

One Earth ISH 1 Wednesday 9 July and Thursday 10 July 2025

Summary of Verbal Representations from Newark and Sherwood District Council (NSDC)

The following comprises a summary of the verbal representations of NSDC at ISH1 on the 9th and 10th July 2025. It is supplemented by additional comments as appropriate, where NSDC had further points to raise, but insufficient time was available within the hearings.

The Draft Development Consent Order (Item 4 of the Agenda):

Article 39 - Felling or lopping of trees and removal of hedgerows:

1. With reference to Article 39, NSDC as the Draft DCO is developed, the Applicant should make it clear that all of the general powers sought in relation to the DCO are informed by a detailed understanding of the impacts of the proposed development, based on the design proposals and environmental assessment work.
2. For example, Article 39 (Felling and Lopping of Trees and Removal of Hedgerows) and Article 40 (Trees Subject to a Tree Preservation Order) currently rely on far reaching general powers to undertake works or fell trees where ‘it reasonably believes it to be necessary to do so in order to prevent the tree from obstructing or interfering with the construction, maintenance, operation or decommissioning of the authorised development.’
3. In addition, Article 39(1) refers to ‘near’ any part of the development, but there is no definition for this.
4. NSDC consider that any proposed works to trees (in respect powers sought within the Draft DCO) must first be considered in the context of the proper understanding of the impacts of the proposed development and such powers must be properly explained and justified by the Applicant, particularly where no obligation exists to replace felled TPO trees as detailed in Article 40.

Article 45 – Procedure in relation to certain approvals:

5. In respect of Article 45, NSDC would ask that the Applicant define or indicate what type of approvals this may encompass. In any event, NSDC view a 10-week approval period as unlikely to be sufficient.

Schedule 2 – Requirements

6. As set out in our Relevant Representations (RR-135) and noted at ISH1, NSDC consider that 16 weeks is a more appropriate period for the discharge of requirements (akin to a Major EIA

Planning Application). At the present NSDC have 4 NSIP's within their administrative area and another project determined under the Electricity Act. As such, we are very concerned about the resourcing obligations of all these projects in respect of discharge of requirements, on the assumption that development consent is forthcoming. This is complicated by the need to co-ordinate with all the other host authorities in the discharge of requirements.

Requirement 3 – Phasing

7. NSDC noted following discussion on phasing (requirement 3) versus the CTMP (requirement 15) that the early submission of a broad phasing plan during the submission may be beneficial. NSDC further consider this would be beneficial in respect of considering construction phase impacts of the proposed development, with particular reference to cumulative effects.
8. Under Agenda Item 4, in regard to Requirement 8 Landscape and ecology management plan, for clarity, we wish to clarify that the wording in the DCO Requirement 8 is very much focussed on written management and does not include for a detailed planting scheme. Subject to gaining approval for the scheme, we would expect at the detailed design stage the applicant develops detailed planting plans clearly showing the location and types of planting (species), as well as number, density, and specification, along with planting details and specifications. This provision of detailed planting, and subsequent agreement with relevant authority must be explicit in the OLEMP, which subsequently needs to be suitably tied to Requirement 8 of the DCO.
9. The wording within the OLEMP should be specific in the timescales for maintenance (lifetime of the project) and plant replacement (minimum 5 years), as well as cover for unforeseen circumstances such as extensive plant dieback, or failure to establish or thrive as expected and allow for plant replacement at any time as required to ensure the mitigation planting is fulfilling its role as mitigation. This maintenance must cover all new planting and existing retained vegetation associated with the scheme, including trees, hedgerows, grassland, shrub/scrub, and marginal/aquatic planting. Existing vegetation should be covered by a tree survey and protected to BS5837: Trees in Relation to Construction.

Alternatives

10. Although not presented verbally at ISH1, NSDC consider (and as noted in our RR's) that greater evidence is required of alternative sites considered, that may have the potential to be less environmentally impactful than the proposed development.

Decommissioning, timing, and funding

11. NSDC noted that in their experience (perhaps more so of TCPA projects) it is common practice to have a bond in place to ensure decommissioning remains funded, in the event that an Applicant (or its successor) goes into administration.

Environmental Matters (Item 4 of the Agenda)

Landscape and visual

1. Under **Agenda Item 8.3 Landscape (i)** regarding approach to the assessment, it was clarified that a full review of the applicants Landscape and Visual Impact Assessment (LVIA) and other relevant components of the application had been reviewed, and this review would be either appended and/or included within the host authorities Local Impact Report (LIR). It was confirmed that the LVIA is generally thorough and predominantly aligned with GLVIA3, identifying Significant landscape and visual effects of the scheme upon the baseline. The LVIA identifies several Significant landscape and visual effects, which we would expect from a large-scale solar scheme, however the number and extent of these Significant effects are a concern. There are some elements of the assessment that we have highlighted issues with in our review that are identified within the LIR; however, to summarise the key concerns are:
 - The visual assessment is structured around static views rather than the experience of the visual receptor which should include for sequential and varying views due to moving through the landscape;
 - The LVIA does not explicitly confirm what the 'worst case scenario' approach is that has been assessed, which will have a bearing on the judgement of visual effects – this should be clarified;
 - Tree and vegetation removal associated with the Development, including wider highways improvements and access for construction, must be clarified;
 - We wish to clarify assumptions about reversibility the applicant has made – given the 60-year duration, we judge this likely renders the scheme permanent;
 - Future baseline changes are underplayed;
 - Residential Visual Amenity is not clear in the LVIA and how this has been assessed;
 - Some receptors undergo a reduction in significance between construction and operation year 1 – it is unclear as to why this is due to the temporary nature of construction;

- Several landscape character areas have direct effects at all phases yet have not been judged to have Significant residual effects. This appears inconsistent with the findings of effects to the Order Limits and clarity should be provided; and
 - Clarification on what a Major or Moderate Neutral (and therefore Significant) landscape effect would be. A Significant Neutral effect is un-defined in the methodology.
2. Regarding cumulative effects: as identified at the statutory consultation stage, we have concerns regarding cumulative effects on the landscape at a wider district and county scale. The mass and scale of several NSIP scale energy projects combined has the potential to lead to adverse effects on landscape character over an extensive area across multiple published character areas. The landscape character of the region, across the Nottinghamshire and Lincolnshire County areas, will be altered over the operational period through an extensive area of land use change, and introduction of energy infrastructure in an area that is predominantly agricultural.
 3. This would also be an issue when experienced sequentially for visual receptors travelling through the wider landscape and experiencing these schemes across potentially several kilometres, albeit with gaps between the schemes. However repeated views and presence of large scale solar would undoubtedly increase the susceptibility of receptors to changes in view through visual fatigue in which viewers experience a diminishing capacity to absorb or tolerate repeated or similar visual stimuli (solar development) along routes, eroding landscape character and increasing a broader perception of landscape industrialisation. GLVIA3 defines types of cumulative visual effect as either: Combined (in same view) or Sequential. Table 7.1 of GLVIA3, regarding Sequential Cumulative visual effects states: *“Sequential: Occurs when the observer has to move to another viewpoint to see the same or different developments. Sequential effects may be assessed for travel along regularly used routes such as major roads or popular paths”*

We judge that the sequential effects would be felt throughout the area, with PROW users that are more visually susceptible to changes in their view, moving slowly and often engaging with the landscape attentively; Travel along these PROW presents successive experience with solar infrastructure, creating a sequential visual effect. PROW users traveling along several rights of way have been identified within the applicants LVIA as having significant adverse visual effects at year 15 including National Cycle Network Route 647, Public bridleways NT/Ragnall/BW3, NT/Darlington/BW1, NT/Thorney/BW19, and NT/North Clifton/BW10 and public footpath NT/Ragnall/FP2. If users of these routes had previously, or would subsequently, travel on rights of way with views of other schemes (as identified in the LVIA's associated with these projects) the implication is that users would likely experience sequential cumulative adverse visual

effects across two or more schemes, even at Year 15 when mitigation should have matured. Combined with road corridors like the north to south A1133 and A156 route, along with nearby lanes, this can form a coherent visual narrative: a rural area increasingly defined by clustered energy-infrastructure development. The A1133 and A156 north to south route passes close to the One Earth Solar Farm where visibility of the scheme and significant visual effects are identified. Further north along this route (along the A156), users also have Significant adverse residual views of Gate Burton, and potentially some views of Cottam, and West Burton solar projects. The road corridor is largely open in character with intermittent screening from hedgerows, making it sensitive to cumulative visual change.

4. In regard to cumulative effects, reference was also made by the applicant to the Cottam report: Examining Authority's Recommendation to the Secretary of State 5 June 2024. It was stated at ISH 1 by the applicant that wider cumulative effects across the region were limited and subsequently acceptable, and that the Cottam report backs this opinion up. We disagree that the applicant's position that cumulative effects across the region are limited, primarily due to the expansion in number of projects across these regions compared to those considered in the Cottam report (as identified on Figure 2.1, pg. 133). There are now considerably more NSIP scale solar and energy infrastructures across this region that should be considered in cumulative effects. However, given the absence of unified, county-wide landscape character baselines across Nottinghamshire and Lincolnshire, this presents a challenge when assessing cumulative effects over a strategic county-wide scale to consider all these projects. Therefore, an approach we have carried out is to extract common landscape attributes of the region across the multiple character area assessments that cover the region, enabling a reasoned, evidence-led baseline, and subsequently assessment, of cumulative landscape effects across the wider county area. For example: the Land Use is Predominantly arable agriculture; Field Patterns are predominantly Large-scale; the Topography has a Predominantly flat to gently undulating landform; Perceptual Qualities are predominantly quiet and have a rural character with valued tranquillity; the Settlement Pattern is generally dispersed villages and market towns; Vegetation & Trees are generally open with sparse tree cover; and regarding Views & Openness is generally with a strong sense of openness, big skies, and expansive views. Therefore, across the region, based on these shared characteristics, large scale solar development and new energy infrastructure would create cumulative erosion of the character through an extensive Land Use change, directly affecting the perceived openness and rural tranquillity. We judge large scale solar, battery and energy infrastructure will subsequently be a distinctive key characteristic in any updates to National, Regional and Local character assessments.
5. Under **Agenda Item 8.3 Landscape (ii)**, NSDC made no verbal comments on this agenda item due to the pressing agenda timings, we do wish to clarify that while the LVIA considers

residential views in the baseline, the submission lacks transparency on Residential Visual Amenity. Residential Visual Amenity is a stage beyond Landscape and Visual Impact Assessment and focuses exclusively on private views and private visual amenity. No methodology or evidence are provided to show whether the Residential Visual Amenity Threshold (RVAT) is met: RVAT is reached when the change to visual amenity of residents in individual properties identified as “*having the greatest magnitude of change*,” from the Landscape Institute’s Technical Guidance Note 2/19: ‘Residential Visual Amenity Assessment’

6. It should be clarified why a specific Residential Visual Amenity Survey has not been included, and whether significant effects on private views were ruled out, as it appears that residents in properties have been considered in the LVIA
7. We would anticipate that some residents may experience Significant adverse visual effects from several properties, and while it is generally unlikely that properties will reach the RVAT through the Development of a solar farm, it is not possible to understand this process or any findings as they have not been presented. It would be beneficial for the applicant to clarify their position in regard to RVAA and why the initial residential visual amenity surveys have not been presented to aid transparency.
8. Under **Agenda Item 8.3 Landscape (ii)**, while LCC, NCC, NSDC or BDC made no verbal comments on this agenda item due to the pressing agenda timings, we do wish to clarify that while the LVIA identifies PROW users as key receptors, the assessment relies predominantly on static viewpoints, not a full route-based experience. Therefore, understanding the sequential experience of visual receptors is not clear within the LVIA and we would welcome the applicant clarifying how this has been considered. Further detail will be provided within our LIR.

Agriculture, Soils and Best and Most Versatile (BMV) Agricultural Land.

12. As noted in our RR’s and Local Impact Report, NSDC have strong concerns regard the extent of the loss of BMV land.

Socio Economic Effects

13. NSDC welcome the potential economic benefits of job creation and can confirm that some early and limited discussions have taken place with the Applicant at the Pre-application stages on the ways in which the economic benefits of the development (through job creation) could be secured (should permission be forthcoming). We would welcome further discussion on this throughout the examination.
14. NSDC noted that in light of community comments made at the Open Floor Hearings the Applicant may wish to consider the issue of supply chain employment linked to loss of

agriculture, rather than just displacement of temporary agricultural workers. For example, reference was made to the transport companies that may be linked to Agricultural activity and thus the indirect consequences of a reduction in agricultural activity.

Human Health

15. NSDC have received various submissions direct on this issue, including from the local GP. Is there a means to which the applicant can consider more primary evidence on this issue from the local community whilst still maintaining anonymity. This may follow the example of collecting data for a local needs housing survey.

Cumulative Effects

16. NSDC noted that cumulative effects is a strong concern for the LPA, and we would be making additional comments within our LIR and throughout the examination on this subject.