
FENWICK SOLAR FARM

Fenwick Solar Farm
EN010152

Environmental Statement

**Volume III Appendix 10-1: Legislation, Policy and Guidance (Landscape and Visual
Amenity)**

Document Reference: EN010152/APP/6.3

Regulation 5(2)(a)

Infrastructure Planning (Applications: Prescribed Forms and Procedure)
Regulations 2009

October 2024
Revision Number: 00

Revision History

Revision Number	Date	Details
00	October 2024	DCO application

Prepared for:
Fenwick Solar Project Limited

Prepared by:
AECOM Limited

© 2024 AECOM Limited. All Rights Reserved.

This document has been prepared by AECOM Limited (“AECOM”) for sole use of our client (the “Client”) in accordance with generally accepted consultancy principles, the budget for fees and the terms of reference agreed between AECOM and the Client. Any information provided by third parties and referred to herein has not been checked or verified by AECOM, unless otherwise expressly stated in the document. No third party may rely upon this document without the prior and express written agreement of AECOM.

Table of Contents

1.	Introduction.....	1
1.1	Purpose of the Appendix.....	1
2.	National Planning Policy.....	2
2.1	Legislation	2
2.2	Policy	2
3.	Local Planning Policy.....	25
4.	References	28

Tables

Table 1: Relevant NPS Requirements for the Landscape and Visual Amenity Assessment.....	4
Table 2: Relevant NPPF Requirements for the Landscape and Visual Amenity Assessment.....	18
Table 3: Relevant Local Policy and Guidance	25

1. Introduction

1.1 Purpose of the Appendix

- 1.1.1 This Environmental Statement (ES) appendix sets out policies which are considered relevant to landscape and visual matters at national, county, and local levels, as reported in **ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1]**.
- 1.1.2 Legislation and policy are considered at national and local levels.
- 1.1.3 This appendix identifies legislation and policy that:
- a. could influence the sensitivity of receptors (and therefore the significance of effects) and any requirements for mitigation; and
 - b. could influence the methodology to be used within the ES assessment. For example, a policy may require the assessment of an impact or the use of a specific methodology.
- 1.1.4 This appendix does not assess the Scheme against this relevant legislation and policy, but rather provides cross-references to the sections within **ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1]** which address the matters raised within that legislation and policy.

2. National Planning Policy

2.1 Legislation

The Planning Act, 2008

- 2.1.1 The Scheme is classified as a Nationally Significant Infrastructure Project (NSIP) under Sections 14(1)(a) and 15(2) of the Planning Act 2008 (Ref. 1). The Planning Act 2008 is the primary legislation that introduces the Development Consent Order (DCO) Application and the consenting process. Secondary Legislation, including the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (Ref. 2) (the EIA Regulations), governs various aspects of the Planning Act 2008 process.
- 2.1.2 Regulation 5(2)(d) of the EIA Regulations requires that the EIA must identify, describe, and assess in an appropriate manner, in light of each individual case, the likely significant direct and indirect effects of the Scheme on the landscape.

Planning (Listed Building and Conservation Areas) Act 1990

- 2.1.3 The Planning (Listed Buildings and Conservation Areas) Act 1990 (Ref. 3) (as amended) provides specific protection for buildings and areas of special architectural or historic interest. These features contribute to the heritage of an area and an understanding of historic landscape.

The Town and Country Planning (Tree Preservation) (England) Regulations 2012

- 2.1.4 The Town and Country Planning (Tree Preservation) (England) Regulations 2012 (Ref. 4) provide powers to local planning authorities to make and administer Tree Preservation Orders, the purpose of which is to protect selected trees and woodlands by prohibiting their cutting down, uprooting, topping, lopping, wilful destruction or wilful damage without prior consent.

The Hedgerow Regulations 1997

- 2.1.5 The Hedgerow Regulations 1997 (Ref. 5) provide protection for Important Hedgerows, these being hedgerows that meet certain criteria in respect of their length, location, and importance.

2.2 Policy

National Policy Statements

- 2.2.1 The EIA takes account of the following NPSs, which are considered to be matters that will be important and relevant to the Secretary of State's decision as to whether to grant a DCO for the Scheme:
- a. Overarching National Policy Statement for Energy (EN-1) (November 2023) (Ref. 6);
 - b. National Policy Statement for Renewable Energy Infrastructure (EN-3) (November 2023) (Ref. 7); and

c. National Policy Statement for Electricity Networks Infrastructure (EN-5)
(November 2023) (Ref. 8).

2.2.2 The NPSs set out the Government's energy policy, the need for new infrastructure and guidance for determining an application for a DCO. The NPSs include specific criteria and issues which should be covered by applicants in their assessments of the effects of their scheme, and how the decision maker should consider these impacts and mitigation measures.

The relevant NPS requirements, together with an indication of where in the Environmental Statement (ES) the information is provided to address these requirements, are provided in Table 1.

Table 1: Relevant NPS Requirements for the Landscape and Visual Amenity Assessment

Relevant NPS Paragraph Reference	Requirement of the NPS	Location of Information Provided to Address This
NPS EN-1 (November 2023)		
Paragraph 4.7.2	Applying good design to energy projects should produce sustainable infrastructure sensitive to place, including impacts on heritage, efficient in the use of natural resources, including land-use, and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible. It is acknowledged, however that the nature of energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area.	Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .
Paragraph 4.7.3	Good design is also a means by which many policy objectives in the NPSs can be met, for example the impact sections show how good design, in terms of siting and use of appropriate technologies, can help mitigate adverse impacts such as noise. Projects should look to use modern methods of construction and sustainable design practices such as use of sustainable timber and low carbon concrete. Where possible, projects should include the reuse of material.	Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .
Paragraph 4.7.4	Given the benefits of “ <i>good design</i> ” in mitigating the adverse impacts of a project, applicants should consider how “ <i>good design</i> ” can be applied to a project during the early stages of the project lifecycle.	Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .
Paragraph 4.7.5	To ensure good design is embedded within the project development, a project board level design champion could be appointed, and a representative design panel used to maximise the value provided by the infrastructure. Design principles should be established from the outset of the project to guide the development from conception to operation.	Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .

Relevant NPS Paragraph Reference	Requirement of the NPS	Location of Information Provided to Address This
	Applicants should consider how their design principles can be applied post-consent.	
Paragraph 4.7.6	Whilst the applicant may not have any or very limited choice in the physical appearance of some energy infrastructure, there may be opportunities for the applicant to demonstrate good design in terms of siting relative to existing landscape character, land form and vegetation. Furthermore, the design and sensitive use of materials in any associated development such as electricity substations will assist in ensuring that such development contributes to the quality of the area. Applicants should also, so far as is possible, seek to embed opportunities for nature inclusive design within the design process.	Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .
Paragraph 4.7.7	Applicants must demonstrate in their application documents how the design process was conducted and how the proposed design evolved. Where a number of different designs were considered, applicants should set out the reasons why the favoured choice has been selected.	Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .
Paragraph 4.7.8	Applicants should consider taking independent professional advice on the design aspects of a proposal. In particular, the Design Council can be asked to provide design review for nationally significant infrastructure projects and applicants are encouraged to use this service. Applicants should also consider any design guidance developed by the local planning authority.	Considered in Section 10.3 – Scoping Opinion and Additional Consultations of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .
Paragraph 4.7.11	The Secretary of State should be satisfied that the applicant has considered both functionality (including fitness for purpose and sustainability) and aesthetics (including its contribution to the quality of the area in which it would be located, any potential amenity benefits, and visual impacts on the landscape or seascape) as far as possible.	Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .

Relevant NPS Paragraph Reference	Requirement of the NPS	Location of Information Provided to Address This
Paragraph 4.7.12	In considering applications, the Secretary of State should take into account the ultimate purpose of the infrastructure and bear in mind the operational, safety and security requirements which the design has to satisfy. Many of the wider impacts of a development, such as landscape and environmental impacts, will be important factors in the design process.	Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .
Paragraph 4.7.13	The Secretary of State should consider such impacts under the relevant policies in this NPS. Assessment of impacts must be for the stated design life of the scheme rather than a shorter time period.	Considered in Section 10.8 – Assessment of Likely Significant Effects of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .
Paragraph 5.1.1 on Generic Impacts	This Part considers generic impacts that arise from the development of all of the types of energy infrastructure covered by the energy NPSs (such as landscape and visual impacts) or arise in similar ways from the development of energy infrastructure covered in at least two of the energy NPSs. In some cases, the technology specific NPSs provide detail on the way these impacts arise, or are to be considered, in the context of applications specific to the technology in question	Considered in Section 10.8 – Assessment of Likely Significant Effects of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .
Paragraph 5.1.3	The technology specific NPSs may state that certain impacts should be given a particular weight. Where they do not, the Secretary of State should follow any policy on the level of weight to be given to such impact set out in this NPS. Applicants should identify the impacts of their proposals in the ES in terms of those covered in this NPS and any others that may be relevant to their application.	Considered in Section 10.8 – Assessment of Likely Significant Effects of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .
Paragraph 5.1.5	Applicants must also ensure they consult the relevant bodies about their proposed applications in accordance with Section 42 to 44 of the	Considered in Section 10.3 – Scoping Opinion and Additional Consultations of ES Volume I

Relevant NPS Paragraph Reference	Requirement of the NPS	Location of Information Provided to Address This
	Planning Act 2008 and the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009.	Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].
Paragraph 5.1.6	Sufficient relevant information is crucial to good decision making, particularly where formal assessments are required. To avoid delay, if in any doubt applicants should discuss what information is needed with the Planning Inspectorate, statutory bodies, and other relevant organisations as early as possible. Any assessment should be based on the most up to date data and guidance.	Considered in Section 10.4 – Assessment Methodology of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].
Section 5.10.1	The landscape and visual effects of energy projects will vary on a case by case basis according to the type of development, its location and the landscape setting of the proposed development. In this context, references to landscape should be taken as covering seascape and townscape where appropriate	Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].
Paragraph 5.10.4	Landscape effects arise not only from the sensitivity of the landscape but also the nature and magnitude of change proposed by the development, whose specific siting and design make the assessment a case-by-case judgement.	Considered in Section 10.4 – Assessment Methodology of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].
Paragraph 5.10.5	Virtually all nationally significant energy infrastructure projects will have adverse effects on the landscape, but there may also be beneficial landscape character impacts arising from mitigation.	Considered in Section 10.4 – Assessment Methodology of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].
Paragraph 5.10.6	Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the	Considered in Section 10.7 – Embedded Mitigation of ES Volume I

Relevant NPS Paragraph Reference	Requirement of the NPS	Location of Information Provided to Address This
	landscape, providing reasonable mitigation where possible and appropriate.	Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].
Paragraph 5.10.12	Outside nationally designated areas, there are local landscapes that may be highly valued locally. Where a local development document in England or a local development plan in Wales has policies based on landscape or waterscape character assessment, these should be paid particular attention. However, locally valued landscapes should not be used in themselves to refuse consent, as this may unduly restrict acceptable development.	Considered in Section 10.4 – Assessment Methodology of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].
Paragraph 5.10.13	All proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites.	Considered in Section 10.8 – Assessment of Likely Significant Effects of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].
Paragraph 5.10.14	The Secretary of State will have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the project.	Considered in Section 10.8 – Assessment of Likely Significant Effects of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].
Paragraph 5.10.15	The applicant should carry out a landscape and visual impact assessment and report it in the ES, including cumulative effects (see Section 4.3). Several guides have been produced to assist in addressing landscape issues.	Considered in Section 10.8 – Assessment of Likely Significant Effects of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].
Paragraph 5.10.17	The landscape and visual assessment should include reference to any landscape character assessment and associated studies as a means of	Considered in Section 10.8 – Assessment of Likely Significant

Relevant NPS Paragraph Reference	Requirement of the NPS	Location of Information Provided to Address This
	assessing landscape impacts relevant to the proposed project. The applicant’s assessment should also take account of any relevant policies based on these assessments in local development documents in England and local development plans in Wales.	Effects of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .
Paragraph 5.10.19	The applicant should consider landscape and visual matters in the early stages of siting and design, where site choices and design principles are being established. This will allow the applicant to demonstrate in the ES how negative effects have been minimised and opportunities for creating positive benefits or enhancement have been recognised.	Considered in Section 10.8 – Assessment of Likely Significant Effects of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .
Paragraph 5.10.20	The assessment should include the effects on landscape components and character during construction and operation.	Considered in Section 10.8 – Assessment of Likely Significant Effects of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .
Paragraph 5.10.21	The assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential impacts on views and visual amenity. This should include light pollution effects, including on dark skies, local amenity, and nature conservation.	Considered in Section 10.8 – Assessment of Likely Significant Effects of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .
Paragraph 5.10.22	The assessment should also address the landscape and visual effects of noise and light pollution, and other emissions (see Section 5.2 and Section 5.7), from construction and operational activities on residential amenity and on sensitive locations, receptors and views, how these will be minimised.	Considered in Section 10.8 – Assessment of Likely Significant Effects of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .
Paragraph 5.10.24	Applicants should consider how landscapes can be enhanced using landscape management plans, as this will help to enhance	Considered in Section 10.7 – Embedded Mitigation of ES Volume I

Relevant NPS Paragraph Reference	Requirement of the NPS	Location of Information Provided to Address This
	environmental assets where they contribute to landscape and townscape quality.	Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].
Paragraph 5.10.25	In considering visual effects it may be helpful for applicants to draw attention, in the supporting evidence to their applications, to any examples of existing permitted infrastructure they are aware of with a similar magnitude of impact on equally sensitive receptors. This may assist the Secretary of State in judging the weight they should give to the assessed visual impacts of the proposed development.	Considered in Section 10.8 – Assessment of Likely Significant Effects of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].
Paragraph 5.10.26	Reducing the scale of a project can help to mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design of a proposed energy infrastructure project may result in a significant operational constraint and reduction in function - for example, electricity generation output. There may, however, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in function. In these circumstances, the Secretary of State may decide that the benefits of the mitigation to reduce the landscape and/or visual effects outweigh the marginal loss of function.	Considered in Section 10.8 – Assessment of Likely Significant Effects of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].
Paragraph 5.10.27	Adverse landscape and visual effects may be minimised through appropriate siting of infrastructure within its development site and wider setting. The careful consideration of colours and materials will support the delivery of a well-designed scheme, as will sympathetic landscaping and management of its immediate surroundings.	Considered in Section 10.8 – Assessment of Likely Significant Effects of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].
Paragraph 5.10.28	Depending on the topography of the surrounding terrain and areas of population it may be appropriate to undertake landscaping off site. For example, filling in gaps in existing tree and hedge lines may mitigate the impact when viewed from a more distant vista.	Considered in Section 10.8 – Assessment of Likely Significant Effects of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].

Relevant NPS Paragraph Reference	Requirement of the NPS	Location of Information Provided to Address This
		Landscape and Visual Amenity [EN010152/APP/6.1].
Paragraph 5.10.29	The Secretary of State should take into consideration the level of detailed design which the applicant has provided and is secured in the DCO, and the extent to which design details are subject to future approvals.	Set out in ES Volume I Chapter 2: The Scheme [EN010152/APP/6.1]
Paragraph 5.10.30	The Secretary of State should be satisfied that local authorities will have sufficient design content secured to ensure future consenting will meet landscape, visual and good design objectives.	Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].
Paragraph 5.10.34	The scale of energy projects means that they will often be visible across a wide area. The Secretary of State should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project.	Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].
Paragraph 5.10.36	In reaching a judgement, the Secretary of State should consider whether any adverse impact is temporary, such as during construction, and/or whether any adverse impact on the landscape will be capable of being reversed in a timescale that the Secretary of State considers reasonable.	Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].
Paragraph 5.10.37	The Secretary of State should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to minimise harm to the landscape, including by appropriate mitigation.	Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] and in Section 10.8 – Assessment of Likely Significant Effects of ES Volume I Chapter 10: Landscape

Relevant NPS Paragraph Reference	Requirement of the NPS	Location of Information Provided to Address This and Visual Amenity [EN010152/APP/6.1].
Paragraph 5.10.38	The Secretary of State should consider whether requirements to the consent are needed requiring the incorporation of particular design details that are in keeping with the statutory and technical requirements for landscape and visual impacts.	Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].
NPS EN-3 (November 2023)		
Paragraph 2.7.38	An assessment of the landscape and visual effects of the proposed infrastructure should be undertaken in accordance with the guidance set out in 5.10 of EN-1.	Considered in Section 10.4 – Assessment Methodology of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].
Paragraph 2.7.60	Good design that is sympathetic and contributes positively to the landscape character and quality of the area will go some way to mitigate adverse landscape and visual effects.	Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].
Paragraph 2.7.61	Applicants should consider the design of the generating station, including the materials to be used in the context of the local landscape character.	Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].
Paragraph 2.7.62	Although micro-siting within the development area can help, mitigation is achieved primarily through aesthetic aspects of site layout and building design including size and external finish and colour of the generating station to minimise intrusive appearance in the landscape as far as engineering requirements permit. The precise architectural treatment will need to be site-specific.	Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].

Relevant NPS Paragraph Reference	Requirement of the NPS	Location of Information Provided to Address This
Paragraph 2.10.27	Utility-scale solar farms are large sites that may have a significant zone of visual influence. The two main impact issues that determine distances to sensitive receptors are therefore likely to be visual amenity and glint and glare. These are considered in Landscape, Visual and Residential Amenity (Paragraphs 2.10.84 – 2.10.92 and Glint and Glare (Paragraphs 2.10.93 – 2.10.97) impact sections below.	Considered in Section 10.4 – Assessment Methodology of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .
Paragraph 2.10.93	Generic landscape and visual impacts are covered in Section 5.10 of EN-1.	Considered in Section 10.8 – Assessment of Likely Significant Effects of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .
Paragraph 2.10.94	The approach to assessing cumulative landscape and visual impact of large-scale solar farms is likely to be the same as assessing other onshore energy infrastructure. Solar farms are likely to be in low lying areas of good exposure and as such may have a wider zone of visual influence than other types of onshore energy infrastructure.	Considered in Section 10.14 – Cumulative Effects of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .
Paragraph 2.10.95	However, whilst it may be the case that the development covers a significant surface area, in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography, the area of a zone of visual influence could be appropriately minimised.	Considered in Section 10.6 – Baseline Conditions, Section 10.7 – Embedded Mitigation and Section 10.8 – Assessment of Likely Significant Effects of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .
Paragraph 2.10.96	Landscape and visual impacts should be considered carefully pre-application. Potential impacts on the statutory purposes of nationally designated landscapes should form a part of the pre application process.	Considered in Section 10.8 – Assessment of Likely Significant Effects of ES Volume I Chapter 10:

Relevant NPS Paragraph Reference	Requirement of the NPS	Location of Information Provided to Address This
		Landscape and Visual Amenity [EN010152/APP/6.1].
Paragraph 2.10.97	Applicants should carry out a landscape and visual assessment and report it in the ES. Visualisations may be required to demonstrate the effects of a proposed solar farm on the setting of heritage assets and any nearby residential areas or viewpoints.	Considered in Section 10.8 – Assessment of Likely Significant Effects of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].
Paragraph 2.10.98	Applicants should follow the criteria for good design set out in Section 4.7 of EN-1 when developing projects and will be expected to direct considerable effort towards minimising the landscape and visual impact of solar PV arrays especially within nationally designated landscapes.	Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].
Paragraph 2.10.99	Whilst there is an acknowledged need to ensure solar PV installations are adequately secured, required security measures such as fencing should consider the need to minimise the impact on the landscape and visual impact.	Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].
Paragraph 2.10.100	The applicant should consider as part of the design, layout, construction, and future maintenance plans how to protect and retain, wherever possible, the growth of vegetation on site boundaries, as well as the growth of existing hedges, established vegetation, including mature trees within boundaries. Applicants should also consider opportunities for individual trees within the boundaries to grow on to maturity.	Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].
Paragraph 2.10.131	Applicants should consider the potential to mitigate landscape and visual impacts through, for example, screening with native hedges, trees and woodlands.	Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].

Relevant NPS Paragraph Reference	Requirement of the NPS	Location of Information Provided to Address This
Paragraph 2.10.157	The Secretary of State will consider the landscape and visual impact of any proposed solar PV farm, taking account of any sensitive visual receptors, and the effect of the development on landscape character, together with the possible cumulative effect with any existing or proposed development. Nationally designated landscapes (National Parks, The Broads and Areas of Outstanding Beauty) are afforded extra protection due their statutory purpose. Development in these areas needs to satisfy policy as set out in EN-1 Section 5.10.	Considered in Section 10.8 – Assessment of Likely Significant Effects of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .
NPS EN-5 (November 2023)		
Paragraph 2.2.8	There will usually be a degree of flexibility in the location of the development’s associated substations, and applicants should consider carefully their location, as well as their design.	Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .
Paragraph 2.2.9	In particular, the applicant should consider such characteristics as the local topography, the possibilities for screening of the infrastructure and/or other options to mitigate any impacts. (See Section 2.10 below and Section 5.10 in EN-1.)	Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .
Paragraph 2.9.9	New substations, sealing end compounds (including terminal towers), and other above-ground installations that serve as connection, switching, and voltage transformation points on the electricity network may also give rise to adverse landscape and visual impacts.	Considered in Section 10.8 – Assessment of Likely Significant Effects of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .
Paragraph 2.9.10	Cumulative adverse landscape, seascape and visual impacts may arise where new overhead lines are required along with other related developments such as substations, wind farms, and/or other new sources of generation.	Considered in Section 10.8 – Assessment of Likely Significant Effects of ES Volume I Chapter 10:

Relevant NPS Paragraph Reference	Requirement of the NPS	Location of Information Provided to Address This
		Landscape and Visual Amenity [EN010152/APP/6.1].
Paragraph 2.9.18	The Horlock Rules – guidelines for the design and siting of substations – were established by National Grid in 2009 in pursuance of its duties under Schedule 9 to the Electricity Act 1989. These principles should be embodied in applicants’ proposals for the infrastructure associated with new overhead lines.	Considered in Section 10.8 – Assessment of Likely Significant Effects of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].
Paragraph 2.9.19	<p>In brief, the Horlock Rules state that applicants should (amongst other things):</p> <ol style="list-style-type: none"> a. Take advantage of the screening provided by land form and existing features and the potential use of site layout and levels to keep intrusion into surrounding areas to a reasonably practicable minimum. b. Keep the visual, noise and other environmental effects to a reasonably practicable minimum. c. Consider the land use effects of the proposal when planning the siting of substations or extensions. d. Use space effectively to limit the area required for development consistent with appropriate mitigation measures and to minimise the adverse effects on existing land use and rights of way, whilst also having regard to future extension of the substation. e. Study the inter-relationship between towers and substation structures and background and foreground features so as to reduce the prominence of structures from main viewpoints. Where practicable the exposure of terminal towers on prominent ridges should be minimised by siting towers against a background of trees rather than open skylines. 	Considered in Section 10.8 – Assessment of Likely Significant Effects of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].

National Planning Policy Framework

- 2.2.3 The National Planning Policy Framework (NPPF) (December 2023) (Ref. 9) sets out the Government's planning policies for England and how these should be applied. Paragraph 5 of the NPPF explains that the Framework does not contain specific policies for nationally significant infrastructure projects. It states that:

“The Framework does not contain specific policies for nationally significant infrastructure projects. These are determined in accordance with the decision making framework in the Planning Act 2008 (as amended) and relevant national policy statements for major infrastructure, as well as any other matters that are relevant (which may include the National Planning Policy Framework). National policy statements form part of the overall framework of national planning policy, and may be a material consideration in preparing plans and making decisions on planning applications.”

- 2.2.4 That being said, the NPPF (December 2023) policies can still be helpful considerations and therefore the relevant ones have been provided below.

Table 2: Relevant NPPF Requirements for the Landscape and Visual Amenity Assessment

Relevant NPPF Paragraph Reference	Requirement of the NPPF	Location of Information Provided to Address This
Paragraph 8(c)	States the environmental objective of sustainable development is: <i>“to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”</i>	Considered in Section 10.7 – Embedded Mitigation and Section 10.8 – Assessment of Likely Significant Effects of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .
Paragraph 104	Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.	Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .
Paragraph 124	States planning policies should: <i>“a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside...”</i>	Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .

Relevant NPPF Paragraph Reference	Requirement of the NPPF	Location of Information Provided to Address This
Paragraph 135	<p>Planning policies and decisions should ensure that developments:</p> <ul style="list-style-type: none">a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);	<p>Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].</p>
Paragraph 137	<p>Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and</p>	<p>Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].</p>

Relevant NPPF Paragraph Reference	Requirement of the NPPF	Location of Information Provided to Address This
Paragraph 139	<p>effective engagement with the community should be looked on more favourably than those that cannot.</p> <hr/> <p>Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:</p> <ul style="list-style-type: none">a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/orb) outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.	<p>Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].</p>
Paragraph 180	<p>Planning policies and decisions should contribute to and enhance the natural and local environment by:</p>	<p>Considered in Section 10.6 – Baseline Conditions and Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10:</p>

Relevant NPPF Paragraph Reference	Requirement of the NPPF	Location of Information Provided to Address This
	<p>a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);</p> <p>b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;</p> <p>d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;</p>	<p>Landscape and Visual Amenity [EN010152/APP/6.1].</p>
<p>Paragraph 181</p>	<p>Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a</p>	<p>Considered in Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1].</p>

Relevant NPPF Paragraph Reference	Requirement of the NPPF	Location of Information Provided to Address This
Paragraph 191	catchment or landscape scale across local authority boundaries.	Considered in Section 10.6 – Baseline Conditions and Section 10.7 – Embedded Mitigation of ES Volume I Chapter 10: Landscape and Visual Amenity [EN010152/APP/6.1] .
	<p>Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:</p> <p>[...]</p> <p>b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and</p> <p>c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.</p>	

Planning Practice Guidance (PPG), (2019)

- 2.2.5 The government's Planning Practice Guidance (PPG) on the Natural Environment (Ref. 10) provides information on Green Infrastructure, Biodiversity and Landscape. In respect of Green Infrastructure, the PPG includes: *"Green infrastructure opportunities and requirements need to be considered at the earliest stages of development proposals, as an integral part of development and infrastructure provision, and taking into account existing natural assets and the most suitable locations and types of new provision."* The PPG supports the use of landscape character assessment as a tool for understanding the character. It also recognises that this can be used to understand local distinctiveness of the landscape and identifying the features that give it a sense of place, as a means to informing, planning and managing change. It also makes reference to Natural England guidance on landscape character assessment.
- 2.2.6 Guidance on light pollution (Ref. 11) refers to the risk of artificial lighting undermining enjoyment of the countryside or the night sky in Paragraph 1, and in Paragraph 2, considers potential effects on protected areas of dark skies or intrinsically dark landscapes. It also provides guidance in relation to minimising light pollution.
- 2.2.7 The Renewable and Low Carbon Energy PPG (Ref. 12) sets out consideration for the assessment and design of large scale energy schemes relevant to landscape and visual matters. Planning considerations include: *"cumulative impacts require particular attention, especially the increasing impact that wind turbines and large scale solar farms can have on landscape and local amenity as the number of turbines and solar arrays in an area increases; and local topography is an important factor in assessing whether wind turbines and large scale solar farms could have a damaging effect on landscape and recognise that the impact can be as great in predominately flat landscapes as in hilly or mountainous areas."*
- 2.2.8 In respect of buffer zones: *"Local planning authorities should not rule out otherwise acceptable renewable energy developments through inflexible rules on buffer zones or separation distances. Other than when dealing with set back distances for safety, distance of itself does not necessarily determine whether the impact of a proposal is unacceptable. Distance plays a part, but so does the local context including factors such as topography, the local environment and nearby land uses. This is why it is important to think about in what circumstances proposals are likely to be acceptable and plan on this basis."*
- 2.2.9 Particular considerations for ground mounted solar are: *"The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively"*.
- 2.2.10 Particular factors a local planning authority will need to consider include:
- a. *"that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;"*

- b. the proposal's visual impact, the effect on landscape of glint and glare (see guidance on landscape assessment) and on neighbouring uses and aircraft safety;*
- c. the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;*
- d. the need for, and impact of, security measures such as lights and fencing;*
- e. great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;*
- f. the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;*
- g. the energy generating potential, which can vary for a number of reasons including, latitude and aspect.*
- h. The approach to assessing cumulative landscape and visual impact of large scale solar farms is likely to be the same as assessing the impact of wind turbines. However, in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography the area of a zone of visual influence could be zero.”*

3. Local Planning Policy

3.1.1 The Doncaster Local Plan (Ref. 13) includes policies relevant to landscape and visual matters, as listed in the following table.

Table 3: Relevant Local Policy and Guidance

Relevant Documents	Relevant Policies
Doncaster Local Plan 2015–2035 (2021)	<p>Policy 18 Development Affecting Public Rights of Way</p> <p>a) Where new developments affect Public Rights of Way, they should be retained and wherever possible be on the legally recorded alignment.</p> <p>b) Wherever development leads to a diversion, a suitable alternative must be established.</p> <p>Policy 19: Access, Design and Layout of Public Rights of Way</p> <p>c) If it is necessary for the path to be enclosed by fencing, hedging or buildings, then minimum widths of 3 metres for footpaths, 5 metres for bridleways and 6 metres for restricted byways should be provided.</p> <p>Policy 25: Development in the Countryside Policy Area</p> <p>4) d) The scale and design of the proposal would not have a significant adverse impact on the landscape.</p> <p>Policy 26: Green Infrastructure</p> <p>a) Green Infrastructure should principally benefit the development but also connect to the wider network.</p> <p>b) Proposals adjacent to waterways should safeguard and improve environmental quality, as well as access to and along the waterway.</p> <p>Policy 29: Ecological Networks</p> <p>Proposals should deliver a net gain for biodiversity and protect, create, maintain and enhance ecological networks by:</p> <p>a) being of an appropriate size and type</p> <p>b) bridging gaps in existing networks</p> <p>c) planting native species and creative new priority habitats</p> <p>Policy 32: Woodlands, Trees and Hedgerows</p> <p>b) Proposals which may harm Local Wildlife Sites will only be supported where:</p> <p>1) they deliver 10% BNG</p> <p>2) they protect, restore, enhance and provide appropriate buffers around the wildlife feature</p> <p>3) produce and deliver appropriate long term management plans</p>

Relevant Documents

Relevant Policies

Policy 33: Landscape

Proposals will be supported where they can demonstrate that woodlands, trees and hedgerows have been adequately considered during the design process. Proposals will need to include:

- a) Survey information of woodland, trees and hedgerows
- b) Demonstrate how retained features will be protected during construction
- c) Include an adequate landscape buffer
- d) Sufficient provision for replacement planting
- e) Avoidance of the loss or deterioration of woodland

Policy 48: Landscaping of New Developments

Development will be supported which protects landscape character, protects and enhances existing landscape features, and provides a high quality, comprehensive hard and soft landscape scheme that includes:

- a) maximising links to wider Green Infrastructure in line with Policy 26;
- c) generous tree, shrub and hedgerow planting consisting of appropriate species and nursery stock specified for the location, role and prominence of the landscape feature, and to provide year round interest;
- f) a long-term management and maintenance strategy with clear responsibilities and regimes for the upkeep of all external areas.

Policy 58: Low Carbon and Renewable Energy

The Council aims to increase the supply of low carbon and renewable energy generated in the Borough.

- b) Renewable energy proposals will be supported where they:
 - 1) have undertaken community engagement and demonstrate how they will deliver environmental, social and economic benefits
 - 2) have no unacceptable adverse effects on local amenity and air quality
 - 5) have no unacceptable adverse impacts, including cumulative impacts, on the built and natural environment (including landscape character)
 - 6) reclaim the site to a suitable and safe condition and use

Doncaster Green
Infrastructure Strategy
2014 – 2028, April 2014

Key opportunities and/or actions are identified for each theme, including the following which are relevant to this report:

Relevant Documents

Relevant Policies

Hedge gapping and planting

Hedge laying to enhance and promote structural and species diversity

Creation of new orchards, encouraging the planting of local fruit varieties and managed using traditional techniques.

Creation of Wet Woodland in target areas

Establish new trees

Improve and extend the bridleway network

4. References

- Ref. 1 His Majesty's Stationery Office (HMSO) (2008). Planning Act 2008. Available at: <https://www.legislation.gov.uk/ukpga/2008/29/contents>. [Accessed 10 September 2024].
- Ref. 2 HMSO (2017). The Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Available at: <https://www.legislation.gov.uk/uksi/2017/571/contents/made>. [Accessed 10 September 2024].
- Ref. 3 HMSO (1990). Planning (Listed Buildings and Conservation Areas) Act 1990. Available at: <https://www.legislation.gov.uk/ukpga/1990/9/contents>. [Accessed 10 September 2024].
- Ref. 4 HMSO (2012). The Town and Country Planning (Tree Preservation) (England) Regulations 2012. Available at: <https://www.legislation.gov.uk/uksi/2012/605/contents/made>. [Accessed 10 September 2024].
- Ref. 5 HMSO (1997). The Hedgerows Regulations 1997. Available at: <https://www.legislation.gov.uk/uksi/1997/1160/contents/made>. [Accessed 10 September 2024].
- Ref. 6 Department for Energy Security and Net Zero (2023). Overarching National Policy Statement for Energy (EN-1) (November 2023). Available at: <https://assets.publishing.service.gov.uk/media/655dc190d03a8d001207fe33/overarching-nps-for-energy-en1.pdf>. [Accessed 10 September 2024].
- Ref. 7 Department for Energy Security and Net Zero (2023). National Policy Statement for Renewable Energy Infrastructure (EN-3) (November 2023). Available at: <https://assets.publishing.service.gov.uk/media/655dc352d03a8d001207fe37/nps-renewable-energy-infrastructure-en3.pdf>. [Accessed 10 September 2024].
- Ref. 8 Department for Energy Security and Net Zero (2023). National Policy Statement for Electricity Networks Infrastructure (EN-5) (November 2023). Available at: <https://assets.publishing.service.gov.uk/media/655dc25e046ed400148b9dca/nps-electricity-networks-infrastructure-en5.pdf>. [Accessed 10 September 2024].
- Ref. 9 Department for Levelling Up, Housing and Communities (2023). National Planning Policy Framework (December 2023). Available at: https://assets.publishing.service.gov.uk/media/65829e99fc07f3000d8d4529/NPPF_December_2023.pdf. [Accessed 10 September 2024].
- Ref. 10 Department for Levelling Up, Housing and Communities (2019). Planning Practice Guidance: Natural Environment. Available at: <https://www.gov.uk/guidance/natural-environment>. [Accessed 10 September 2024].
- Ref. 11 Department for Levelling Up, Housing and Communities (2019). Planning Practice Guidance: Light Pollution. Available at:

<https://www.gov.uk/guidance/light-pollution>. [Accessed 10 September 2024].

- Ref. 12 Department for Levelling Up, Housing and Communities (2023). Planning Practice Guidance: Renewable and low carbon energy. Available at: <https://www.gov.uk/guidance/renewable-and-low-carbon-energy>. [Accessed 10 September 2024].
- Ref. 13 City of Doncaster Council (2021). Doncaster Local Plan 2015 – 2035. Available at: <https://www.doncaster.gov.uk/services/planning/local-plan> [Accessed 10 September 2024].



BOOM
POWER

BUILD | OWN | OPERATE | MAINTAIN

BOOM-POWER.CO.UK