

Appeal by Econergy International Ltd

Land South of Berrington, Shrewsbury, Shropshire, SY5 6HA

Against the Refusal of Planning Permission by Shropshire Council for:

"Erection of an up to 30 MW Solar PV Array, comprising ground mounted solar PV panels, vehicular access, internal access tracks, landscaping and associated infrastructure, including security fencing, CCTV, client storage containers and grid connection infrastructure, including substation buildings and off-site cabling."

Appeal Reference: APP/L3245/W/23/3332543

LPA Reference: 22/04355/FUL

**Landscape Statement of Common Ground between
Econergy International Ltd (Appellant) and Flour Not
Power (Rule 6 Party)**

FINAL

February 2024

1. Introduction

- 1.1 This Statement of Common Ground relates to an appeal by Eenergy International Ltd (Appellant) against the refusal of Planning Permission by Shropshire Council of Planning Application Ref. 22/04355/FUL, which had been recommended for approval by council officers.
- 1.2 The proposed development will constitute the erection of a solar photovoltaic (PV) array, with a total export capacity of up to 30 MW, with accompanying substation, inverter and ancillary infrastructure.

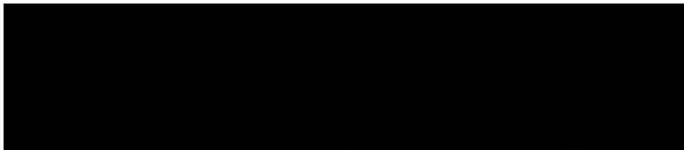
2. Parties

- 2.1 This Statement of Common Ground has been drafted by the Appellant and agreed with the Rule 6 Party:

Daniel Leaver
On behalf of the Appellant



Date 29/02/2024



James Bullock
On behalf of Flour Not Power

Date 01/03/2024

3. Areas of Agreement

- 3.1 This section sets out the matters not in dispute between the Appellant and the Rule 6 Party.

Landscape Character

- 3.2 The methodology used for the assessment of landscape effects is appropriate and in accordance with best practice guidance found in GLVIA3 and the assessed levels of landscape effects are accepted.
- 3.3 It is agreed that there are no off-site works, such as cabling or access routes, that are associated with the assessment of landscape and visual effects of the proposed development of the site.

- 3.4 The Site is not part of a 'valued landscape' for the purposes of paragraph 174 (a) of the NPPF. Paragraph 174 (b) states that planning decisions should contribute to and enhance the natural and local environment by:
b) recognising the intrinsic character and beauty of the countryside.
- 3.5 The proposed development would not give rise to adverse impacts on The Shropshire Hills AONB.
- 3.6 The site and its local setting are located within National Character Area (NCA) 61, Shropshire, Cheshire and Staffordshire which encompasses an extensive geographical area.
- 3.7 In the document 'The Shropshire Landscape Typology' (2006) the site and majority of the study area falls within the Estate Farmlands Landscape Character Types (LCT).
- 3.8 The key characteristics of the Estate Farmlands LCT and its general description are considered to be representative of the wider landscape setting of the site.
- 3.9 The proposed development would, subject to reserved matters approval, retain the majority of existing trees and hedgerows on the field boundaries of the site. It is agreed that the detail of the proposed landscaping is a reserved matter.
- 3.10 The mitigation measures provide a means to improve landscape structure, green infrastructure and biodiversity value.

Visual Effects

- 3.11 The methodology used for the assessment of visual effects is appropriate and in accordance with best practice guidance found in GLVIA3.
- 3.12 The visual effects experienced from publicly accessible locations are primarily limited to the surrounding highways and Public Rights of Way beyond the site boundaries, and the wider open countryside to within approximately 0.5km of the appeal site.
- 3.13 There is no specific residential visual amenity reason for refusal.

4. Areas of Disagreement

- 4.1 The parties disagree on whether the effects on users of the publicly maintained highway leading to Cantlop Mill will be visually oppressive.
- 4.2 The parties disagree on the effectiveness of the proposed mitigation measures in reducing or avoiding landscape and visual effects from public viewpoints.
- 4.3 The parties disagree on the level of landscape and visual impact from public viewpoints surrounding the site.

- 4.4 The parties disagree that the ADAS Landscape and Visual Appraisal properly assesses impact including those relating to the construction stage on visual amenity (which is likely to be around 6 months), the implementation of the cable route, or the decommissioning and landscape restoration phase.
- 4.5 The parties disagree that the ADAS Landscape and Visual Appraisal properly assesses the impact on Public Rights of Way and road users at the construction stage, is too generalistic in its conclusion, and over-reliant on the effectiveness of mitigation planting.
- 4.6 The parties disagree that the ADAS Landscape and Visual Appraisal makes allowance for the effect of taller elements of the appeal scheme, such as associated plant hard standing/construction areas and the maintenance track.

Appendix A – Draft Core Documents List

- Shropshire Core Strategy, Adopted 24th February 2011 (CD 5.1)
- Site Management and Allocation of Development Document (SAMDev), Adopted 17th December 2015 (CD 5.2)
- Emerging Shropshire Local Plan Review and relevant evidence base documents (CD 5.6)
- National Planning Policy Framework 2023 (CD 6.1)
- Planning Practice Guidance (CD 6.2)
- Natural England (2014), NCA Profile: 61 Shropshire, Cheshire and Staffordshire Plain (CD 8.1)
- Shropshire County Council (2006), The Shropshire Landscape Typology (CD 8.2)
- Landscape Institute and Institute of Environmental Assessment (2013), Guidelines for Landscape and Visual Effect Assessment, 3rd edition. (GLVIA3) (CD 8.3)
- Landscape Institute, GLVIA3 Statement of Clarification 1/13, issued 10/06/2013 (CD 8.4)
- Natural England (2014), An Approach to Landscape Character Assessment (CD 8.5)
- Landscape Institute (2016), Townscape Character Assessment, 2018 (CD 8.6)
- Landscape Institute, Technical Guidance Note | 02/21 Assessing landscape value outside national designations, 2021 (CD 8.7)
- Landscape Institute (2019), Technical Guidance Note 06/19 Visual Representation of Development Proposals (CD 8.8)

