural traffic levels that would otherwise occur if the scheme did not come forward.
- 2.1.17 Nonetheless, in both the construction and operational phases, the Applicant has sought to minimise the interface between public rights of way users and vehicles, where practicable. The majority of interactions between on-site traffic and PRowS will be where vehicles will simply need to momentarily cross straight over the alignment of a PRow at a perpendicular angle. This will be managed in accordance with the measures set out in the **outline Public Rights of Way Management Plan [REP3-058]**, including warning

signage for both drivers and PRow users, the deployment of banksmen during busy periods, and appropriate segregation where needed.

2.1.18 Some localised diversions of PRowS will be necessary during some of the cable installation works, but these will be temporary in nature and would comprise a diversion of just a few metres for PRow users.

2.1.19 Where it has not been possible to avoid routing development-related traffic along a PRow, there are some limited locations where the PRow in question already follows an existing established agricultural track. This includes:

- Bridleway Bolnhurst and Keysoe 37, which forms part of Pertenhall 26 in Site A;
- Footpath Pertenhall 29 and Pertenhall 2 (where it crosses the Pertenhall Brook) in Site A;
- Footpath Little Staughton 4 off Green End in Site B;
- Bridleway Hail Weston 112/7 in Site D; and
- Footpath Hail Weston 112/8 in Site D.

2.1.20 The Applicant's preferred approach to minimise the effects of interaction has been to develop a mitigation strategy through the outline Public Rights of Way Management Plan which either keeps these routes open, or minimises the extent of any diversion, while ensuring the safety of users. The outline PRow management plan, which would be developed into a full PRow Management Plan under Requirement 11 of the DCO, sets out a table of mitigation measures that are specific to each directly affected PRow. For example, these measures include things like signage, the use of banksmen, temporary short-lived closures and diversions, and protocols to ensure drivers stop and give way to PRow users, and horses, in particular.

2.1.21 Some parties have suggested that the Applicant should consider constructing new sections of access track to run parallel to all the PRowS mentioned earlier (i.e. those where vehicles would drive along for a section). However, this would involve the construction of new parallel sections of access track that would need to be in place for each of the construction, operational and

decommissioning phases. Furthermore, constructing new tracks in this way would be a disproportionate use of land and resources, given there are existing well-used agricultural access tracks in these locations, and in the case of part of Bridleway Bolnhurst and Keysoe 37, that particular route has also previously been used as a construction access for the existing Manor Farm Solar Farm that adjoins Site A. There would also be a greater, and in our view unnecessary impact on the environment if this approach were adopted. The Applicant is therefore considered justified in proposing the use of these limited sections of PRow for vehicular traffic, with management measures to ensure the safety of users set out again in the outline Public Rights of Way Management Plan.

2.1.22 NPS EN-3 states between paragraphs 2.10.40 and 2.10.42 that:

“Proposed developments may affect the provision of public rights of way networks.

Public rights of way may need to be temporarily closed or diverted to enable construction, however, applicants should keep, as far as is practicable and safe, all public rights of way that cross the proposed development site open during construction and protect users where a public right of way borders or crosses the site.

Applicants are encouraged to design the layout and appearance of the site to ensure continued recreational use of public rights of way where possible during construction, and in particular during operation of the site.”

2.1.23 This is precisely the approach the Applicant has taken.

2.1.24 The Applicant is also proposing a number of new permissive routes as part of the Scheme, the detail of which is set out within Table 2 in Section 5.3 of the **outline Landscape and Ecological Management Plan [REP3-056]**. The Applicant is aware of the requests by host authorities and other interested parties for additional permissive paths, but is restricted on where these can

be provided by the need to gain agreement with landowners for any permissive access.

- 2.1.25 Paragraph 2.10.44 of NPS EN-3 recognises this position, and the need to get landowner agreement. This is particularly relevant on this project where the Applicant is not utilising compulsory acquisition powers over landowners for Sites A, B, C and D – and as such, permissive access cannot be imposed.

Question from ExA regarding the duration of temporary diversions and whether these would be for the entire construction period

- 2.1.26 The Applicant confirmed that temporary diversions of public rights of way would not last for the full extent of construction and would be phased as relevant across the Site. Details of the temporary diversions will be set out in the final public rights of way management plan (PROWMP), which will be submitted to the local planning authorities for approval as secured by requirement 11 of the **draft DCO [REP3-009]**. This will include the timings for which any PRoW are to be temporarily closed, and details of any temporary diversions such as whether any surfacing is required and the widths of any temporary diversion, in line and with details set out in Schedules 4 and 6 of the draft DCO.

Questions from ExA regarding paragraph 5.1.3 of the oPROWMP and the statement that usage surveys will be undertaken to inform the final PROWMP:

- **whether usage surveys were undertaken to PRoW before the application was submitted;**
- **what method would be used for the PRoW usage surveys proposed;**
- **would the survey methodology be agreed with the local authorities.**

- 2.1.27 The Applicant confirmed that no surveys have been carried out to date. However, the Applicant's team have visited the Site on numerous occasions and have made qualitative observations of usage. The method to be used for the PRow usage surveys is yet to be determined but it is expected that CCTV would be used to allow for classification of the type of users. The Applicant sees no reason why the methodology cannot be agreed with the relevant local authorities before the surveys are undertaken, and this will be done as part of the final Public Right of Way Management Plan submitted to the LPAs for approval.

Question from ExA as to whether the Applicant had considered any alternative proposals for the design of the Scheme designed around the PRow network, and whether an alternative layout on this basis would have achieved the policy objectives of paragraph 2.10.61 of NPS EN-3.

- 2.1.28 The Applicant confirmed that the question of alternatives considered for the layout of the Site comes back to the original identification of the Site and the **Land Identification Report [APP-059]**. The Applicant reviewed all land offered to them against the early design principles, which included considerations of both landscape views, PRow, and how people would appreciate the landscape, which led to the avoidance of more sensitive areas. It was unavoidable that PRow would be within the Site landscape and this was accounted for in masterplanning through the use of suitable setbacks, different design approaches in more sensitive areas, and proposing screening in/around the site from those rights of way in a manner that is in accordance with the local landscape character assessment.
- 2.1.29 Further information is provided in the Applicant's response to Hearing Action Point (HAP) 1 below.

HAP No.	Action Point	Applicant's Response
1	Applicant to comment on the ExA's query regarding whether the Scheme could have been designed around the PRow network and whether this would have affected compliance with NPS EN-3 para 2.10.61.	Paragraph 2.10.61 of NPS EN-3 sits within the Site Layout, Design and Appearance sub-section of the NPS, and addresses the need for a solar farm to seek to maximise the potential power output of a site through panel spacing, noting that the type, spacing and aspect of panel arrays will depend on the physical characteristics of a site. The Applicant has considered the ExA's query regarding whether the Scheme could have been designed around the Public Rights of Way network and whether this would have affected compliance with paragraph 2.10.61. The Applicant's position is that the Scheme has been designed to integrate the existing PRow network, with existing PRow retained during the operational phase, and with only temporary diversions and closures proposed for the construction phase, where necessary. The Scheme design includes appropriate buffers to PRow, and incorporates planting as required to mitigate visual effects. The Applicant does not consider that it would be necessary, proportionate or policy compliant to design the Scheme wholly around the PRow network in the sense of excluding solar infrastructure from every field crossed by, bounded by, or visible from a PRow. As set out during ISH3 and in the written summary above, whilst the Applicant acknowledges that the affected public rights of way within the Site are locally valued, there are no indicators of regional or national interest such as national trails, long distance recreational trails, or public open spaces. A solar layout which treated PRow as exclusion constraints rather than retained routes within managed corridors would substantially fragment the developable areas, reduce the efficient use of the available land and grid connection, and could require additional or less efficient access, cabling and infrastructure

HAP No.	Action Point	Applicant's Response
		arrangements elsewhere within the Site. NPS EN-3 recognises that proposed solar developments may affect PRow networks, and that PRow may need to be temporarily closed or diverted to enable construction. The policy requirement set out in NPS EN-3 is to keep PRow open as far as practicable and safe, to protect users, to design the layout and appearance of the site to ensure continued recreational use where possible, and to consider opportunities for enhancement, rather than to avoid all interaction between PRow and solar development. The Applicant considers that the current design represents an appropriate balance between efficient renewable electricity generation, continued use and management of the PRow network, landscape and visual mitigation, ecological and other environmental constraints, and the need for a deliverable construction and operational layout. In conclusion, the Applicant considers that the submitted design is consistent with the policy objective of efficient electricity generation set out in paragraph 2.10.61 of NPS EN-3. The Scheme has been designed with the PRow network as an important constraint and receptor, and the interaction with PRow is appropriately mitigated and secured through the design parameters, the outline Public Right of Way Management Plan and the requirements set out in the draft DCO.

Question from ExA regarding whether the need for a crossing of Pertenhall Brook in relation to the perimeter route linking Bolnhurst and

Keysoe FP32 to Pertenhall FP 2 suggested by Bedford Local Access Forum would cause additional environmental impacts.

- 2.1.30 The Applicant explained that the principal reason that the proposal cannot be agreed is because a landowner agreement would be required for any permissive route. The crossing would also require assessment and a flood risk activity permit from the Environment agency as the Pertenhall Brook is a main river. The crossing itself is not considered likely to result in likely significant adverse effects.
- 2.1.31 The Applicant confirmed that it is continuing to consult with landowners regarding the potential for additional permissive footpaths.

Comments from Mr Simon Beverly concerning the evidence as to the consideration of alternatives and relating to the PRoW proposed being short walks between security fencing.

- 2.1.32 The Applicant reiterated that the case for alternatives in relation to PRoW had been covered earlier under agenda item 3a. The Applicant also confirmed that the footpaths within the Order Limits are typical of rural farmland with short lengths of footpath connecting properties and small settlements to roads. A considered approach has been taken through the provision of setbacks, and while time will be needed for planting to establish this would effectively screen the fencing and the solar array.

Comments from an Interested Party regarding the Pertenhall Brook bridge being a dangerous and unsuitable for lorries, including question around which members of the public had been involved in relation to PRoW.

- 2.1.33 The Applicant confirmed that the crossing at the Pertenhall Brook structure was considered by the design engineer team at Wallingford HydroSolutions

in the Environmental Statement - Vol 2 Appendix 8-3 Watercourse Crossing Assessment P01 **[APP-100]**. The conclusion reached was that the crossing would be suitable.

- 2.1.34 The Applicant also confirmed that the community has been engaged with at multiple stages through pre-app consultation, including the initial phase of consultation around the point of the scoping report and at the point of the statutory consultation, including events in person and with parish councils.

Question from the ExA as to whether there will be an opportunity for community groups to engage post consent

- 2.1.35 The Applicant confirmed that a community liaison group is proposed through the outline CEMP and will continue to be implemented throughout operation of the Scheme.

Comments from Mr Richard Finston regarding impacts of the Scheme on PROW, concerns around decommissioning and restoration of the site and a request that profits are ring-fenced until restoration has occurred

- 2.1.36 The Applicant confirmed that the Applicant would address the landscape dimension of the use of PROW under agenda item 3b. In respect of decommissioning the Applicant confirmed that it has previously responded on this issue during the Examination process.

2.2 Agenda Item 3b – PRow and Landscape

Request by the ExA that the Applicant respond to the additional submission of Shaun Woodward [AS-027]

- 2.2.1 The Applicant confirmed that Mr Woodward's concerns appear to be around what happens to planting at decommissioning and how the fencing would interact within planting alongside PRow, how the fencing and planting would be removed and whether the Scheme is temporary. The planting and fencing will be subject to ongoing management throughout the operational life of the Scheme. While there may be some intertwining it is not the case that the planting will become so overgrown that the fencing could not be removed. The Applicant will not allow it to get into that state and would monitor from inside the fencing as part of general maintenance and security requirements. At the decommissioning stage the planting will be retained, fencing and other infrastructure will be removed and the land given back to landowners.
- 2.2.2 The document also raises a question as to whether the hedgerows would prevent future farming. On this, the Applicant confirmed that discussions were had with landowners and involved consideration of this, which has been a factor during the design development.
- 2.2.3 Further information is provided in the Applicant's response to Hearing Action Point (HAP) 2 below.

HAP No.	Action Point	Applicant's Response
2	Applicant to provide a written response to Shaun Woodward's additional submission [AS-027]	The Applicant has provided a response to [AS-027] in Appendix B of this document.

Applicant submissions on Agenda item 3b

- 2.2.4 The Applicant has already set out some context to the public right of way network around the Site. The majority of routes comprise local rural footpaths and bridleways connecting villages, farms, roads and dispersed properties. They are generally shorter-distance local routes rather than nationally or regionally important scenic or long-distance recreational trails.
- 2.2.5 Whilst there are longer-distance recreational routes within the wider study area, these do not pass directly through the Site itself and users would experience intermittent or filtered views of the Scheme due to distance, topography, woodland cover and the existing hedgerow structure. Chapter 5 of the Environmental Statement (ES) - **Landscape and Visual Impact Assessment (LVIA) [APP-041]** identifies that visual effects experienced by users of the North Bedfordshire Heritage Trail and the Three Shires Way would be no greater than Minor Adverse. These effects would be experienced over reasonably short extents of the route and intermittently / obliquely.
- 2.2.6 It is also relevant to the consideration of views from public rights of way that the Site is not located within a designated landscape and is not considered a valued landscape in National Planning Policy Framework terms. Whilst the Applicant acknowledges that landscape does not need to be designated to be valued, and that views from local routes are valued by their users, the routes affected by the Scheme do not traverse designated or otherwise nationally recognised landscapes where views would typically be afforded a higher level of value in LVIA terms.
- 2.2.7 Turning to the assessment itself, the Applicant has undertaken a comprehensive assessment of visual effects within Chapter 5 of the ES and the supporting appendices. The evidence base includes 83 representative viewpoints, of which 65 are located on public rights of way within and around the site, with seventeen viewpoints supported by visualisations.

- 2.2.8 The assessment has been undertaken in accordance with Guidelines for Landscape and Visual Impact Assessment third edition (GLVIA3) and considers receptor sensitivity, comprising susceptibility and value, plus the magnitude of effect, comprising the scale of visual change, the extent, which includes the extent of the route impacted, the duration of the effect and whether it is reversible. It is therefore based on a balanced professional assessment of likely visual effects.
- 2.2.9 Turning to the identification of significant effects, the Applicant has acknowledged in the LVIA that some users of public rights of way would experience significant visual effects, particularly where routes pass through or immediately adjacent to the Site, during construction, the opening year of operation, and, to a lesser extent, following the establishment of mitigation planting (assessed at year 10).
- 2.2.10 The principal significant visual effects identified within the LVIA therefore relate to certain sections of the Public Rights of Way network where routes pass through, or immediately adjacent to, the Site and users experience the most direct interaction with the proposed development. In particular, significant effects are concentrated on:
- Routes within the northern and southern parts of Site A;
 - Routes passing directly through Site B;
 - A small number of elevated routes near Pertenhall, from where the extent of Sites A and B can be appreciated within a single view;
 - A small number of elevated routes near Little Staughton, from where Site B is visible across a wider extent of the view; and
 - Routes within Site D.
- 2.2.11 These effects are principally associated with users travelling through open farmland in close proximity to the Order Limits, rather than receptors within settlements.
- 2.2.12 Following the establishment of mitigation planting, many effects would reduce to a level that is not significant. The residual significant effects identified at

Year 10 would be largely confined to rights of way located directly within or adjacent to Sites A and B, together with a small number of elevated routes near Pertenhall and Little Staughton where views of the Scheme would remain available or where there would be a greater degree of enclosure within the footpath network, with users typically experiencing views along hedgerow-lined routes rather than direct views of infrastructure.

- 2.2.13 The Applicant is, however, keen to place those findings in context. Significant visual effects on other sensitive receptors would be limited, with effects on residential receptors confined to a small number of individual properties and property clusters located close to the Scheme (particularly during construction), and no significant visual effects identified within the villages themselves. Views from the local road network would also be limited.
- 2.2.14 Overall, the assessment concludes that, relative to the footprint of the Scheme, significant landscape and visual effects would be limited in number and extent. No residual significant effects on landscape character have been identified at Year 10 and the remaining significant visual effects are principally associated with users of rights of way located within or immediately adjacent to the Order Limits, together with a small number of routes on slightly elevated ground within approximately 1 kilometre of the Scheme.
- 2.2.15 The Applicant therefore considers that the LVIA presents a robust and balanced assessment of likely effects on users of the public rights of way network, acknowledging where significant residual effects would occur and applying professional judgement in accordance with GLVIA3.

Question from ExA regarding whether it is possible to commit to widespread early planting and the planting of more mature specimens to accelerate the reduction in adverse visual effects and reach the target

screening earlier than year 10 of the Scheme (reference was made to NPS EN-3 paragraph 2.10.43)

- 2.2.16 The Applicant confirmed that there are notable constraints within the 30-month construction period regarding planting. The number of plants needed would be vast and the Applicant would not begin sourcing stock until consent was achieved. The planting itself would be carried out in the dormant season (November to February), which would put a constraint on when this can be carried out. The Applicant will begin planting as soon as possible; however, the 30-month construction period would allow two to three planting seasons. The LVIA is based on a worst-case assessment, but what would happen in effect is that phased planting would be carried out throughout the construction period.

Question from the ExA on what measures have been proposed to reduce glint and glare on users of PRow (reference was made to NPS EN-3 paragraph 2.10.158)

- 2.2.17 The Applicant prepared a glint and glare assessment, which can be found at **ES Appendix 5-6 Glint and Glare Assessment [REP1-016 to REP1-021]**. This assessment considered numerous environmental receptors including aviation receptors, road users, and equestrian users of bridleways. The assessment also considered the necessary mitigation and concluded that there would be no unacceptable effects from glint and glare. The mitigation relied on is secured through the outline LEMP.

Comments and questions raised by Councillor Sira

- 2.2.18 The Applicant confirmed that many of the comments and questions raised by Councillor Sira would be covered by the Applicant under Agenda item 3c. The Applicant also confirmed that they recognise local value in the PROW and has developed a comprehensive design that would integrate the Scheme into

the landscape over time. The Applicant acknowledges some changes to views in some instances, but planting once established is a sympathetic response which considers local character.

2.2.19 Details are provided in the Applicant's response to Hearing Action Point (HAP) 3 below.

HAP No.	Action Point	Applicant's Response
3	Applicant to signpost Cllr Sira to any relevant materials relating to the questions raised 1. Questions relating to PROW and safety: a. What specific safety assessments have been undertaken in relation to equestrian users of affected PROW b. Have alternative construction access arrangements been fully explored? c. Have discussions taken place with adjoining landowners regarding alternative routes d. Why have any safer alternatives outside the current red line boundary not been pursued if any such option exists? e. Whether the Applicant can confirm that they have fully evaluated the alternatives, particularly where vulnerable users are affected, and ensure that no PROWs are made materially less safe as a result of the development. 2. Questions relating to landscape / character impacts on PROW: a. How does the Applicant propose to preserve the attractiveness, quality and recreational value of these	1a The safety of public rights of way users, including equestrian users, has been considered in ES Vol 1 Chapter 9: Traffic and Transport [REP3-027], and through the measures set out in the outline Public Rights of Way Management Plan [REP3-058] and outline Construction Traffic Management Plan [REP3-050]. ES Vol 1 Chapter 9 assesses effects on non-motorised users, including pedestrians, cyclists and equestrians, by reference to matters such as severance, delay, amenity, fear and intimidation, and accident and safety effects. The assessment considers the interaction between construction traffic, plant, temporary works and users of the public rights of way network and concludes there would be no likely significant effects as a result of the Scheme. The Applicant understands that the specific concern raised in relation to Manor Farm, Pertenhall relates principally to the bridleway network in this part of the Site, including Bolnhurst and Keysoe 37 and Pertenhall 26. These routes are addressed in the outline Public Rights of Way Management Plan [REP3-058] which identifies route-specific management measures. These include warning signage, temporary fencing and diversion where required, active management by banksmen, and specific measures for equestrian users. In relation to equestrian users, the proposed controls include maintaining separation between construction traffic and horses,

HAP No.	Action Point	Applicant's Response
	routes and whether further mitigation or route enhancements can be provided where impacts are unavoidable? b. How does the Applicant intend to maintain its safe and attractive routes for walkers, cyclists and equestrians where construction activities, heavy good vehicles and plant machinery are operating in close proximity.	requiring construction vehicles to stop when encountering an oncoming horse, and using marker posts or similar measures to assist in achieving appropriate separation. The measures proposed within the oPRoWMP [REP3-058] will adequately ensure safety of all PRoW users. <u>1b</u> The Applicant has sought to reduce construction traffic impacts on local roads and settlements through the use of internal access routes, where practicable. Where interaction with public rights of way cannot be avoided, the Applicant has proposed route-specific management measures through the outline Public Rights of Way Management Plan [REP3-058] and outline Construction Traffic Management Plan [REP3-050]. The Applicant has had to balance practical, safety, land ownership and environmental considerations in developing the construction access strategy. This has included the need to avoid unsuitable routes and settlements where practicable, provide safe and deliverable access to each part of the site, limit unnecessary temporary land take that cannot be justified for compulsory acquisition, and avoid other environmental impacts. <u>1c & 1d</u> The Applicant has not consulted on alternative access considerations with landowners that are not already involved with the Scheme. The Applicant's approach has been to minimise public rights of way impacts within the Order limits where practicable, and where interaction between construction activity and public rights of way cannot be avoided, to include appropriate route-specific mitigation and management through

HAP No.	Action Point	Applicant's Response
		the outline Public Rights of Way Management Plan [REP3-058] and outline Construction Traffic Management Plan [REP3-050]. The Applicant considers this to be an appropriate and proportionate approach, and that no public right of way would be made materially less safe as a result of the Scheme with those controls in place. <u>1e</u> The Applicant's consideration of alternatives has been undertaken proportionately. It is not necessary or practicable to assess every theoretical alternative, including routes over third-party land which are not available, have not been agreed with the relevant landowner, and which environmental assessment has shown not to be necessary. As set out above, the Applicant's position is that no public right of way would be made materially less safe as a result of the Scheme. <u>2a</u> The Scheme includes embedded mitigation intended to reduce effects on public rights of way users such as buffers from public rights of way, the retention and reinforcement of existing vegetation, new hedgerow and tree planting, and route-specific management measures. The Applicant will continue to engage with the relevant highway authorities and other interested parties on the detailed implementation of the final Public Rights of Way Management Plan, including any reasonable route-specific refinements or enhancements where they are deliverable through the DCO. In line with requirement 11 in Schedule 2 of the dDCO, no phase of the authorised development can commence until the final Public Rights of Way Management Plan has been approved by the local planning authority in consultation with the relevant highway authority.

HAP No.	Action Point	Applicant's Response
		<u>2b</u> During construction, the Applicant would maintain safe and useable routes through the measures set out in the outline Public Rights of Way Management Plan [REP3-058] and outline Construction Traffic Management Plan [REP3-050]. These measures include temporary fencing or barriers to separate users from construction activity, warning signage, banksmen, controlled crossing points, speed controls, communication with users, and temporary diversions where required for safety. For equestrian users, the measures include stopping construction vehicles when encountering horses, maintaining separation where practicable, and using marker posts or similar measures to assist with safe passing distances.

Comments raised by Mrs Ann Kennedy (on behalf of Bedford Local Access Forum and British Horse Society) regarding the impact on the openness and views at the junction between footpath 37 and footpath 34 (Viewpoint 12), suggestion that this should be assessed as a significant effect, in the ES and assumed speed of planting

2.2.20 The Applicant confirmed that the LVIA is thorough with 83 viewpoints, providing comprehensive visual information that support the judgements made. The growth rates of planting assumed in the LVIA are a reasonable rate – particularly for hedgerow which would be assessed effectively established before year 10. The assessment is a worst case and considers winter views. The Applicant asked the ExA to refer to Viewpoint 12 in Environmental Statement - Vol 3 Chapter 5 Landscape and Visual Figures

P01 - Part 2 of 14 **[APP-130]**, which demonstrates that the views to the east and southeast would be retained. Panels will be evident to the west however the openness is clearly retained in the view .

Question from the EXA regarding the methodology used for the assessment of impacts

- 2.2.21 The Applicant confirmed that the methodology is explicit. Appendix 5-1 of the LVIA assessment **[APP-069]** sets out the approach taken and in this instance a moderate adverse (not significant) residual effect has been identified at year 10, largely due to the proximity of panels in that position. The lack of significant effect is predominantly based on the retained views within the landscape with the site being recessed below the horizon, and the photomontages illustrate the point. Significant effects tend to be focussed on locations where there may be greater enclosure or a key view is restricted. In this instance the long-range views would be retained and this is evident from the photomontages.

Comments from Mr Christopher Lacey regarding the adequacy of the outline PROWMP and reference to “no direct impact” on PROW, the classification of importance of, and impact to, heritage assets due to changes to views from PROW, including Mr Lacey’s view that the harm is substantial and permanent.

- 2.2.22 The Applicant confirmed that the oPROWMP deals with the management of PROW and so the reference in the document to no direct impact to PROW is a reference to whether vehicles/cables will cross a footpath, it is not an assessment of impact to users of the PROW. Indirect impacts have been assessed in the environmental statement through the LVIA, including in relation to the ridgeline to the east of the Site referred to by Mr Lacey. Judgements on the sensitivity of particular routes and receptors using those

routes have been made in line with GLVIA3. The impacts to the Roman Town and other heritage assets mentioned by Mr Lacey are matters of the setting of those heritage assets and have been assessed through Chapter 6 of the ES [APP-042]. The Applicant noted Mr Lacey's comments but noted that this conflated a number of issues which have been adequately and appropriately assessed in the ES. The Applicant further clarified that the PROWMP is a document to manage the PROW rather than an assessment of the impacts of the Scheme.

- 2.2.23 The Applicant confirmed that a comprehensive set of viewpoints has been provided by the Applicant. In relation to Little Staughton area there are 8 viewpoints on the route referred to by Mr Lacey shown which have intermittent views to the north, some of which have already been acknowledged as having potentially residual significant effects looking to the north, due to the visibility of sites C and D, albeit that would be recessed below the skyline, and views would be maintained towards the opposite side of that shallow valley. The methodology in Appendix 5-2 of the ES is explicit on the approach taken and the visualisations are highly accurate. Moreover, in landscape terms, there were no indicators as to anything higher than local value in relation to these views.

Comments from Miss Sandra Kelsey (on behalf of North Bedfordshire Ramblers and Bedfordshire Area Ramblers) regarding classification of the area as the North Bedfordshire Wolds, impacts to walkers and the experience, including, loss of views of church spires, and adverse impacts from construction traffic.

- 2.2.24 The Applicant noted that the North Bedfordshire Wolds may be a locally used term but is not a formal designation. In respect of landscape character, the Applicant has prepared a thorough landscape character assessment that has been considered in the design, which includes consideration of the Kym Valley. The Applicant notes that this location isn't a designated landscape on

either a statutory or non-statutory basis. The Applicant has prepared a comprehensive LVIA and landscape design which has taken the local footpath network into account.

Comments from Mrs Tracey Stokes regarding relevance of the Parish of Great Staughton Neighbourhood Plan to the development and reference to the PRow and views from PRow protected by it

- 2.2.25 The Applicant confirmed that they are aware of the made Great Staughton Neighbourhood Plan and it has been considered. The plan is referenced throughout the ES, Planning Statement **[APP-031]** and the Policy Compliance Document **[APP-032]**. The Applicant is aware of the views and vistas, which is a supporting evidence document to the plan, which has been reviewed as part of the selection of viewpoints in the LIVA. The Applicant notes that plan may be an important and relevant consideration but the development is to be considered in light of the relevant NPSs.

Question from Mr Richard Finston regarding whether all planting of all hedgerows and trees would be from British stocks to avoid disease importation (referring to Ash dieback)

- 2.2.26 The Applicant confirmed that the specific mix of species will be agreed with the host authorities post consent in line with the oLEMP **[REP3-056]**. No Ash would be proposed given the current situation.
- 2.2.27 Further details are provided in the Applicant's response to Hearing Action Point (HAP) 5 and 9 below.

HAP No.	Action Point	Applicant's Response
5	Applicant to confirm whether stock used for trees/hedgerows would be sourced from Britain	The Applicant confirms that tree and hedgerow planting stock would be sourced from Britain, and would all be

HAP No.	Action Point	Applicant's Response
		native species. As set out in the outline Landscape and Ecological Management Plan [REP3-056], the planting stock for proposed native woodland, native hedgerows and individual native trees would be of certified local provenance from seed zone 402, subject to availability. Stock from immediately adjacent seed zones 401, 403 and 406 is also identified as suitable, both to provide an appropriate local provenance and to support resilience to potential climate-related effects. The final LEMP will confirm the detailed planting specification including species, provenance, stock size, planting method and establishment requirements. Planting stock will also be required to be healthy and viable and to comply with the relevant British Standard for nursery stock and applicable plant handling requirements.
9	Applicant to confirm whether more mature trees could be planted as part of mitigation	The Applicant confirms that the outline Landscape and Ecological Management Plan [REP3-05] already allows for some more mature planting stock to be used where appropriate. Native species woodland and woodland belt planting is proposed to include a mix of bare-root transplants and light standard trees where appropriate to provide early initial filtering of views towards the Scheme, while proposed individual native tree planting would comprise heavy standard trees, with a stem girth of 12 to 14 cm and a height of at least 3.5 m. The final LEMP will confirm the detailed planting specification including species, provenance, stock size, planting method and establishment requirements. The Applicant does not consider it appropriate or deliverable to commit to the widespread use of overly mature or semi-mature planting stock across the Scheme. The landscape proposals are substantial, and at this scale, more mature planting stock can require significant advance contract growing over many years, is not always

HAP No.	Action Point	Applicant's Response
		available to the required specification, and is likely to have greater establishment risks than younger stock.

Comments from Mr Gerry Sansom (on behalf of CPRE Bedfordshire) regarding the merits of the Scheme and impact on PRow

The Applicant deferred to its earlier presentations at the start of Agenda item 3b.

Comments by Ms Elaine Wheeler around impact to schools within the local area and the impact to PRow outside of the red line boundary

- 2.2.28 The Applicant has adopted a 3km study area which has assessed all routes within this area using zones of theoretical visibility (ZTV) mapping, including those outside the redline boundary.

Comments raised by the host authorities in relation to assessments of various viewpoints

- 2.2.29 The Applicant confirmed that they had not received these comments in writing.
- 2.2.30 A detailed response to the points raised by the host authorities is provided in the Applicant's response to Hearing Action Point (HAP) 6 below.

HAP No.	Action Point	Applicant's Response
6	Applicant to respond to comments raised by the host authorities in	The Host Authorities have provided the Applicant with the comments raised by AECOM at ISH3, which the Applicant

HAP No.	Action Point	Applicant's Response
	relation to the landscape and visual impact assessment.	has responded to in Appendix C of this document.

Comments from the local authorities regarding the impact of screening and the truncating of views, including suggestion that the Development does not enhance PRow

- 2.2.31 The Applicant confirmed that the LVIA is explicit in relation to impact of screening, and that year 10 screening in some instances would contain currently open views. That doesn't necessarily result in a significant effect particularly where the development is screened, reiterating this an area with local value in landscape terms. In terms of the identification of moderate adverse effects in the LIVA, the methodology in the LVIA is explicit and allows some flexibility to allow some moderate effects to be considered non-significant in some instances. The Applicant's comprehensive landscape design and environmental mitigation measures, including the introduction of new trees, hedgerows and grassland, is a reasonable response in this situation.

2.3 Agenda Item 3c – Current position between the Applicant, local authorities, and other IPs

- 2.3.1 The Applicant has very recently provided a series of written submissions and responses to comments made by various parties, including the Host Authorities, the Local Access Forum and the British Horse Society, amongst others.
- 2.3.2 The Applicant recognises the concerns raised in terms of the potential for impacts on PRoW users, but maintains that the measures proposed within the **outline Public Rights of Way Management Plan [REP3-058]** will adequately ensure the safety of all PRoW users, whilst providing a proportionate approach.
- 2.3.3 As stated earlier, NPS EN-3 states between paragraphs 2.10.40 and 2.10.42 that:
- 2.3.4 *“Proposed developments may affect the provision of public rights of way networks.*
- 2.3.5 *Public rights of way may need to be temporarily closed or diverted to enable construction, however, applicants should keep, as far as is practicable and safe, all public rights of way that cross the proposed development site open during construction and protect users where a public right of way borders or crosses the site.*
- 2.3.6 *Applicants are encouraged to design the layout and appearance of the site to ensure continued recreational use of public rights of way where possible during construction, and in particular during operation of the site.”*
- 2.3.7 The Applicant has sought to retain public access as far as practicable through all stages of the Scheme, and this includes all public rights of way being retained through the operational phase of the Scheme.

-
- 2.3.8 During the construction phase, the principal concerns being raised are in relation to the bridleway, within East Park Site A referred to as Bolnhurst and Keysoe 37 and Pertenhall 26.
- 2.3.9 To address these concerns, the Applicant has strengthened the measures and protections for equestrian users to provide clear protections for equestrian users and to ensure greater separation distances between construction traffic using the bridleway and equestrian users.
- 2.3.10 The Applicant recognises that horses can be sensitive to sudden noise and movement, and the measures and driver protocols in the outline PROWMP are intended to minimise that risk by preventing close interaction between HGVs and equestrian users. Delivery drivers would give way to equestrian and other PROW, and HGVs would be required maintain or stop at a minimum 50m separation distance of any horses, but that drivers should increase this to 100m where forward visibility allows. 50m marker posts would be installed alongside the route to assist drivers in judging this separation distance. These separation distances reflect and actually exceed the British Horse Society's own Advice Note on 'Construction Sites and Horses'. Warning signage would also be provided for both PROW users and drivers, and banksmen may be deployed during periods of intense construction activity.
- 2.3.11 A banksman will be deployed to maintain safe passage for PROW users, including equestrian users, during periods when construction vehicles are actively crossing Bolnhurst and Keysoe 40, when cabling works, temporary surfacing works or any localised diversion are in place at or in the immediate vicinity of the BW40 / BW37 crossing, or when other construction activities in the immediate vicinity of the crossing require active management to maintain safe equestrian passage. Where deployed, the banksman will marshal vehicle movements, communicate with drivers and PROW users as necessary, and ensure that equestrian users are given priority until they have safely passed through the crossing area. The requirement for a banksman will be determined by reference to the detailed construction programme and the assessed risk interface at the crossing.

-
- 2.3.12 As suggested by the BHS, the final PROWMP will also consider whether any short, managed closures are required during specific works immediately adjoining the northern part of Bolnhurst and Keysoe 40 where safe passage cannot be maintained through signage, segregation, banksman control, communication and driver protocols or localised diversion.
- 2.3.13 The Applicant maintains that the proposed approach will ensure the safety of riders during the construction phase, and beyond.
- 2.3.14 As mentioned earlier, the proposed approach to management of all public rights of way within the Site during the construction phase is set out in the outline PROWMP. The final PROWMP will provide more specific details including a detailed programme containing a timeline for condition surveys, reporting, works, and management interventions. The host authorities will have approval of the final PROWMP in accordance with the Requirement 11 in Schedule 2 of the **draft DCO [REP3-009]**.
- 2.3.15 In relation to comments made by the host authorities in relation to condition surveys and surfacing of PROW, the Applicant updated the outline PROWMP at both Deadline 1 and Deadline 3 to provide additional commitments, that are considered to address the host authority concerns.
- 2.3.16 Concerns have also been raised by interested parties in relation to whether more could have been done to reduce the impact of vehicles on using public rights of way, or sections of the public highway.
- 2.3.17 The Applicant respectfully disagrees that the construction access strategy has failed to minimise use of the public highway. The Applicant has had to balance practical, safety, land control, landowner agreements, and environmental considerations in developing the construction access strategy. This has included the need to avoid unsuitable routes and settlements where practicable, to provide safe and deliverable access to each part of the site, to limit unnecessary land take that cannot be justified, and to minimise other environmental impacts.

- 2.3.18 The Applicant has assessed the impact on the public highway, including to non-motorised users, within **ES Vol 1 Chapter 9 Traffic and Transport [REP2-010]**, as supported by **ES Vol 2 Appendix 9-1 Transport Assessment [REP2-019]**. The conclusion of these assessments, also supported by the **outline Construction Traffic Management Plan [REP1-034]** is that there would be no significant adverse effects, and that the proposed access would not result in any unacceptable impacts on users of the public highway.
- 2.3.19 The Applicant has also provided further information or commitments in relation to the proposed permissive access incorporated as part of the Scheme. Concerns have been raised in relation to the means of closure of permissive access; surfacing and widths of permissive access; and that further permissive access should be provided.
- 2.3.20 The Applicant has recently updated Table 2 of the **oLEMP [REP3-056]** at Deadline 3 to include minimum widths for each permissive path, as well as to set out the proposed surfacing of each permissive route.
- 2.3.21 The Applicant has proposed amendments to the approach in the oPROWMP, updated at Deadline 3, to any future closures of permissive footpaths to make the approach clearer. This sets out that, should incidents of antisocial behaviour be identified in connection with the permissive paths, including through routine site inspections, maintenance visits, reports from users or local residents, the Community Liaison Group, the police, or the relevant Local Highway Authority, such incidents will be recorded by the Site Operator in an incident log. Material or repeated incidents will be reported to the relevant Local Highway Authority and Local Planning Authority, and the Site Operator will consult with those authorities on any proportionate management response. This may include additional signage, increased inspection, localised repairs, vegetation management, engagement through the Community Liaison Group, or, where justified, temporary or permanent closure of the affected permissive path. Closure will only be considered where there is a substantiated pattern of repeated antisocial behaviour, or a single

serious incident, which gives rise to unacceptable risk to user safety, wildlife, neighbouring land, local amenity or Scheme security. In general terms however the intention will be to keep the permissive path open for all but one day per year.

- 2.3.22 The Applicant has set out in written submissions at Deadlines 1, 2 and 3 why further permissive access is not being proposed at this time. The Applicant is willing to work with the Host Authorities and other stakeholders (including landowners) to bring forward further enhancements to the PRow network, insofar as the Applicant is able to.
- 2.3.23 The Applicant feels there should be an understanding from the Host Authorities that enhancements to PRowS and/or new permissive paths, both within and outside of the Order limits are not at the sole discretion of the Applicant and are subject to landowner agreement. At present however, the Applicant is of the view that no further mitigation or enhancements are needed to make the Scheme acceptable in planning terms.
- 2.3.24 The Applicant notes however that the Community Benefit Fund (East Park Legacy Fund) could be potentially used for the future creation or enhancement of PRowS, should the beneficiaries of the fund choose to fund such improvements.
- 2.3.25 It should be noted that the 7 new permissive paths that are included as part of the scheme are very much considered to be enhancement measures, rather than mitigation measures.
- 2.3.26 The Applicant respectively disagrees with the host authorities that the permissive paths should be afforded neutral weight in the planning balance. They will increase recreational opportunities in the landscape and therefore provide obvious benefit. The Applicant does however accept that the benefit which should be attached is limited due to the relatively limited scope of permissive access agreed thus far, and that they are not to be dedicated as permanent access improvements.

-
- 2.3.27 Finally, the Applicant has noted concerns in relation to the monitoring of PRoW during the operational phase and has set out further detail on commitments in the oPROWMP, recently updated and submitted at Deadline 3. This includes a commitment for the Site Operator to undertake regular monitoring of the condition of public rights of way within the Order limits.
- 2.3.28 Monitoring will be undertaken at least quarterly, either as part of the Landscape and Ecological Management Plan site walkovers or as dedicated PRoW inspections, and additionally following any operational maintenance activity, severe weather event or PRoW user report that could materially affect route condition. Inspections will record the condition of the route surface, drainage, rutting, ponding, trip hazards, vegetation encroachment, signage, gates, stiles, waymarking and any other route furniture, and whether the definitive width remains unobstructed.
- 2.3.29 Any defect or obstruction within the control of the Site Operator that affects safe and convenient public use will be made safe as soon as reasonably practicable and remedied within a reasonable timescale. Where the matter falls outside the control of the Site Operator, it will be reported to the relevant highway authority or landowner as applicable.
- 2.3.30 Overall, works within, across or adjacent to public rights of way, including bridleways, are not unique to this Scheme. Bridleways and footpaths routinely pass along or across farm tracks, on working agricultural land, working yards, roads, and other locations where vehicles, machinery and operational activity may be present. The test on the Applicant is not to ensure that all stimuli and risks can be completely removed, but instead to ensure the foreseeable risks can be appropriately controlled through a proportionate and enforceable management regime.

Question from the ExA regarding how environmental impacts be captured and controlled if the community benefit fund were used to provide enhancements to PRoW

2.3.31 Details are provided in the Applicant's response to Hearing Action Point (HAP) 7 below.

HAP No.	Action Point	Applicant's Response
7	Applicant to confirm in writing how the environmental impacts of new permissive path would be captured and controlled, if delivered through the community benefit fund	The Applicant recognises that there is a possibility that the Community Benefit Fund (East Park Legacy Fund) could be used for the future creation or enhancement of PRowS, should the beneficiaries of the fund choose to fund such improvements. Assuming that this activity was carried out at the discretion of the beneficiaries of the fund, the Applicant's position is that such activities would fall outside the scope of the Scheme and should be considered as a separate project. As noted in the Applicant's Planning Statement [APP-031], the Applicant recognises that whilst the Community Benefit Fund (East Park Legacy Fund) will provide local benefits, it cannot and should not be taken into account within the planning balance as a material consideration. The Community Benefit Fund (East Park Legacy Fund) has not been taken into account by the Applicant as a planning benefit of the Scheme. The creation or enhancement of any PRow through the Community Benefit Fund (East Park Legacy Fund) would not fall within the scope of the Scheme and would need to be carried out independently, albeit using funding from the Community Benefit Fund (East Park Legacy Fund). It is not anticipated that the Development Consent Order would be used for the purpose of such works and so, as an entirely separate project, the beneficiaries would need to obtain the relevant powers and authorisations to carry out the works independently. If the works carried out by the beneficiaries of the Community Benefit Fund (East Park Legacy Fund) to create or enhance PRow constitute EIA development (within the meaning of the Town and Country Planning (Environmental Impact Assessment)

HAP No.	Action Point	Applicant's Response
		Regulations 2017 or equivalent legislation) then those impacts will need to be assessed through an independent EIA process as part of that project. It is not the Applicant's responsibility to capture and control potential environmental effects from a prospective project as part of this Scheme, given that such works would fall outside the scope of the Scheme, and as such the Applicant does not consider that any amendments would be needed to the Application documents.

Comments from the local planning authorities regarding concerns about the Applicant's ability to allow vehicles to be used on PRow, the level of details to be determined at detailed design, and provision of additional permissive paths amongst other matters

- 2.3.32 The Applicant firstly confirmed that they will follow up and continue dialogue with the host authorities after the hearing. The Applicant responded to some of the points raised by the host authorities.
- 2.3.33 In terms of some of the host authorities' comments that the applicant may be able to authorise use PRow by vehicles without necessarily having mitigation in place. The Applicant confirmed that it won't be able to authorise the use of vehicles on the PRow without mitigation in place as the outline PROWMP will need to be approved by the relevant local planning authorities and implemented prior to beginning construction.
- 2.3.34 In terms of host authorities comments around a the lack of detail in relation to the some of the routes across the site compared to a TCPA application – the Applicant confirmed that in a TCPA application the applicant would be applying in detail for full planning permission at that point of time, but in this Application the detail will be provided in accordance with the requirements of

the DCO and in particular Requirement 3 (detailed design approval). Under this requirement the Applicant will not be able to commence the Scheme without first obtaining approval of these details from the local planning authorities, which would include details such as of layout, scale, finished ground levels, fencing, external appearances, vehicular access and lighting.

- 2.3.35 In terms of references to permissive footpaths being mitigation for the Scheme, the Applicant's view is that permissive footpaths are not required to mitigate the effects of the Scheme. It is an enhancement and the Applicant is looking to deliver the opportunities for increased access, but they are not essential mitigation, there is also limitation on what the Applicant can do in the wider landscape through the DCO. While there are opportunities to deliver on connections to other areas it is not the purpose of the DCO to deliver on those opportunities, although the Applicant is willing to continue in discussions with landowners regarding permissive footpaths.

APPENDIX A: LIST OF ACTION POINTS

The following Hearing Action Points were taken by the Applicant at ISH3. The Applicant's responses to each point are set out in the relevant tables in Section 2 of this document.

HAP No.	Action Point
1	Applicant to comment on the ExA's query regarding whether the Scheme could have been designed around the PROW network and whether this would have affected compliance with NPS EN-3 para 2.10.61.
2	Applicant to provide a written response to Shaun Woodward's additional submission [AS-027].
3	Applicant to signpost Cllr Sharan Sira to any relevant materials relating to the questions raised 1. Questions relating to PROW and safety: a. What specific safety assessments have been undertaken in relation to equestrian users of affected PROW (NB: specific reference was made to a PROW at Manor Farm - Pertenhall and is the only currently available safe route available to a disabled rider) b. Have alternative construction access arrangements have been fully explored? c. Have discussions taken place with adjoining landowners regarding alternative routes d. Why have any safer alternatives outside the current red line boundary not been pursued if any such option exists? e. Whether the Applicant can confirm that they have fully evaluated the alternatives, particularly where vulnerable users are affected, and ensure that no PROWs are made materially less safe as a result of the development. 2. Questions relating to landscape / character impacts on PROW: a. How does the Applicant propose to preserve the attractiveness, quality and recreational value of these routes and whether further mitigation or route enhancements can be provided where impacts are unavoidable? b. How does the Applicant intend to maintain its safe and attractive routes for walkers, cyclists and equestrians where construction activities, heavy good vehicles and plant machinery are operating in close proximity.
4	Bedford Local Access Forum: to submit plans relating to Viewpoint 12
5	Applicant to confirm whether stock used for trees/hedgerows would be sourced from Britain

HAP No.	Action Point
6	Applicant to respond to comments raised by the host authorities in relation to the landscape and visual impact assessment
7	Applicant to confirm in writing how the environmental impacts of new permissive path would be captured and controlled, if delivered through the community benefit fund
8	Host Authorities: to confirm concerns relating to public rights of way and permissive footpaths in writing
9	Applicant to confirm whether more mature trees could be planted as part of mitigation

APPENDIX B: HEARING ACTION POINT 2

The Applicant provides the following response to the matters raised by Mr Woodward in submission **[AS-027]**. The Applicant notes that the submission **[AS-027]** included comments for both ISH3, and ISH4. The response here deals with the comments related to ISH3, with the response on ISH4 matters contained within the **Written Summary of Applicant's Oral Submissions at Issue Specific Hearing 4 and Action Points [EN010141/DR/8.42]**.

Mr Woodward's Comment	Applicant's Response
The EPE application is noted as a 'Temporary' development of 40 years duration. Actually with the planning, post DOC work, construction and decommissioning cycles it will be nearer a 45+ year engagement for those residents affected by it. Irrespective, the applicant claims the site will be returned to its current status after 40 years fulfilling the 'Temporary' claim.	Paragraph 2.10.66 of NPS EN-3 sets out that: <i>"Time limited consent, where granted, is described as temporary because there is a finite period for which it exists, after which the project would cease to have consent and therefore must seek to extend the period of consent or be decommissioned and removed."</i> The Applicant acknowledges that the whole life of the Scheme includes the construction, operation and decommissioning phases, and as such extends beyond just the 40 year operational life. However, this does not mean the Scheme is not a time-limited consent.
The application shows around 120,000 individual plantings comprising hedging, trees and woodland planting. This equates to around 17km of hedging, over 40 acres of woodland planting and 350+ trees and represents a significant addition to the current landscape irrespective of any infrastructure, new roads and solar panels. Much of the planting will constrain miles of footpath and bridleways, many which currently traversing open fields currently growing wheat and offer wide vistas. This planting will be tightly accompanied by 60km of ugly metal security fencing. In time, the planting will be embedded and likely intertwine into the fencing which will make it difficult to remove one from the other.	As the Applicant briefly outlined during ISH3, the planting and fencing will be subject to ongoing management throughout the life of the Scheme. While there may be some intertwining it is not the case that the planting will become so overgrown that the fencing could not be removed. The Applicant will not allow it to get into that state and would monitor from inside the fencing as part of general maintenance and security requirements. All fencing implemented by the Scheme would be removed at the point of decommissioning. At the decommissioning stage the planting will be retained, fencing removed, and land given back to landowners. The Applicant has consulted with the landowners on the design which has included the impact of planting on their future ability to farm the land, noting that a key concern of the landowners has been the condition of the land once returned to them at the time the Applicant's leases would cease. The landowners are satisfied with the

Mr Woodward's Comment	Applicant's Response
In 40 yrs, after the solar infrastructure is removed from the site, the applicant states the planting will remain, and it will become the landowners responsibility. I suggest that with mature planting along both sides of footpaths across open fields it will be very difficult in future for farmers with heavy equipment to resume agricultural work (as currently undertaken) without removing not just fencing but hedging too due to irregularly divided fields demanded by screen hedging. On this scale, removing the hedging and fencing in 40 years will negatively impact biodiversity claims and creating a shock to local wildlife at that time.	Applicant's design and that it would not substantially affect their ability to efficiently farm their land in the future.
Secondly, 120,000 plantings (whose sole function is to screen the solar site) will also gradually obscure and change the current open views and vista, the very character of the countryside as it is now. It cannot claim to screen the site and not do so. In time this will create a significant material change to the locality and current landscape, and is certainly not in line with concept of TEMPORARY unless it were eventually removed along with all infrastructure. This would be a significant, disruptive and large scale change.	The purpose of the proposed planting is broader than just to screen the development. The planting layout has been designed with multiple objectives including landscape integration, the reinforcement of historic boundaries, visual screening, habitat connectivity, and other ecosystem benefits. The purposes of different aspects of the Scheme's landscape design are annotated on ES Vol 3 Figure 2-1 Illustrative Environmental Masterplan [APP-121]. The Applicant has not claimed that the proposed planting will screen the Site in its entirety. The planting has been designed with the existing landscape characteristics and guidelines for landscape design in mind. ES Vol 1 Chapter 5 Landscape and Visual [APP-041] does not conclude that the development will be screened from all available viewpoints, or for all visual receptors. The assessment recognises that views would change in some locations, but also that the proposed planting would help integrate the Scheme into the receiving landscape over time. The Applicant acknowledges that the proposed planting will over time and beyond decommissioning change the appearance of some views around the Site, but this must be put into context. As set out above, the planting has been designed with the existing landscape characteristics and guidelines for landscape design in mind. Landscapes naturally evolve and change over time dependent on prevalent

Mr Woodward's Comment	Applicant's Response
	management regimes of the habitats and features within them. For example, if landowners did not cut back hedgerows each year, over time they would mature into tree belts which would change the appearance of the landscape. If landowners chose not to farm their land then fields would naturally succeed to grasslands, scrub and woodland. The Applicant also notes that historic mapping of the local area dating to the early 20th century shows fields greatly more sub-divided than they are now, but modern agricultural practices have resulted in larger, more open fields to support intensive arable farming. Landscapes are dynamic and it is human intervention that maintains their appearance year-on-year, and simple changes in human management that in themselves may not require planning permission or other consents can change the appearance of a landscape. This is where published landscape character assessments such as the <i>Bedford Borough Landscape Character Assessment 2000</i>, and <i>Huntingdonshire Landscape and Townscape Supplementary Planning Document 2022</i> can influence landscape management by identifying key characteristics that distinguish one area from another, and provide guidelines for future landscape management and built development to protect landscape character. The Applicant has been mindful of these documents in preparing the Scheme design, such that the proposed planting integrates with the existing landscape characteristics to ensure a long-term legacy. The Applicant notes comments made by both Bedford Borough Council and Huntingdonshire District Council in their relevant representations that: <i>"The landscape proposals are tailored to the location and required functions of each part of the Scheme, noting that these change across the Site. The design is well considered and retains the legibility and character of the landscape and reduces the visual effects, where possible, especially for visual receptors, at the edges of settlements, and along routes connecting settlements"</i>. The Applicant considers the design of the Scheme will leave a positive legacy that introduces a greater amount of planting into the landscape than is there currently, but in a way that protects and enhances landscape

Mr Woodward's Comment	Applicant's Response
	character whilst supporting better wider ecosystem benefits.
Thirdly, the 3 year construction and planting phases will disrupt the flora and fauna of the countryside. The 20 year recycling phase (...even if split into 20% renewal per annum over 5 years which equals 139,152 panels), and eventual 40 year removal stage over 2 years will add more stress and disruption to wildlife.	The Applicant acknowledges that there would be some temporary disturbance during construction and decommissioning, but the likely ecological effects of the Scheme have been assessed in the ES and would be controlled through the environmental management plans secured by the draft DCO, including measures to protect habitats and species during works.
I suggest to conform to the 'temporary' status of the application the 120,000 plantings will need to be removed after 40 years to return the landscape to it's current open status. If the inspector feels the benefit of such planting should remain after the removal of the infrastructure in 40 years, then the application cannot in any real sense retain the status of 'temporary'. The Chelsea flower show is 'temporary', this wholesale replanting to try and hide thousands of solar panels across this site represents serious and permanent material change to the open rolling landscape which exists now.	The Applicant does not agree that the retention of planting after decommissioning would be inconsistent with the temporary nature of the Scheme. The temporary elements of the Scheme are the solar generating equipment, BESS and associated infrastructure, which would be removed at decommissioning in accordance with the controls secured through the draft DCO.
To reconfirm, the scale of planting suggested by the applicant is only required because the applicant has chosen to site panels in many areas which are unsuitable on the grounds of visibility, due to being close and visible from residents homes and also from many vantages, access roads and public rights of way. Squeezing panels into areas which are close to rights of way and habitation I believe should weigh heavily against it. If were not so the applicant would not be attempting this charade of screening what cannot be hidden with such volume planting.	The Applicant does not agree that the scale of proposed planting demonstrates that the Site is unsuitable, or that panels have been 'squeezed' into inappropriate locations. The Scheme has been designed through an iterative process informed by environmental assessment, including landscape and visual considerations, residential amenity, public rights of way, ecology, heritage, access and other relevant constraints. The Applicant has been clear in ES Vol 1 Chapter 5 Landscape and Visual [APP-041] that there would be landscape and visual effects, including from some residential properties, roads and public rights of way. Those effects have been assessed transparently and taken into account in the Applicant's consideration of the overall planning

Mr Woodward's Comment	Applicant's Response
	balance set out in Section 8 of the Planning Statement [APP-031]. It is common and appropriate for large-scale infrastructure schemes to include landscape planting to reduce visual effects and help integrate development into its receiving landscape. The Applicant considers that the layout and associated planting represent an appropriate design response to the Site and its surroundings.

APPENDIX C: HEARING ACTION POINT 6

The Applicant provides the following response to the matters raised by AECOM on behalf of the Host Authorities.

AECOM / Host Authority Comment	Applicant's Response
<i>Significance Ratings in relation to receptors along the PRow network</i> 1. It is noted that wherever there is a moderate effect on visual amenity this is taken to be non-significant, noting the methodology indicates it could and, in some cases, should be a significant effect as stated in Environmental Statement (ES) Appendix 5-1 LVIA Assessment Methodology P01 [APP-069]: Paragraph 5.2.6 'Greater than 'moderate' effects are more likely to be significant. This does not preclude a 'moderate' effect or lower being significant or a greater than 'moderate' effect not being significant. This judgement will depend on the specific circumstances being considered.' 2. The Host Authorities overall conclusion in respect of this is that there is some slight under-representation of significant effects and that the screening of views as a result of mitigation planting has generally been assessed as an improvement to magnitude of impact and not been assessed as a potentially adverse change.	The Applicant notes that this matter has already been addressed within its responses to the Relevant Representations and Local Impact Reports and maintains that position. The Applicant does not agree that there has been any under-representation of significant effects within the LVIA. It is important to distinguish between the reporting of visual effects and the threshold at which those effects are considered significant in EIA terms. The Environmental Statement provides a comprehensive assessment of the likely landscape and visual effects arising from the Scheme, applying the methodology set out in ES Vol 2 Appendix 5-1 LVIA Assessment Methodology [APP-069]. This includes a clear assessment of receptor sensitivity, incorporating susceptibility and value, together with the magnitude of effect, having regard to the scale, geographical extent, duration and reversibility of the proposed change. The resulting level of effect is then determined through the exercise of professional judgement, consistent with GLVIA3. The Applicant does not agree that effects assessed as Moderate should automatically be interpreted as significant. Paragraph 5.2.6 of the methodology makes clear that whilst effects greater than Moderate are more likely to be significant, Moderate effects may or may not be significant depending upon the particular circumstances and the exercise of professional judgement. The Applicant is satisfied that this approach has been applied consistently throughout the assessment and remains appropriate. The Applicant also does not agree that mitigation planting has simply been treated as an automatic reduction in magnitude of effect. The Year 10 assessment considers the combined visual influence of the operational Scheme and the established mitigation planting. In some locations this results in a reduction in the prominence of the Scheme whilst also

AECOM / Host Authority Comment	Applicant's Response
	introducing greater enclosure or restricting existing open views. Those changes are considered together as part of the professional judgement applied to each representative viewpoint, rather than one factor being considered in isolation.
PRoW and mitigation 3. Effects on visual receptors are broadly accepted as appropriate, noting that there is a heavy reliance on the landscape mitigation to screen the solar panels but any effects of obstructed or truncated views, as a result of mitigation planting, are not referenced and will adversely change the experience of users of PRoW. 4. Paragraph 6.11 of the Bedford Borough Council Local Impact Report [REP1-071] states: <i>'Effects on visual receptors are broadly accepted as appropriate, noting that there is a heavy reliance on the landscape mitigation to screen the solar panels, but any effects of obstructed or truncated views are not referenced and will adversely change the experience of users of PRoW. Similar to the comments for landscape character, it is noted that wherever there is a moderate effect on visual amenity this is taken to be non-significant, noting the methodology indicates it could and, in some cases, should be a significant effect.'</i> 5. Within ES Chapter 5 Landscape and Visual P01 [APP-041] a selection of viewpoints where mitigation encloses views alongside PRoW are assessed as significant for the duration of the Proposed Development. 6. There are also a number of viewpoints where mitigation encloses views alongside PRoW and impacts are assessed to be significant during construction, reducing to not significant effects from year 0. During the Issue Specific Hearing 3 on Public Rights of Way, the Applicant provided	The Applicant notes that the Host Authorities have acknowledged in the Local Impact Reports that the assessment of effects on visual receptors is broadly appropriate and that the <i>"landscape proposals are tailored to the location and required functions of each part of the Scheme, noting that these change across the DCO site. The design is well considered and retains the legibility and character of the landscape and reduces the visual effects, where possible, especially for visual receptors, at the edges of settlements, and along routes connecting settlements."</i> The Applicant does not, however, agree with the comments submitted here that the effects of mitigation planting on views experienced by users of the PRoW network have not been assessed. ES Vol 2 Appendix 5-4 [APP-072] expressly recognises, where appropriate, that proposed hedgerow and tree planting would filter, truncate or restrict existing open views, increase enclosure in some locations and alter the experience of users of the PRoW network. These changes are not ignored; they form part of the professional judgement applied in reaching the residual visual effects reported within the LVIA. This is reflected in the conclusions of ES Vol 1 Chapter 5 (paragraph 5.12.14 [APP-041]), which expressly acknowledges that mitigation planting would reduce the openness of views from locations in proximity to the Site and that some significant long-term visual effects would remain. The purpose of the proposed mitigation extends beyond simply screening views of the Scheme. Native hedgerows and trees are characteristic components of the local landscape and have been integrated through the iterative design process to reinforce existing landscape structure, strengthen field boundaries and reduce visual effects whilst remaining consistent with local landscape character. It is therefore entirely appropriate that, over time, these characteristic landscape features would alter some existing views experienced by users

AECOM / Host Authority Comment	Applicant's Response
evidence in relation to Viewpoint 12 and the assessed moderate adverse (not significant) effect, arose as a result of the retention of part of the open view from that location. This is at odds with the assessment for impacts on PRow users where assessed impacts are reduced to not significant effects at year 10 when there is a total enclosure of the view from solar panels and/ or mitigation planting. Examples within ES Appendix 5-4 Effects at Viewpoints P01 [APP-072] include: a. Receptors at viewpoint 15 (footpath 29) as illustrated on Figure 15.19 Viewpoint 15 [APP-131] are assessed to result in a major adverse significant effect during construction, reducing to moderate adverse not significant during year 0, and further reducing to minor to moderate adverse not significant effect at year 10. The view to the north-west along a large stretch of the footpath will contain views of solar PV panels during the early stages of operation. Once hedgerow vegetation is established, by year 0 the view will be enclosed by hedgerows, reducing the extensive views. b. Receptors at viewpoint 77 (bridleway 112/7) as illustrated on Figure 15.81 Viewpoint 77 [APP-142] are assessed to result in a moderate to major adverse significant effect during construction, reducing to moderate adverse not significant during year 0, and further reducing to minor to moderate adverse not significant effect at year 10. The proposed mitigation would enclose the view, although it is noted that there are gaps in the vegetation which allow for buried utilities, mitigation largely restricts views along the line of the PRow. c. Receptors at viewpoint 78 (footpath 112/5) as illustrated on Figure 15.82 [APP-142] are assessed to result in a moderate to major adverse significant effect during construction, reducing to	of the PRow network. The assessment recognises those changes and has taken them into account in determining the residual visual effects. The Applicant therefore does not agree that the introduction of these characteristic landscape features should automatically be regarded as giving rise to equivalent adverse visual effects simply because some existing open views are altered. The Applicant also does not agree that the examples cited by the Host Authorities demonstrate "<i>total enclosure</i>" of views. Whilst the Scheme would, in places, reduce or restrict existing views through the introduction of native hedgerows and trees, this should not be conflated with enclosure. Enclosure implies that views experienced by users of the public rights of way would be substantially contained by surrounding landscape elements. However, in the examples cited by the Host Authorities, including Viewpoints 15, 77 and 78, the evidence does not support the assertion of "<i>total enclosure</i>". At Viewpoint 15, no planting or solar infrastructure is proposed immediately to the east of the PRow, such that open views, including towards Pertenhall Church, would remain an important component of the visual experience. At Viewpoint 77, whilst mitigation planting would restrict views along parts of the route, gaps within the proposed planting and views beyond the immediate corridor would remain. Similarly, at Viewpoint 78, whilst mitigation planting would influence views towards the north-west, open views to the east, south and west would remain broadly consistent with the baseline situation. The assessment therefore recognises a restriction and filtering of views in these locations rather than complete enclosure. The evidence provided by the Applicant during Issue Specific Hearing 3 in relation to Viewpoint 12 does not establish an inconsistent approach within the LVIA. Rather, it illustrates the professional judgement applied throughout the assessment, namely that where elements of the wider landscape remain perceptible, the overall visual experience continues to be influenced by those retained views. The same assessment principle has been applied consistently across PRow, with the effects at each location determined on the basis of the specific combination of retained views, the extent and orientation of proposed planting, the visibility of

AECOM / Host Authority Comment	Applicant's Response
moderate adverse not significant during year 0, and further reducing to minor to moderate adverse not significant effect at year 10. There would be views of solar PV panels along the majority of the route, although it is noted that there is an existing solar farm located to the south that may be visible at points along the PRow. 7. While the Council acknowledges that the screening planting as proposed within the Scheme does provide landscape screening benefits, in terms of overall landscape character, setting and specifically regarding views from the PRow Footpaths and Bridleways this will result in adverse visual impacts in terms of reading the broader, open landscape – this will adversely change the experience of users of the PRow. The effects of obstructed or truncated views are not referenced by the Applicant and are not fully addressed in the LVIA.	the solar arrays and the characteristics of the individual route. The Applicant accepts that, in some locations, users of PRow within or immediately adjacent to the Order Limits would experience a reduction in open views towards the solar arrays as a consequence of both the Scheme and the establishment of mitigation planting. However, this is a localised effect affecting sections of the PRow network in close proximity to the Scheme rather than a fundamental change to the appreciation of the wider landscape character. Beyond the immediate corridor of the PRow, the wider landscape remains evident in many directions and the assessment has taken these retained views into account when determining the magnitude of visual change and the significance of effect.