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Technical Memorandum 9 (AAH TM09)

Lincolnshire County Council, Meridian Solar: Deadline 2 document review

Introduction

AAH Consultants, on behalf of Lincolnshire County Council (**LCC**) have reviewed the following Deadline 2 document responses:

- REP2-014: Applicant's Comments on Written Representations
- REP2-015: Applicant's Comments on Local Impact Reports

The Meridian Solar Farm (Reference: EN010169) Application documents that have been accessed and reviewed are available on the Planning Inspectorate Website at:

https://national-infrastructure-consenting.plannninginspectorate.gov.uk/projects/EN010169/documents

and within the examination library at:
XCAT01 - Examination Library template

AAH comments on the above Deadline 2 documents are as follows:

Comments on Applicant's Comments on Written Representations - REP2-014

Lincolnshire County Council – comments related to Landscape and Visual issues are located on page 14 (LCC REP1-104, paragraph 2.19.1 – 2.19.2). The Applicant states that responses are provided within the LIR, and as LCCs written response did not contain any new or different points, responses were not repeated within the WRs.

The Applicant therefore provided no additional comments within the Written Representations for this stage.

Issues raised by the public - Some comments raised by the public related to Landscape and Visual Issues. These issues include concerns with the impact of pylons on the countryside; and preference for an underground solution for the Grid Connection Route. The Applicant states these concerns were responded to in the Relevant Representations Report [REP1-047], see Section 6.21 Landscape and Visual. The Applicant also cross references ES Chapter 10: Human Health [APP-061] for assessment of impacts on residents, which includes '*consideration of changes to physical and mental health as a result of changes to... landscape and visual amenity…'*. Chapter 10 concludes a minor adverse effect on mental health would occur due to the Proposed Development. The Applicant states that *'landscape and visual impacts will be mitigated by design measures such as setbacks from residential receptors, planting and screening, as set out in the Outline Landscape and Ecology Management Plan (OLEMP) [REP1-070]. Section 4.2 of the OLEMP [REP1-070] describes the landscape design principles which underpin the Scheme design and secures measures to minimise impact on the visual amenity of residential properties adjacent to the Solar Development Area'.*

Regarding Grimsby to Walpole within the Cumulative Assessment, the Applicant again points out that this project is considered within ES Chapter 12: Landscape and Visual.

Summary: The Applicant commits to no further changes or updates to their design approach or report work in response to the general points raised by the public and refers them to previous responses set out in Relevant Representations Report [REP1-047] Section 6.21 Landscape and Visual as well as to ES Chapter 12, ES Chapter 10, and other completed assessment work. No further comment is therefore possible at this stage.

Comments on Local Impact Reports (LIR)– REP2-015

Comments related to Landscape and Visual issues are located on p40-60 for Lincolnshire County Council. Included in the LIR are the Applicants Responses to Matters raised at the previous stage (DL1). This included responses to the AAH review of the Meridian Solar proposal under the headings: Mitigation, Methodology and assessment, Landscape baseline and assessment, Visual assessment, Design and mitigation, Cumulative assessment, Figures and supporting information, and Summary. This summary is concluded with a recap of the key points and concerns, which include:

- Concern that there shouldn't be a minimal approach to mitigation in all cases as there is some established vegetation in some locations. VP3 and Whaplode Drove are identified as being suitable for more planting.
- Concern that the importance of PROW on South Holland Main drain has been overlooked, with no setbacks, and long-distance routes like the MacMillian Way are not keyed in Figure 12-3.
- Concern that the impact of the solar arrays on landscape character has generally been understated with loss of 'agricultural land use' and 'openness' not considered with sufficient emphasis.
- Concern that the visual assessment seems to be understating the impact of the substations with more explanation on their visual impact required.

In addition, a detailed response is provided in Appendix I, pp235 – 267 to AAH comments provided at DL1.

The Applicant responses are summarised as follows:

- Mitigation.
    - A 'no mitigation approach' should be understood principally in relation to the overhead line (OHL), with mitigation considered appropriately elsewhere.
    - The Applicant considers that '*the Scheme already incorporates a landscape-led and targeted approach to mitigation, including at sensitive receptors and recreational routes, while recognising that extensive additional planting would not necessarily be appropriate within the characteristically open Fenland landscape'*.
- Methodology and assessment. The Applicant states clear justification has already been provided where professional judgement results in significance conclusions that differ from the indicative sensitivity and magnitude framework. The Applicant refers to ES Appendix 12-4: Landscape Assessment [APP-238] and ES Appendix 12-6: Visual Assessment [APP-240]. They also state that temporary activities during the 40-year operational period are not taken into consideration as they '*…cannot reasonably be predicted. Such activities would be temporary, intermittent and localised and would take place within the context of the operational Scheme'.*
- Landscape baseline and assessment. The Applicant refers to the Biodiversity Net Gain Report [REP1-059], ES Appendix 12-8: Arboricultural Impact Assessment [APP-242 to APP 243], ES Chapter 12: Landscape and Visual [APP-063], OLEMP [REP1-070], and Draft DCO [REP1-006], as detailing the extent of vegetation removal, retention and reinstatement.

- Visual assessment.
    - AAH requested additional Type 3 photomontages, including the solar arrays, substations, BESS compounds and overhead line infrastructure. The Applicant states that the number and type of photomontages were previously agreed and no additional Type 3s are necessary.
    - AAH requested further justification where effects remain unchanged throughout the project life, and explain the conclusion that a Residential Visual Amenity Assessment is not required. The Applicant provided further explanation. In relation to RVAA, the Applicant refed to Table 2-3 of Relevant Representations Report [REP1-074] for responses in this matter.
    - Strengthen the assessment of Public routes, including additional viewpoints along South Holland Main Drain. The Applicant states that appropriate assessment has been undertaken, including in the vicinity of South Holland Main Drain, referring to Viewpoints LCC5 and LCC6 (ES Figure 12-22 [APP-144] and [APP 145]) with receptors previously agreed. Additional receptors and viewpoints are therefore not considered to be required.
- Design and mitigation.
    - Review the layout and setbacks at South Holland Main Drain/Langary Gate Road (Field D) and Martins Road (Fields A and B). The Applicant '*considers that appropriate setbacks and targeted landscape mitigation have already been incorporated into the Scheme at these locations. This mitigation is set out and secured through the OLEMP [REP1-070]'.*
    - Strengthen the OLEMP. The Applicant considers that '*The OLEMP [REP1-070] already includes strong and clear commitments for the long-term management and monitoring of landscape mitigation'*. The request for a 15-year establishment period is again rejected.
- Cumulative assessment.
    - Keep the future baseline and cumulative assessment under review throughout the Examination. The Applicant confirms that they will continue to review relevant schemes throughout the Examination period.
- Figures and supporting information.
    - Provide clearer explanation of key assessment judgements within the main LVIA. The Applicant asserts that '*ES Chapter 12: Landscape and Visual [APP-063] provides a proportionate summary'.*
    - Updates to Figure 12-3 for recreational routes and labelling of cumulative schemes. The Applicant confirms an updated ES Figure 12-3 Public Rights of Way and National Cycle Network (Doc Ref. 6.2 Rev 1) has been provided, although no change to Cumulative labelling has been provided.
- Summary
    - There should be no minimal approach to mitigation. The Applicant asserts that the '*landscape mitigation strategy set out within the OLEMP [REP1-070] does not adopt a minimal approach to planting'.*
    - With regards to both landscape character and visual amenity, AAH suggested these both appeared to be understated. The Applicant disagrees, referring to ES Appendix 12-3 [APP-237], ES Chapter 2 The Scheme [AS-017], and the OLEMP [REP1-070]

The summary reiterates that Landscape and Visual concerns are unlikely to be important in the context of the 'planning balance' and the Critical National Policy (CNP) status of the project which remains concerning.

The Applicant has made no commitment to update or modify the LVIA or design mitigation in response to the DL1 feedback, with the exception of updates to Figure 12-3, and monitoring cumulative schemes throughout the examination period. It therefore remains a concern that no changes are to be made, including no landscape mitigation being proposed for the grid connection route apparently under the pretext of protecting Fenland character, and that no RVAA is being undertaken for the closest properties. The Applicant's decision not to provide an RVAA was a 'reasoned professional judgement' based on guidance, the design evolution of the scheme and on the LVIA. Regarding 'design evolution' the strategy of providing offsets is cited as being sufficient to avoid 'overbearing and intrusive design' impacting on residential receptors. However, many residential properties are in 'close proximity' to the proposed development (even with setbacks) and the impact on private views should be assessed using the RVAA process.

In conclusion, many of the comments previously raised have now been responded to, albeit that the Applicant has made no commitment to update or modify the LVIA or design mitigation in response to the DL1 feedback. AAH believe the following Landscape and Visual matters remain at DL2:

- RVAA and mitigation in relation to residential properties. AAH believe that further discussion on landscape mitigation in relation to properties of most concern should continue and welcomes further engagement with the Applicant. It is noted that the LVIA appears to assess viewpoint locations, and therefore an indication of effects on the nearest properties is not comprehensively covered, nor an indication of the quantity of receptors at any viewpoint/ location that might be impacted. It is not clear if all properties/ roads listed in ES Chapter 12 paragraph 12.8.45 – 12.8.53 were visited to substantiate the conclusions, or if viewpoints only were considered.
  It is also noted that the Grid Connection Corridor at this stage incorporates a 100m horizontal Limit of Deviation (LoD) (50m either side of the centre line) to allow for micrositing of towers. It is not clear whether the LVIA has taken the worst case scenario of towers / Scheme elements being located nearest the receptor at the maximum extent of the horizontal LoD (e.g. towers located 50m closer to sensitive receptors) or assumed the centreline for assessment purposes. AAH believe that more design interrogation should be undertaken in relation to the micrositing of towers in proximity to sensitive receptors (particularly residential property) to ensure that impacts are not increased following micrositing decisions. Commitments to ensure that the horizontal LoD is restricted in proximity to the most sensitive receptors should be sought, and individual residential properties of greatest concern should be individually identified, not grouped.
- Extent /location of landscape mitigation. AAH believe that more design interrogation should be undertaken in relation to the Grid Connection Corridor from the landscape mitigation process and in relation to some sensitive receptors (including properties) to ensure appropriate mitigation is incorporated. In addition, further design interrogation around the 400kV substation and BESS compounds should be undertaken to ensure appropriate mitigation is incorporated.
- The OLEMP should consider establishment/ management to Year 15 to ensure Year 15 obligations are met, followed by long-term management/ maintenance to Year 40, including appropriate monitoring and remediation process beyond Year 15.