

Gate Burton Energy Park

Preliminary Environmental Information Report

Volume 3, Appendix 10-A: Legislation and Planning Policy

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Gate Burton Energy Park Limited

Quality information

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Table of Contents

10.	Legislation and Planning Policy	5
10.1	Introduction	5
10.2	Legislation	5
10.3	National Planning Policy	5
10.4	County and District Planning Policy	21
10.5	Neighbourhood Plans	28
10.6	Other studies	31
10.7	References	33

10. Legislation and Planning Policy

10.1 Introduction

10.1.1 This appendix sets out policies which are considered relevant to landscape and visual matters at national, county and local levels.

10.2 Legislation

Planning (Listed Building and Conservation Areas) Act 1990

10.2.1 The Planning (Listed Buildings and Conservation Areas) Act 1990 (1.Ref 1) (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

10.2.2 The Town and Country Planning (Tree Preservation) (England) Regulations 2012 (1.Ref 2) 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

10.2.3 The Hedgerow Regulations 1997 (1.Ref 3) provide protection for Important Hedgerows, these being hedgerows that meet certain criteria in respect of their length, location and importance.

10.3 National Planning Policy

Overarching National Policy Statement (NPS) for Energy (EN-1) adopted 2011 (1.Ref 4)

10.3.1 EN-1 is part of a suite of NPSs issued by the Secretary of State for Energy and Climate Change. It sets out the Government's policy for delivery of major energy infrastructure, to help deliver the Government's climate change objectives by clearly setting out the need for new low carbon energy infrastructure to contribute to climate change mitigation.

10.3.2 The following paragraphs set out the likelihood of adverse landscape and visual effects and the potential to mitigate such effects. **PEI Report Volume 1: Chapter 10: Landscape and Visual** sets out the significant landscape and visual effects identified throughout construction, operation and decommissioning and describes the proposed mitigation.:

10.3.3 Paragraph 1.7.2 states:

“The development of new energy infrastructure, at the scale and speed required to meet the current and future need, is likely to have some negative effects on biodiversity, landscape/visual amenity and cultural heritage. However the significance of these effects and the effectiveness of mitigation possibilities is uncertain at the strategic and non-locationally specific level at which EN-1 to EN-5 are pitched. Short-term construction impacts are also likely through an increased use of raw materials and resources and negative effects on the economy due to impacts on existing land and sea uses. In general, it should be possible to mitigate satisfactorily the most significant potential negative effects of new energy infrastructure consented in accordance with the energy NPSs, and they explain ways in which this can be done; however, the impacts on landscape/visual amenity in particular will sometimes be hard to mitigate.”

10.3.4 Paragraph 1.7.11 states:

“As noted above, the principal area in which consenting new energy infrastructure in accordance with the energy NPSs is likely to lead to adverse effects which cannot always be satisfactorily mitigated is in respect of landscape and visual effects. EN-1 already contains policies which severely limit the prospects for development of large-scale energy infrastructure in the most attractive landscapes and townscapes. Tightening the development consent policies in EN-1 to make it harder for energy infrastructure to be consented which would have adverse landscape or townscape effects would be likely to make it significantly more difficult to gain consent for a range of large-scale energy infrastructure projects...”

10.3.5 Paragraph 4.1.3 states:

“In considering any proposed development, and in particular when weighing its adverse impacts against its benefits, the IPC should take into account:

its potential adverse impacts, including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts.”

10.3.6 Paragraph 4.1.4 states:

“In this context, the IPC should take into account environmental, social and economic benefits and adverse impacts, at national, regional and local levels. These may be identified in this NPS, the relevant technology-specific NPS, in the application or elsewhere (including in local impact reports).”

10.3.7 Paragraph 4.2.1 states:

“All proposals for projects that are subject to the European Environmental Impact Assessment Directive must be accompanied by an Environmental Statement (ES) describing the aspects of the environment likely to be significantly affected by the project. The Directive specifically refers to effects on human beings, fauna and flora, soil, water, air, climate, the landscape, material assets and cultural heritage, and the interaction between them. The Directive requires an assessment of the likely significant effects of the

proposed project on the environment, covering the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects at all stages of the project, and also of the measures envisaged for avoiding or mitigating significant adverse effects.”

10.3.8 Paragraph 4.2.3 states:

“For the purposes of this NPS and the technology-specific NPSs the ES should cover the environmental, social and economic effects arising from pre-construction, construction, operation and decommissioning of the project.”

10.3.9 Paragraph 4.2.4 states:

“When considering a proposal the IPC should satisfy itself that likely significant effects, including any significant residual effects taking account of any proposed mitigation measures or any adverse effects of those measures, have been adequately assessed. In doing so the IPC should also examine whether the assessment distinguishes between the project stages and identifies any mitigation measures at those stages.”

10.3.10 Paragraph 4.2.8 states:

“Where some details are still to be finalised the ES should set out, to the best of the applicant’s knowledge, what the maximum extent of the proposed development may be in terms of site and plant specifications, and assess, on that basis, the effects which the project could have to ensure that the impacts of the project as it may be constructed have been properly assessed.”

The paragraph footnote states: *“Case law (for example Rochdale MBC Ex. Parte C Tew 1999) provides a legal principle that indicative sketches and layouts cannot provide the basis for determining applications for EIA development. The “Rochdale Envelope” is a series of maximum extents of a project for which the significant effects are established. The detailed design of the project can then vary within this ‘envelope’ without rendering the ES inadequate”.*

10.3.11 The following paragraphs set out the need for good design. The approach to good design and mitigation is set out in section 10.7 of **PEI Report Volume 1, Chapter 10: Landscape and Visual.**

10.3.12 Paragraph 4.5.1 states:

“The visual appearance of a building is sometimes considered to be the most important factor in good design. But high quality and inclusive design goes far beyond aesthetic considerations. The functionality of an object — be it a building or other type of infrastructure — including fitness for purpose and sustainability, is equally important. Applying “good design” to energy projects should produce sustainable infrastructure sensitive to place, efficient in the use of natural resources and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible. It is acknowledged, however that the nature of much energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area.”

10.3.13 Paragraph 4.5.2 states:

“Good design is also a means by which many policy objectives in the NPS 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.”

10.3.14 Paragraph 4.5.3 states:

“Whilst the applicant may not have any or very limited choice in the physical appearance of some energy infrastructure, there may be opportunities for the applicant to demonstrate good design in terms of siting relative to existing landscape character, landform and vegetation. 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.”

10.3.15 The following paragraphs set out the requirement for the potential effects on landscape character and visual amenity to be assessed. These effects are set out in **PEI Report Volume 1, Chapter 10: Landscape and Visual**.

10.3.16 Paragraph 5.1.1 states:

“Some impacts (such as landscape and visual impacts) arise from the development of any of the types of energy infrastructure covered by the energy NPSs...”

10.3.17 Paragraph 5.9.5 states:

“The applicant should carry out a landscape and visual assessment and report it in the ES...the landscape and visual assessment should include reference to any landscape character assessment and associated studies as a means of 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.”

10.3.18 Paragraph 5.9.6 states:

“The applicant’s assessment should include the effects during construction of the project and the effects of the completed development and its operation on landscape components and landscape character.”

10.3.19 Paragraph 5.9.7 states:

“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 local amenity, and nature conservation.”

10.3.20 Paragraph 5.9.8 sets out the requirement to consider the value of the landscape as part of considering the potential effect of development. The baseline landscape character, including landscape value, is considered in **PEI Report Volume 3: Appendix 10-C**. Paragraph 5.9.8 states:

“Landscape effects depend on the existing character of the local landscape, its current quality, how highly it is valued and its capacity to accommodate change. All of these factors need to be considered in judging the impact of a project on landscape. Virtually all nationally significant energy infrastructure projects will have effects on the landscape. Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.”

10.3.21 Paragraph 5.9.14 states:

“Outside nationally designated areas, there are local landscapes that may be highly valued locally and protected by local designation. Where a local development document in England or a local development plan in Wales has policies based on landscape character assessment, these should be paid particular attention. However, local landscape designations should not be used in themselves to refuse consent, as this may unduly restrict acceptable development.”

10.3.22 Paragraph 5.9.15 sets out the potential for visibility of the development many miles from the site. The LVIA study area is described in Section 10.4 of **PEI Report Volume 1, Chapter 10: Landscape and Visual**. Paragraph 5.9.15 states:

“The scale of such projects means that they will often be visible within many miles of the site of the proposed infrastructure. The IPC 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.”

10.3.23 The following paragraphs are concerned with the details of the design and the landscape and visual effects. Details of the approach to design and the effects on landscape character and visual amenity are provided in **PEI Report Volume 1, Chapter 10: Landscape and Visual**. Paragraph 5.9.16 states:

“In reaching a judgment, the IPC 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 IPC considers reasonable.”

10.3.24 Paragraph 5.9.17 states:

“The IPC should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to minimise harm to the landscape, including by reasonable mitigation.”

10.3.25 Paragraph 5.9.18 stated:

“All proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites. The IPC 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. Coastal areas are particularly vulnerable to visual intrusion because of the potential

high visibility of development on the foreshore, on the skyline and affecting views along stretches of undeveloped coast.”

10.3.26 Paragraph 5.9.21 states:

“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, the 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 IPC may decide that the benefits of the mitigation to reduce the landscape and/or visual effects outweigh the marginal loss of function.”

10.3.27 Paragraph 5.9.22 states:

“Within a defined site, adverse landscape and visual effects may be minimised through appropriate siting of infrastructure within that site, design including colours and materials, and landscaping schemes, depending on the size and type of the proposed project. Materials and designs of buildings should always be given careful consideration.”

10.3.28 Paragraph 5.10.2 states:

“The Government’s policy is to ensure there is adequate provision of high quality open space (including green infrastructure) and sports and recreation facilities to meet the needs of local communities. Open spaces, sports and recreational facilities all help to underpin people’s quality of life and have a vital role to play in promoting healthy living. Green infrastructure in particular will also play an increasingly important role in mitigating or adapting to the impacts of climate change.”

10.3.29 Paragraph 5.10.19 states:

“Although in the case of much energy infrastructure there may be little that can be done to mitigate the direct effects of an energy project on the existing use of the proposed site (assuming that some at least of that use can still be retained post project construction) applicants should nevertheless seek to minimise these effects and the effects on existing or planned uses near the site by the application of good design principles, including the layout of the project.”

National Policy Statement for Renewable Energy Infrastructure (EN-3), adopted 2011 (Ref 5)

10.3.30 The NPS for Renewable Energy infrastructure (EN3) provides the primary basis for recommendations by the Examining Authority (ExA) on applications it receives for nationally significant renewable energy infrastructure. It does not specifically address solar farm development.

10.3.31 Section 2.4 of EN-3 provides policy on Criteria for “good design” for energy infrastructure. Paragraph 2.4.1 of this section refers back to the criteria for

good design in section 4.5 of NPS EN-1 as covered above. Paragraph 2.4.2 of EN-3 goes on to state that:

“Proposals for renewable energy infrastructure should demonstrate good design in respect of landscape and visual amenity...”

National Policy Statement for Electricity Networks Infrastructure (EN-5), adopted 2011 (Ref 6)

10.3.32 EN-5 provides the primary basis for decisions taken by the ExA on applications it receives for electricity networks infrastructure.

10.3.33 Paragraph 2.2.5 states:

“There will usually be some flexibility around the location of the associated substations and applicants will give consideration to how they are placed in the local landscape taking account of such things as local topography and the possibility of screening.”

10.3.34 Paragraph 2.2.5 (and paragraph 2.8.1) also refers back to the generic landscape and visual effects in section 5.9 of NPS EN-1 as covered above.

Draft Overarching National Policy Statement (NPS) for Energy (EN-1), 2021 (Ref 7)

10.3.35 In the energy White Paper: ‘Powering our Net Zero Future’ (2020) the government committed to completing a review of the existing energy NPS, referred to above. This is to ensure they reflect current energy policy and that the policy framework can deliver investment in the infrastructure needed for the transition to net zero carbon emissions. The Draft Overarching National Policy Statement for Energy (EN1) (1.Ref 7) was issued for consultation in September 2021 to identify whether the revised document is fit for purpose. It includes several references to solar in addressing the urgent need for new electricity generating capacity to meet energy objectives. Where the Draft EN1 differs from the adopted EN1 the relevant paragraphs have been recorded below.

10.3.36 Paragraph 1.7.4 states:

“Due to the nature and size of potential schemes (as well as likely potential locations in areas such as coastal areas), opportunities for landscape mitigation will be limited and while the energy NPS sets out a robust approach to addressing impacts on landscape, townscape and seascape across the short, medium and long timeframes, significant adverse effects are likely to remain.”

10.3.37 Paragraph 4.1.10 builds on the principle of good design as set out in EN1 and states:

“Applicants need to consider the importance of ‘good design’ criteria. Such consideration of ‘good design’ criteria should be demonstrated when submitting applications for energy infrastructure projects to the Secretary of State. 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.”

10.3.38 Paragraph 5.10.1 states:

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.

10.3.39 Paragraph 5.10.8 states:

“The assessment should also demonstrate how noise and light pollution from construction and operational activities on residential amenity and on sensitive locations, receptors and views, will be minimised.”

10.3.40 Paragraph 5.10.10 introduces landscape enhancement to the NPS, stating:

“Applicants should consider how landscapes can be enhanced using landscape management plans, as this will help to enhance environmental assets where they contribute to landscape and townscape quality.”

10.3.41 Paragraph 5.10.21 introduces guidance for determining the weight that should be given to visual impacts, stating:

“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 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.”

10.3.42 Paragraph 5.10.25 states:

“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 would mitigate the impact when viewed from a more distant vista.”

10.3.43 Paragraph 5.11.2 provides further detail regarding green infrastructure stating:

“The Government’s policy is to ensure there is adequate provision of high quality open space (including green infrastructure) and sports and recreation facilities to meet the needs of local communities. Open spaces, sports and recreational facilities all help to underpin people’s quality of life and have a vital role to play in promoting healthy living. Well designed and managed green infrastructure in particular, provides multiple benefits at a range of scales. It can contribute to health, wellbeing, biodiversity recovery, absorb surface

water, cleanse pollutants and absorb noise and reduce high temperatures. It will also play an increasingly important role in mitigating or adapting to the impacts of climate change. The provision and enhancement of green infrastructure can improve air quality, particularly in urban areas. Applicants are therefore encouraged to consider how new green infrastructure can be provided, or how existing green infrastructure can be enhanced, as part of their application.”

Draft National Policy Statement for Renewable Energy Infrastructure (EN-3) (Ref 8)

10.3.44 The Draft National Policy Statement for Renewable Energy Infrastructure (EN-3) was issued for consultation in September 2021 to identify whether the revised document is fit for purpose. It includes a new section on Solar Photovoltaic Generation and landscape, visual and residential amenity, which is not covered specifically by the current adopted policy.

10.3.45 Paragraph 2.47.1 states:

“... solar is a key part of the government’s strategy for low cost decarbonisation of the energy sector.”

10.3.46 Public rights of way are an important means for people to experience the landscape and users of public rights of way have been identified as visual receptors likely to be affected by the Scheme. Paragraph 2.49.5 states:

“Considering the likely extent of solar sites, it is possible that proposed developments may affect the provision of local footpath networks and public rights of way. Public rights of way may need to be temporarily stopped up to enable construction; however it should be the applicant’s intention, where practicable and safe, to keep all public rights of way that cross the proposed development site open during construction and to protect users where a public right of way borders or crosses the site. Developers 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, but in particular across the operation of the site, and to minimise as much as possible the visual outlook from existing footpaths. It should be noted that sites may provide the opportunity to facilitate enhancements to the local footpath network and the adoption of new public rights of way through site layout and design of access.”

10.3.47 Paragraph 2.49.8 states:

“The visual impact of these security measures, as well as the impacts on local residents, including for example issues relating to intrusion from CCTV and light pollution in the vicinity of the site, should be assessed.”

10.3.48 There can be close associations between effects on the landscape and heritage assets, which contribute to its character. Paragraph 2.49.13 states:

“The time-limited nature of solar farms, where a time-limit is sought by an applicant as a condition of consent, is likely to be an important consideration for the Secretary of State when assessing impacts such as landscape and

visual effects and potential effects on the settings of heritage assets. Such judgements should include consideration of the period of time sought by the applicants for the generating station to operate. The extent to which the site will return to its original state may also be a relevant consideration.”

10.3.49 Paragraph 2.49.17 states:

“Where elements of the design of the scheme are unknown, the maximum impact case scenario should be assessed, and the Secretary of State should consider the maximum adverse effects in its consideration of the application and consent.”

10.3.50 Paragraph 2.51.2 states:

“The approach to assessing cumulative landscape and visual impact of largescale 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. 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 zero.”

10.3.51 Paragraph 2.51.3 states

“The applicant 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.”

10.3.52 Paragraph 2.51.4 states:

“Applicants should follow the criteria for good design set out in Section 4.6 of EN-1 when developing projects and will be expected to direct considerable effort towards minimising the landscape/visual impact of solar PV arrays. 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.”

10.3.53 Paragraph 2.51.5 states:

“The applicant should have regard in both the design layout of the solar farm, and future maintenance plans, to the retention of growth of vegetation on boundaries, including the opportunity for individual trees within the boundaries to grow on to maturity. The landscape and visual impact should be considered carefully at the pre-application stage. Existing hedges and established vegetation, including mature trees, should be retained wherever possible. Trees and hedges should be protected during construction. The impact of the proposed development on established trees and hedges should be informed by a tree survey or a hedge assessment as appropriate.”

10.3.54 Paragraph 2.51.6 states:

“Applicants should consider the potential to mitigate landscape and visual impacts through, for example, screening with native hedges. Efforts should be made to minimise the use and height of security fencing. Where possible projects should utilise existing features, such as hedges or landscaping, to screen security fencing and use natural features, such as vegetation planting, to assist in site security. Projects should minimise the use of security lighting. Any lighting should utilise a passive infra-red (PIR) technology and should be designed and installed in a manner which minimises impact.”

10.3.55 Paragraph 2.51.7 states:

“The Secretary of State will consider 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.”

10.3.56 Paragraph 2.52.2 states:

“In some instances, it may be necessary to seek a glint and glare assessment as part of the application. This may need to account for ‘tracking’ panels if they are proposed as these may cause differential diurnal and/or seasonal impacts. The potential for solar PV panels, frames and supports to have a combined reflective quality should be assessed. This assessment needs to consider the likely reflective capacity of all of the materials used in the construction of the solar PV farm.”

10.3.57 Paragraph 2.52.4 states:

“Solar PV panels are designed to absorb, not reflect, irradiation. However, the Secretary of State should assess the potential impact of glint and glare on nearby homes and motorists.”

Draft National Policy Statement for Electricity Network Infrastructure (EN-5) (1.Ref 9)

10.3.58 The Draft National Policy Statement for Electricity Network Infrastructure (EN-5) (1.Ref 9) was issued for consultation to identify whether the revised document is fit for purpose.

Those paragraphs relevant to landscape and visual matters are broadly the same as those in the adopted EN5 and therefore have not be recorded here.

National Planning Policy Framework (NPPF), adopted July 2021 (1.Ref 10)

10.3.59 The NPPF sets out the Government’s planning policies for England and how these should be applied. Paragraph 5 explains the relationship between the NPPF and National Policy Statements. It states that the NPPF “*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.”

10.3.60 NPPF paragraph 8(c) states the environmental objective of sustainable development is:

“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.”

10.3.61 NPPF paragraph 100 states:

“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.”

10.3.62 NPPF paragraph 112(a) states that developments should:

“give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas...”

10.3.63 NPPF paragraph 120 states planning policies should:

“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...”

10.3.64 NPPF paragraph 130 states:

“Planning policies and decisions should ensure that developments:

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)”

10.3.65 NPPF paragraph 131 introduces policy on integrating trees into development. It states that:

“Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning

authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.”

10.3.66 NPPF paragraph 132 states:

“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 effective engagement with the community should be looked on more favourably than those that cannot.”

10.3.67 NPPF paragraph 134 relates to design policy and guidance. The National Infrastructure Commission’s Design Principles for National Infrastructure (1.Ref 11) and the Landscape Institute’s Infrastructure Technical Guidance Note 04/20 (1.Ref 12) are examples which are relevant to the type of Scheme proposed. Both of these examples set out the importance of considering the natural and built environment when planning and designing developments such as the Scheme.

10.3.68 NPPF paragraph 134 states:

10.3.69 *“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:*

10.3.70 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/or*

b) 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.”

10.3.71 NPPF paragraph 152 states:

“The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.”

10.3.72 NPPF paragraph 155 states:

“To help increase the use and supply of renewable and low carbon energy and heat, plans should:

a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts);

b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and

c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.”

10.3.73 NPPF paragraph 174 states:

“Planning policies and decisions should contribute to and enhance the natural and local environment by:

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);

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;

c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

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;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.”

10.3.74 Paragraph 175 states:

“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 catchment or landscape scale across local authority boundaries.”

10.3.75 Paragraph 185 states:

“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:

a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;

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

c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”

Planning Practice Guidance (PPG), Natural Environment (2019) (Ref 13)

10.3.76 The Natural Environment PPG provides information on Green Infrastructure, Biodiversity and Landscape.

10.3.77 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.”

10.3.78 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. In respect of landscape, the PPG refers to Natural England’s National Character Area profiles and guidance on undertaking landscape character assessment, namely Natural England’s guidance: ‘Landscape and seascape character assessments’, published in 2014.

PPG, Renewable and Low Carbon Energy (2015) (Ref 14)

10.3.79 The Renewable and Low Carbon Energy PPG sets out consideration for the assessment and design of large scale energy schemes relevant to landscape and visual matters.

10.3.80 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.”

10.3.81 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.”

10.3.82 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”.

10.3.83 Particular factors a local planning authority will need to consider include:

- *“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;*
- *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;*
- *the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;*
- *the need for, and impact of, security measures such as lights and fencing;*
- *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;*
- *the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;*
- *the energy generating potential, which can vary for a number of reasons including, latitude and aspect.”*

“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.”

10.4 County and District Planning Policy

Central Lincolnshire Local Plan 2017 (Ref 15)

10.4.1 The study area lies predominantly in the district of West Lindsey. The Central Lincolnshire Local Plan, adopted in 2017, replaced the West Lindsey Local Plan and sets out a planning framework to meet development needs between 2012 – 2036. The Local Plan covers the City of Lincoln and the districts of North Kesteven and West Lindsey. With reference to **PEI Report Volume 2, Figure 10-1: LVIA Study Area**, the Central Lincolnshire Local Plan covers the eastern part of the Study Area. The following list identifies the objectives and policies relevant to landscape and visual matters.

10.4.2 Relevant objectives comprise:

“Biodiversity and Green Infrastructure: *To conserve and enhance biodiversity across Central Lincolnshire and provide opportunities for people to access and appreciate wildlife and the natural environment. To create and improve high quality green and blue spaces that are multifunctional, (including opportunities for sport, recreation and play), accessible to all and which form part of and are connected to the green infrastructure network.*

Landscape and Townscape: *To protect and enhance the rich diversity of the character and appearance of Central Lincolnshire’s landscape and townscape, maintaining and strengthening local distinctiveness and sense of place.”*

10.4.3 Relevant policies comprise:

10.4.4 Policy LP17: Landscape, Townscape and Views:

“Character and setting: *To protect and enhance the intrinsic value of our landscape and townscape, including the setting of settlements, proposals should have particular regard to maintaining and responding positively to any natural and man-made features within the landscape and townscape which positively contribute to the character of the area, such as (but not limited to) historic buildings and monuments, other landmark buildings, topography, trees and woodland, hedgerows, walls, water features, field patterns and intervisibility between rural historic settlements. Where a proposal may result in significant harm, it may, exceptionally, be permitted if the overriding benefits of the development demonstrably outweigh the harm: in such circumstances the harm should be minimised and mitigated.”*

“Creating and protecting views: *All development proposals should take account of views in to, out of and within development areas: schemes should be designed (through considerate development, layout and design) to preserve or enhance key local views and vistas, and create new public views where possible. Particular consideration should be given to views of significant buildings and views within landscapes which are more sensitive to change due to their open, exposed nature and extensive intervisibility from various viewpoints.”*

*“... **Areas of Great Landscape Value:** The considerations set out in this policy are particularly important when determining proposals which have the potential to impact upon... Areas of Great Landscape Value (as identified on the policies map)...”*

*“**Cumulative impacts:** In considering the impacts of a proposal, the cumulative impacts as well as the individual impacts will be considered.”*

10.4.5 An Area of Great Landscape Value covers part of the Study Area, extending from Marton in the south, to north of Gainsborough, covering land between the River Trent in the west and the East Midlands Railway to the east.

10.4.6 Policy LP18: Climate Change and Low Carbon Living:

“Proposals for non-wind renewable technology will be assessed on their merits, with the impacts, both individual and cumulative, considered against the benefits of the scheme, taking account of the following:

- *The surrounding landscape and townscape;*
- *Heritage assets;*
- *Ecology and diversity;*
- *Residential and visual amenity...*

Proposals will be supported where the benefit of the development outweighs the harm caused and it is demonstrated that any harm will be mitigated as far as is reasonably possible.”

10.4.7 Policy LP20: Green Infrastructure Network

“Development proposals which are consistent with and help deliver the opportunities, priorities and initiatives identified in the latest Central Lincolnshire Green Infrastructure Study and Biodiversity Opportunity Mapping Study, will be supported. Proposals that cause loss or harm to this network will not be permitted unless the need for and benefits of the development demonstrably outweigh any adverse impacts. Where adverse impacts on green infrastructure are unavoidable, development will only be permitted if suitable mitigation measures for the network are provided. Development proposals should ensure that existing and new green infrastructure is considered and integrated into the scheme design from the outset. Where new green infrastructure is proposed, the design should maximise the delivery of ecosystem services and support healthy and active lifestyles. Development proposals must protect the linear features of the green infrastructure network that provide connectivity between green infrastructure assets, including public rights of way, bridleways, cycleways and waterways, and take opportunities to improve such features. Development will be expected to make contributions proportionate to their scale towards the establishment, enhancement and on-going management of green infrastructure by contributing to the development of the strategic green infrastructure network within Central Lincolnshire, in line with guidance set out in LP12.”

10.4.8 Policy LP22: Green Wedges

Policy LP22 sets out the functions and implications of green wedges. The Site is not located within a green wedge and therefore this policy has not been considered further in the assessment of landscape and visual effects.

10.4.9 Policy LP26: Design and Amenity

“All development... must achieve high quality sustainable design that contributes positively to local character, landscape and townscape...”

...All development proposals must take into consideration the character and local distinctiveness of the area (and enhance or reinforce it, as appropriate) and create a sense of place...”

10.4.10 Policy LP38: Protecting Gainsborough's Setting and Character

“Proposals for development should seek to make a positive contribution to the built and natural environment and quality of life in Gainsborough... Protect and enhance the landscape character and setting of Gainsborough and the surrounding villages by ensuring key gateways are landscaped to enhance the setting of the town, minimise impact upon the open character of the countryside and to maintain the setting and integrity of surrounding villages.”

Proposed Submission Central Lincolnshire Local Plan, March 2022 (1.Ref 16)

10.4.11 Central Lincolnshire are currently updating the Local Plan. The Proposed Submission version, subject of consultation between 16 March – 9 May 2022 includes the objective *“To protect and enhance the rich diversity of the character and appearance of Central Lincolnshire’s landscape and townscape, maintaining and strengthening local distinctiveness and a sense of place”*.

10.4.12 Draft policies relevant to landscape and visual matters comprise:

10.4.13 Policy S5: Development in the Countryside

“Proposals for non-residential development will be supported provided that... The development is of a size and scale commensurate with the proposed use and with the rural character of the location.”

10.4.14 Policy S14: Renewable Energy

“Proposals for renewable energy schemes, including ancillary development, will be supported where the direct, indirect, individual and cumulative impacts on the following considerations are, or will be made, acceptable. To determine whether it is acceptable, the following tests will have to be met: i. The impacts are acceptable having considered the scale, siting and design, and the consequent impacts on landscape character; visual amenity; biodiversity; geodiversity; flood risk; townscape; heritage assets and their settings; and highway safety;...”

10.4.15 Policy S53: Design and Amenity

“All development, including extensions and alterations to existing buildings, must achieve high quality sustainable design that contributes positively to local

character, landscape and townscape, and supports diversity, equality and access for all. Good design will be at the centre of every development proposal and this will be required to be demonstrated through evidence supporting planning applications to a degree proportionate to the proposal.

“All development proposals will be assessed against, and will be expected to meet the following relevant design and amenity criteria. All development proposals will:

Be based on a sound understanding of the context, integrating into the surroundings and responding to local history, culture and heritage; b) Relate well to the site, its local and wider context and existing characteristics including the retention of existing natural and historic features wherever possible and including appropriate landscape and boundary treatments to ensure that the development can be satisfactorily assimilated into the surrounding area; c) Protect any important local views into, out of or through the site...” “Contribute positively to the sense of place, reflecting and enhancing existing character and distinctiveness...”

“Incorporate and retain as far as possible existing natural features including hedgerows, trees, and waterbodies particularly where these features offer a valuable habitat to support biodiversity, aligned with policies in the Natural Environment chapter of the Local Plan...”

“Incorporate appropriate landscape and boundary treatments to ensure that the development can be satisfactorily assimilated into the surrounding area, maximising opportunities to deliver diverse ecosystems and biodiverse habitats, strengthening wildlife corridors and green infrastructure networks, and helping to achieve wider goals for biodiversity net gain, climate change mitigation and adaptation and water management...”

10.4.16 Policy S58: Protecting Lincoln, Gainsborough and Sleaford’s Setting and Character

“All development proposals should contribute to the realisation of the following key principles:

...Protect and enhance the landscape character and setting of Gainsborough and the surrounding villages by ensuring key gateways are landscaped to enhance the setting of the town, minimise impact upon the open character of the countryside and to maintain the setting and integrity of surrounding villages.”

10.4.17 Policy S60: Protecting Biodiversity and Geodiversity

“All development should: a) protect, manage, enhance and extend the ecological network of habitats, species and sites of international, national and local importance...”

10.4.18 Policy S62: Area of Outstanding Natural Beauty and Areas of Great Landscape Value

“Areas of Great Landscape Value (AGLV) are locally designated landscape areas recognised for their intrinsic character and beauty and their natural,

historic and cultural importance. A high level of protection will be afforded to AGLV reflecting their locally important high scenic quality, special landscape features and sensitivity.

Development proposals within, or within the setting of, AGLV shall:

e) conserve and enhance the qualities, character and distinctiveness of locally important landscapes; and

f) protect, and where possible enhance, specific landscape, wildlife and historic features which contribute to local character and landscape quality; and

g) maintain landscape quality and minimise adverse visual impacts through high quality building and landscape design; and

h) demonstrate how proposals have responded positively to the landscape character in relation to siting, design, scale and massing and where appropriate have retained or enhanced important views, and natural, historic and cultural features of the landscape; and

i) where appropriate, restore positive landscape character and quality. Where a proposal may result in adverse impacts, it may exceptionally be supported if the overriding benefits of the development demonstrably outweigh the harm – in such circumstances the harm should be minimised and mitigated through design and landscaping.”

10.4.19 Policy S66: Trees, Woodland and Hedgerows

“Development proposals should be prepared based on the overriding principle that:

- the existing tree and woodland cover is maintained, improved and expanded; and*
- opportunities for expanding woodland are actively considered, and implemented where practical and appropriate to do so.”*

“Where the proposal will result in the loss or deterioration of: a) ancient woodland; and/or b) the loss of aged or veteran trees found outside ancient woodland, permission will be refused, unless and on an exceptional basis the need...”

“Proposals for new development will be expected to retain existing hedgerows where appropriate and integrate them fully into the design having regard to their management requirements...”

Bassetlaw District Local Development Framework (BDLF), 2011

10.4.20 The BDLDF covers the proposed grid connection route in the west of the Study Area, as shown on **PEI Report Volume 2, Figure 10-1: LVIA Study Area**.

10.4.21 Adopted in 2011 the BDLDF comprises a series of documents that guide decision making across Bassetlaw. The policies relevant to landscape and visual matters are set out below.

Bassetlaw District Core Strategy (1.Ref 17)

10.4.22 The Bassetlaw Core Strategy provides the overarching framework for all documents within the BDLDF.

10.4.23 The Core Strategy includes the following relevant objectives:

SO8: *“To protect Bassetlaw’s natural environment by maintaining, conserving and enhancing its characteristic landscapes, biodiversity, habitats and species and seeking quantitative and qualitative growth in the green infrastructure network across and beyond the District.”*

SO10: *“To ensure the provision of the essential physical, social and green infrastructure required to support the District’s growth.”*

Relevant policies comprise:

10.4.24 Policy DM4: Design & Character:

“major development proposals will need to demonstrate that they... complement and enhance the character of the built, historic and natural environment...”

“Account will also be taken of any relevant Village Design Statement, Conservation Area Appraisal or character appraisal approved or adopted by the District Council and Bassetlaw’s Landscape Character Assessment...”

10.4.25 Policy DM9: Green Infrastructure; Biodiversity and Geodiversity; Landscape; Open Space and Sports Facilities:

Green Infrastructure: *“Development proposals will be expected to support the Council’s strategic approach to the delivery, protection and enhancement of multi-functional Green Infrastructure...”*

“Development proposals will be expected to demonstrate, in line with the Council’s Green Infrastructure work, that:

“they protect and enhance green infrastructure assets affected by the development and take opportunities to improve linkages between green corridors...where opportunities exist, development proposals provide improvements to the green infrastructure network that benefit biodiversity... and they provide robust delivery mechanisms for, and means of ensuring the long-term management of, green infrastructure.”

Landscape Character:

“New development proposals in and adjoining the countryside will be expected to be designed so as to be sensitive to their landscape setting. They will be expected to enhance the distinctive qualities of the landscape character policy zone in which they would be situated, as identified in the Bassetlaw Landscape Character Assessment. Proposals will be expected to respond to the local recommendations made in the Assessment by conserving, restoring, reinforcing or creating landscape forms and features accordingly.”

10.4.26 Policy DM10: Renewable and Low Carbon Energy:

“Proposals for renewable and low carbon energy infrastructure will also need to demonstrate that they:

are compatible with policies to safeguard the built and natural environment, including heritage assets and their setting, landscape character and features of recognised importance for biodiversity... and... will not result in unacceptable impacts in terms of visual appearance.”

Draft Bassetlaw Local Plan: Publication Version 2020 – 2037 (1.Ref 18)

10.4.27 Bassetlaw District Council is producing a new Local Plan to guide development in the district from 2020 – 2037. The new Local Plan is scheduled for adoption in Spring 2023. The following draft policies are relevant:

“Chapter 8: Local Character and Distinctiveness”

10.4.28 Policy ST35: Design Quality

“All development must be of a high quality design that: a) has a clear function, character and identity based upon a robust understanding of local context, constraints and distinctiveness, while reflecting the principles of relevant national and local design guidance...”

“where appropriate, positively preserves, enhances and integrates landscape and townscape features, and natural and heritage assets;”

10.4.29 Policy ST37: Landscape Character

“Proposals that contribute to the nature and quality of Bassetlaw’s landscapes will be supported where it can be demonstrated that: a) it protects and where possible enhances the distinctive qualities of the relevant landscape character policy zone, as identified in the Bassetlaw Landscape Character Assessment 2009 by conserving, restoring, reinforcing or creating relevant landscape forms and features...”

10.4.30 Policy ST39: Green and Blue Infrastructure

“The connectivity, quality, multifunctionality, biodiversity and amenity value of the green and blue infrastructure network will be enhanced, extended and managed through...”

“...making appropriate provision for new green/blue infrastructure in new development...”

“linking walking and cycling routes, bridleways and public rights of way to and through development, where appropriate...”

10.4.31 Policy 41: Trees, woodlands and hedgerows

“The Council will protect existing trees, woodland and hedgerows and secure additional planting that increases canopy cover in the interests of biodiversity, amenity and climate change adaptation by:”

“a) retaining, protecting and improving woodland and trees subject to Tree Preservation Orders (TPOs), trees within conservation areas, and ‘important’ hedgerows as defined by the Hedgerows Regulations 1997...

c) giving consideration to trees and hedgerows both on individual merit as well as their contribution to amenity and interaction as part of a group within the broader landscape setting;

d) resisting the loss or deterioration of ancient woodland and ancient or veteran trees unless there are wholly exceptional reasons and a suitable compensation strategy exists...”

“Chapter 10: Greening Bassetlaw”

10.4.32 Policy ST51: Renewable and Low Carbon Energy Generation

“Development that generates, shares, transmits and/or stores renewable and low carbon energy, including community energy schemes, will be supported subject to... the satisfactory resolution of all relevant wider impacts (including cumulative impacts) upon:

location, setting and position in the wider landscape, resulting from its siting and scale...”

“Development should address the cumulative impact that the scheme could have on the area, taking into account operational and approved developments, as well as any extensions to operational or approved proposals. An assessment should address cumulative visual and landscape impacts...”

10.5 Neighbourhood Plans

Gainsborough Neighbourhood Plan 2020-2036 (1.Ref 19)

10.5.1 The Gainsborough Neighbourhood Plan, made in 2020, covers part of West Lindsey District and therefore supports the Central Lincolnshire Local Plan. The Neighbourhood Area covers land in the north of the study area. The Neighbourhood Plan includes the following relevant policies:

10.5.2 NPP 1 Sustainable Development:

“... the proposed development is of a scale, density, layout and design that is compatible with the character, appearance and amenity of that part of the Town in which it is located...”

10.5.3 NPP 2 Protecting the Natural Environment and Enhancing Biodiversity

“... Development proposals should protect and enhance existing blocks and belts of woodland and incorporate new planting to further enhance the quality and biodiversity of the area where applicable.

The mature trees, native hedgerows and vegetation within the Parish contribute to biodiversity, are part of its character and are sensitive to development. As appropriate to their scale and nature, development proposals

should demonstrate the biodiversity value of these natural assets by including landscape schemes that protect and where possible enhance the biodiversity of the allocated sites...

10.5.4 NPP 3 Creating a Local Green Network:

“Development which promotes new connections to existing walking and cycling routes with boundaries that ensure new development is integrated with the existing settlement will be supported.”

10.5.5 NPP 5 Protecting the Landscape Character:

“As appropriate to their scale, nature and location, development proposals should be designed and arranged to take account of the landscape and topographical setting of the neighbourhood area and its urban environment. In particular they should be sympathetic to the dominance of the River Trent in the Town and the way in which the Town is built on rising ground to the east of the River.

Where appropriate, development proposals should demonstrate the way in which they have taken account of the actions of the landscape and built features recommended for the Trent Valley Landscape Character Area within the West Lindsey Landscape Character Assessment.”

Lea Neighbourhood Plan 2017-2036 (1.Ref 20)

10.5.6 The Lea Neighbourhood Plan, made in 2018, covers part of West Lindsey District and therefore supports the Central Lincolnshire Local Plan. The Neighbourhood Area covers land immediately north of the Site. The Neighbourhood Plan includes the following relevant policies:

10.5.7 Policy 4: Design and Character:

“All new developments must deliver good quality design. In order to achieve this all new development, where relevant, should accord with the following local design principles... recognise and reinforce the distinct local character in relation to scale, mass, form, character, density, landscape setting and materials...”

10.5.8 Policy 5: Wider Green Infrastructure:

“Where appropriate development proposals should contribute towards the protection, enhancement and provision of new green infrastructure, public spaces and linkages for benefit of biodiversity and the community.”

Rampton and Woodbeck Neighbourhood Plan 2019-2037 (1.Ref 21)

10.5.9 The Rampton and Woodbeck Neighbourhood Plan, made in 2021, covers part of Bassetlaw District and therefore supports the Bassetlaw Local Plan. The Neighbourhood Area covers land south of Cottam. The Neighbourhood Plan includes the following relevant policies:

10.5.10 Policy 10: The Protection of the Parish Landscape

“Development proposals should be designed to maintain the rural appearance of the villages’ approaches through sensitive siting...”

“...Outside of the established settlements of Rampton and Woodbeck, new development forms, such as agricultural buildings, should be carefully sited and designed so as to minimise their visual impact on the landscape setting. New development should explore opportunities to utilise existing tree planting to partially screen the development and help it better integrate into its setting and/or introduce new tree planting as a means to mitigate against any potential harmful impacts on the landscape character...”

Sturton Ward Neighbourhood Plan Review 2021-2037 (1.Ref 22)

10.5.11 The first Sturton Ward Neighbourhood Plan was published in 2016. Due to changes in housing targets and development pressures a review was undertaken. This review was finalised and published in 2021 and includes updated landscape policy. The Neighbourhood Plan supports the Bassetlaw Local Plan, covering the Neighbourhood Area in the west of the Study Area. Relevant policies comprise:

10.5.12 Policy 2a: Protecting the landscape character, significant green gaps and key views

“As appropriate to their scale, nature and location, development proposals should protect the positive attributes of the open countryside and landscape character as identified within the Bassetlaw Landscape Character Assessment and the Sturton Ward Design Code 2020. Where appropriate, mitigation planting should include native species recommended for the Mid Nottinghamshire Farmlands or Trent Washlands character areas...”

...Development proposals which would have an unacceptable impact on the identified views will not be supported.

...Development proposals (excluding householder development), should demonstrate they have regard to the guidance in the Sturton Ward Design Code (2020) and where practicable:

a) retain existing trees and hedges; and

b) use strong planting belts that run horizontal with the contours on sites close to the existing built form...”

10.5.13 Policy 2b: Enhancing biodiversity

“Proposals which would improve existing environmental assets and enhance biodiversity will be supported. The following enhancements will be particularly supported: a) strengthening hedgerows (gapping up), field boundaries... planting wildflower meadows and strips; and c) encouraging native tree and shrub planting on suitable sites, especially species that provide good berry or nectar sources...”

10.5.14 Policy 5: Design principles

“As appropriate to their scale, nature and location, development proposals should demonstrate a high design quality that will contribute positively to the character of the Ward and respond positively to the Sturton Ward Design Code...”

As appropriate to their scale, nature and location, development proposals should:

...respond to the local character of both the surrounding area...

...use native trees and hedgerows where possible in landscaping schemes and boundary treatments...

...use a colour palette reflecting the hues in local materials...”

“...development on the edge of a settlement... should respond positively to the following criteria insofar as they apply to the particular proposal: a) the layout does not lead to the introduction of a hard edge between the built-up part of the settlement and the open countryside; and b) appropriate landscaping is used to soften the development...”

Treswell & Cottam Neighbourhood Plan (Referendum version) (1.Ref 23)

10.5.15 The Treswell and Cottam Neighbourhood Plan is currently the subject of public consultation. The Neighbourhood Area covers land north and west of Cottam and therefore supports the Bassetlaw Local Plan. Relevant proposed policies comprise:

10.5.16 Policy 2 (Design principles)

“Developments should create places or character based upon an appreciation of the site and surrounding area, responding positively to its natural and built context... Developments shall take inspiration from the identified character area concerned, as identified within the most up-to-date Treswell and Cottam Character Assessment; b) Development shall be designed to sustain significant views that contribute to the character and appearance of the area.

10.6 Other studies

Green Infrastructure Strategy for Central Lincolnshire (1.Ref 24)

10.6.1 The Green Infrastructure Strategy guides the planning and delivery of Green Infrastructure across Central Lincolnshire. The Strategy identifies Strategic Green Corridors defined as core areas of designated natural and semi-natural habitat and form the backbone to the Green Infrastructure Network. This includes the Trent Green Corridor, which covers the Site.

10.6.2 The Strategy also identifies Strategic Green Access Links, identified as providing multi-user strategic access routes. The Trent Link covers the Site.

10.6.3 The Strategy lists core principles for Green Infrastructure delivery. Those relevant to this chapter comprise:

“Safeguard the integrity of the GI network through protection, enhancement, creation and management of high quality greenspaces, and provide a net increase in biodiversity.

Strengthen the multi-functionality and connectivity of the existing GI network by creating new greenspaces/links that connect city/town centres, urban fringes and the wider countryside.

Secure resources to ensure sustainable and long-term management/maintenance of high quality greenspaces in order to continue delivering benefits for future generations.”

“Sustain the distinctive local character of Central Lincolnshire by managing townscape and landscape change to protect and enhance sensitive areas/features, including historic environment assets.”

Sturton Ward Design Code (1.Ref 25)

10.6.4 The Sturton Ward Design Code was prepared to support the Sturton Ward Neighbourhood Plan. It provides a summary of key characteristics of Sturton Ward and provides guidance to inform new development.

10.6.5 The Design Code provides design guidelines, focussing on new buildings. Those relevant to landscape and visual matters are listed below:

“Harmonise with and enhance the existing settlement in terms of physical form, movement pattern and land use.”

“Relate well to local topography and landscape features including prominent ridge lines and long-distance views.”

“Reinforce or enhance the established character of streets, courtyards, lanes and other spaces...”

“Reflect, respect and reinforce local architecture and historic distinctiveness.”

“Retain and incorporate important existing landscape and built form features into the development.”

10.7 References

- Ref 1 The Planning (Listed Buildings and Conservation Areas) Act.
- Ref 2 The Town and Country Planning (Tree Preservation) (England) Regulations 2021.
- Ref 3 Department for Environment, Food and Rural Affairs (1997) The Hedgerow Regulations 1997.
- Ref 4 Department of Energy and Climate Change (DECC), (2011) National Policy Statement for Energy (EN-1)
- Ref 5 Department of Energy and Climate Change (DECC), (2011) National Policy Statement for Renewable Energy Infrastructure (EN-3).
- Ref 6 (DECC), (2011) National Policy Statement for Energy (EN-5)
- Ref 7 Department for Business, Energy and Industrial Strategy (2021) Draft Overarching National Policy Statement for Energy (EN1).
- Ref 8 Department for Business, Energy and Industrial Strategy (2021) Draft National Policy Statement for Renewable Energy Infrastructure (EN-3).
- Ref 9 Department for Business, Energy and Industrial Strategy (2021) Draft National Policy Statement for Electricity Networks Infrastructure (EN-5).
- Ref 10 Ministry of Housing, Communities and Local Government (MHCLG) (2021) National Planning Policy Framework.
- Ref 11 National Infrastructure Commission Design Group. Design Principles for National Infrastructure.
- Ref 12 Landscape Institute (2020). Infrastructure Technical Guidance Note.
- Ref 13 MHCLG (2019) Planning Practice Guidance Natural Environment.
- Ref 14 MHCLG (2015) Planning Practice Guidance Renewable and low carbon energy.
- Ref 15 Central Lincolnshire Joint Strategic Planning Committee (2017) Central Lincolnshire Local Plan.
- Ref 16 Central Lincolnshire Joint Strategic Planning Committee (2022) Central Lincolnshire Local Plan Review Proposed Submission.
- Ref 17 Bassetlaw District Council (2011) Bassetlaw District Local Development Framework.
- Ref 18 Bassetlaw District Council (2021) Draft Bassetlaw Local Plan Publication Version.
- Ref 19 Gainsborough Neighbourhood Plan Steering Group (2020) Gainsborough Neighbourhood Plan.
- Ref 20 Lea Parish Council (2017) Lea Neighbourhood Plan.
- Ref 21 Rampton and Woodbeck Parish Council (2021) Rampton and Woodbeck Neighbourhood Plan.
- Ref 22 Sturton Ward Neighbourhood Plan Group (2021) Sturton Ward Neighbourhood Plan Review.
- Ref 23 Treswell and Cottam Neighbourhood Group (2022). Treswell and Cottam Neighbourhood Plan (Referendum).
- Ref 24 Central Lincolnshire Joint Planning Unit (2011) Green Infrastructure Study for Central Lincolnshire.
- Ref 25 AECOM on behalf of Sturton Ward Neighbourhood Plan Steering Group (2020) Sturton Ward: North and South Wheatley, Sturton le Steeple and North Leverton with Habbleshthorpe Design Code.