

SLR Response to Wiltshire Council Landscape Officer comment (dated 11/09/2023) on Acorn Bioenergy Limited planning application ref. PL/2023/03359 – Proposed Anaerobic Digester at Ashton Keynes.

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The site sits in the rural countryside to the North of the settlement of Ashton Keynes, within the 'Upper Thames Clay Vales' as noted in the Countryside Character assessment, and the 'Thames Open Clay Vale' (12A) of the Wiltshire Landscape Character Assessment. PRow AKEY4 runs along the western boundary of the site whilst AKEY 33 sits to the east. The Wiltshire Landscape Character Assessment(WLCA) notes the condition of the landscape as 'declining', strength of character moderate with a conservation strategy to conserve and improve.	The Study Area contains a number of landscape character assessments at different levels and dates making the presentation of landscape character challenging. However as explained in the Landscape and Visual Impact Assessment (LVIA) the assessment focused on the more recent Cotswolds Water Park Landscape Character Assessment 2009 and outside of this landscape character assessment, LCTs/ LCAs at a county level: • Para 7.110 acknowledges that the Site is covered by the Wiltshire Landscape Character Assessment, 2005 and that it falls within LCT (Landscape Character Type) 12 Open Clay Vale, Landscape Character Area (LCA) 12a Thames Open Clay Vale. • Para 7.113 makes it clear that <i>"For the purposes of this LVIA and in recognition of the need to ensure the LVIA is appropriate and proportionate to the Proposed Development, only LCAs or LCTs at a local level within the Cotswolds Water Park LCA were considered alongside LCTs / LCAs lying outside of the Cotswolds Water Park but within the Study Area at a county level. Where relevant references were drawn from the county levels assessments to inform the assessment of landscape receptors."</i> The Cotswolds Water Park Landscape Character Assessment supersedes the Wiltshire Landscape Character Assessment in date and was the focus of the assessment. The LVIA refers to the LCA 12a being scoped out – for clarity this was because the focus was on the Cotswolds Water Park LCA. LCA 12a lying beyond the Water Park LCA does not have any intervisibility with the Site. • Appendix 7D refers to the County level LCA, Wiltshire Landscape Character Assessment, 2005 and states clearly that the Site "falls within LCT 12 Open Clay Vale, LCA 12a Thames Open Clay Vale". The published landscape character assessment under "Condition" states that the condition of the Open Clay Vales is judged as moderate and <u>not declining as is suggested</u>. In terms of strength of character, the type as a whole is moderate.
The WLCA notes as a key force for change in the landscape: 'Pressure for further expansion of settlement and new development threatening the character of the small villages and scattered farmsteads.'	The WLCA was adopted in 2005 to facilitate systematic analysis, description, and classification of the Wiltshire landscape. The WLCA states that <i>"the main purpose of this assessment is to document the current status of the Wiltshire landscape, furthering the understanding of the landscape resource available in the area and giving an indication of areas in need of enhancement and of conservation. This will enable better-informed decisions to be made on the future management of the landscape and provide an objective basis for developing policies and enhancement and restoration projects."</i> Whilst the WLCA is still a material consideration, it is rather dated and is not a policy document.

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	The AD facility would be a self-contained, agricultural development. It is not an expansion of an existing settlement, nor would it lead to further expansion of a settlement nor put pressure for expansion or new development on any existing settlements. Extensive boundary planting has been implemented to strengthen the screening around the site to minimise its visibility which removes any direct impact on the character of existing villages and farmsteads. Whilst we acknowledge the importance of protecting the landscape character of the countryside, it is also important to realise that the agricultural countryside has an economic role (which directly contributes to its intrinsic character), providing employment opportunities, financial crop and livestock input to the economy. Para 84 of the NPPF 2023 'Supporting a prosperous rural economy' states that planning policies and decisions should enable the development and diversification of agricultural and other land based rural businesses.
The WLCA notes that inherent landscape sensitivities include: 'Wide open views.'	See point above regarding the relevance of the various landscape character assessments. This is referred to in Appendix 7D and Cotswolds Water Park 3B refers to "distant expansive views" not 'wide open views' as suggested.
I would note that para 174 (b) of the NPPF (2021) states that planning decisions should enhance the local environment by: '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...	The impacts of the AD facility on the local environment have been fully assessed in the EIA which supports the planning application. The Biodiversity Net Gain (BNG) assessment report of the proposed development against the current baseline indicated that an increase in biodiversity performance of the Site of approximately 19% in habitat and 102% in hedgerow can be achieved.
I would also note Core Policy 51 that notes: 'ii. The locally distinctive character of settlements and their landscape settings. iii. The separate identity of settlements and the transition between man-made and natural landscapes at the urban fringe. vi. Important views and visual amenity. vii. Tranquillity and the need to protect against intrusion from light pollution, noise, and motion.'	The impacts of the AD facility on the local environment have been fully assessed in the EIA which supports the planning application. The EIA includes assessment of views and visual amenity, lighting and noise and the AD facility has been carefully designed to mitigate these impacts as much as possible. The application site is separated from settlements and will be self-contained. The requirements of Policy 51 have been considered in the preparation of the planning application, alongside Core Strategy policy 42, which relates to renewable energy, which include anaerobic digestion. Core Policy 42 'Standalone renewable energy installations' states that proposals for standalone renewable energy schemes will be supported subject to satisfactory resolution of all site specific constraints, including landscape. During the preparation of the emerging WC Local Plan, the need to update Policy 42 to meet the requirements of national policy and guidance on climate change has been recognised. WC's Climate Strategy 2022-2027 is much more recent than the 2015 Core Strategy and sets the framework for reducing emissions in Wiltshire and making the County resilient to climate impacts. The

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	climate strategy will influence the emerging Local Plan, which will support net zero carbon new building, the production of low carbon forms of energy and low carbon food production. In short, whilst the landscape impacts of the AD facility are recognised and have been mitigated through additional planting and choice of materials and colours, the benefits of the AD facility to WC's climate change commitments also need to be taken into account by WC officers.
LVIA The LVIA when reviewing the potential impacts of construction and operation on the Wiltshire LCA (paras 7.153-7.154 & 7.176 - 7.177) state the site is within LCA 16A Malmesbury -Corsham Limestone Lowlands when in fact the site is situated in LCA 12A 'Upper Thames Clay Lowlands). The limestone lowlands do not start until 3km to the west of the site. Figure 7 is confusing in that it does not show the true extent of LCA 12A and that it actually covers the site. I would disagree with the LVIA's central conclusion on the impact of the scheme on Landscape character (para. 7.153 / 7.176). The LVIA suggests that the impact on the LCA would be 'minor adverse.' The reason that the LVIA gives for the minor adverse impact is that the proposed landscape screening will significantly reduce the visual impact of the scheme on the landscape. This is mixing landscape character with landscape visual impacts. The LI Technical note 1/20 on reviewing LVIA's is quite clear that landscape character and visual impacts must be reviewed separately. This is a green field site in open rural countryside that is noted for its: - Rural tranquillity. - Hedgerow pattern. - Remnant hay meadows. - Wide open views. - Settlement pattern of nucleated villages with variety of vernacular building materials'	Paragraph 7.153 to 154 and 7.176 to 7.177 does not refer to the Site but to the LCT that lies beyond the Cotswolds Water Park but within the 5 km Study Area. Paragraph 7.153 states that the “<i>LCT just clips into the Study Areaand lies to the south-west of the Site.</i>” It is agreed that the Site lies within LCA 12A but as discussed above the focus of the LVIA was on the more recent Cotswolds Water Park Landscape Character Assessment, 2009. As explained in para 7.113 Figure 7 was presented to show the Cotswolds Water Park first with the underlying County level landscape character assessment presented beyond. As outlined above the extent of the LCT that was reviewed lay just within the 5km Study Area and not immediately adjacent to or covering the Site. The main focus of the LVA was on the Cotswolds Water Park Landscape Character Assessment and LCT 3 River Basin Clay Vales, LCA 3a South Cerney and Ashton Keynes Settled Wetland within which the Site sits. For construction the LVIA concluded that there would be a minor to moderate adverse effect on LCA3a (considering boundary vegetation, landuse, open views, rural character and tranquillity) whilst for operation there would be a moderate adverse significant effect on LCA3a. Regarding the visual impact of the scheme – the paragraph should have explained further that this relates to intervisibility as per other sections of the LVIA which is an aesthetic and perceptual quality of landscape character. As stated in “An approach to Landscape Character, NE, 2014, <i>“Part of the character of any landscape is its relationship with the landscapes / seascapes that surround it, e.g. cliffs and downland forming a backdrop to, and views over, a marine expanse, or a scarp slope providing the backdrop to, and views over, a lowland vale. Therefore, consider intervisibility with other landscapes and the role of landscapes in providing a setting or context. This is particularly important when considering change or sensitivity, when a change within one landscape character area can often have a significant effect on an adjacent landscape and the associated visual resource and its qualities.”</i>
This scheme represents a large industrial construction in the rural landscape with a gas flare, external lighting and 24hr operation. In terms of landscape character in my professional opinion this represent a	It appears that the landscape officer may have made comments based on the LVIA only and has not considered the full content of the submitted Environmental Statement, Planning, Design and Access Statement and the lighting Strategy, all of which provide

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significant adverse impact on the landscape character of the site and the surrounding countryside. I would also note my concern over the cumulative impact of this development on the landscape character of the area with the Aggregate Industries factory 60m to the Southeast. In terms of Cumulative Effects whilst the LVIA gives a definition of the meaning of the term (para 7.49 - 7.55) it does not give any indication as to whether the site is creating a cumulative impact of development on the countryside. I would strongly suggest that such a cumulative impact would exist, especially from those users of Ashton Road, which would begin to lose its rural lane character and take on a more peri urban character. I would also highlight the cumulative impact on PROW AKEY33 that starts off in an industrial estate (Lakeside business park), passing the northern boundary of the Aggregate Industries Factory, before ending at the proposed entrance of the new development.	full contextual information on the proposed operation of the agricultural waste development. Whilst the AD facility will operate 24 hours a day (as all AD facilities are required to do), site staffing and vehicle movements relating to delivery of agricultural by-products and export of digestate would generally be limited to the following hours: - Monday – Friday 07:00 – 18:00; and - Saturday 07:00 – 13:00. The gas flare will only be required in emergencies. The flare will be completely shrouded and will burn at 1000 degrees, so there will be no smoke and the flare would not be visible, even at night. A heat shimmer may be visible, but there will be no plume. Further information is provided in the submitted Lighting Assessment which concluded that: <i>"Based on the Assessed Scheme of Lighting, it has been demonstrated that the proposed development will be compliant with the residential receptor criteria as set out in the Institution of Lighting Professionals (ILP) Guidance Note 01/21: The Reduction of Obtrusive Light. Specifically, the assessed lighting associated with the Proposed Development is compliant with the obtrusive light criteria as set out for ILP Environmental Zone E2, for which, the obtrusive light criteria are as follows:</i> <i>'Light intrusion' limit of 1 lux (Ev - vertical illuminance)</i> <i>'Glare' limit of 63 to 500 cd (I - source intensity)</i> <i>'Sky-glow' limit of 2.5 % (upward light ratio)"</i> Night-time CGIs are also provided within the lighting assessment, which demonstrate low level night-time lighting and no light spillage beyond the site boundary. The Aggregates Industries factory was considered as part of the existing baseline. Cumulative impacts would only be considered in relation to developments submitted to planning and prior to consent in line with EIA guidance. Whilst reference to cumulative effects was presented as part of the methodology, no developments were identified for review and inclusion in the ES/LVIA. We disagree that two rural-based industries (minerals aggregates and an agricultural AD facility) would in event create a peri-urban character, being two developments that by their nature are agricultural and rural by nature. In terms of PROW AKEY33 the officer's response does not differentiate whether the comments on impact relate to direct impact on its character or on the visual impact of receptors sequentially utilising a short section of the overall route. If this is the former, then this would be an aesthetic and perceptual impact of the PROWs character rather than a cumulative impact. It is accepted that there would be a degree of inevitable change in character over the short section of the route. This is mitigated by the proposed Landscape Strategy which has specified a new native species rich hedgerow with hedgerow trees to provide a visual screen, along the western and northern site boundaries, to the adjacent PROW users. This planting would reduce the visual impact of the AD facility on the PROW, as it matures.

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Whilst the LVIA makes much of the planting to mitigate the visual impact of the development as can be noted in the montages and views this planting will be blocking long distance views across the Thames Vale from PRow AKEY4 on a landscape that is noted for 'it's wide open views.' The fencing chosen for the development creates an 'urbanising character' which in certain views will not be mitigated by planting even at year 15 (see viewpoint 9 photomontage year 15).	The proposed planting is native, deciduous planting, which will filter, rather than block long distance views. In addition, the majority of the planting is intended to strengthen existing planting, already a part of the landscape. In addition, the LVIA confirms that although the proposed development would be visible to an extent, through the appropriate use of colour and materials as well as the introduction of new soft landscape elements within the scheme, effects on the landscape character and visual amenity would be limited to a 1km radius around the Site. The proposed dark green mesh fencing is commonly used on agricultural sites, to prevent deer accessing and damaging new planting. Whilst we consider this type of fencing to be appropriate, we are happy to consider alternatives.
Conclusion In conclusion I object to this development on landscape grounds due to its urban effect on the rural countryside which is contrary to para 174 (a) of the NPPF (2021) along and its failure to protect the rural tranquillity and wide open views of the landscape, and the potential for cumulative impacts due to the industrialisation of this area of countryside. I also believe that the development fails to meet Core Policy 51 'Landscape' and in particular: 'ii. The locally distinctive character of settlements and their landscape settings. iii. The separate identity of settlements and the transition between man-made and natural landscapes at the urban fringe. vi. Important views and visual amenity. vii. Tranquillity and the need to protect against intrusion from light pollution, noise, and motion.'	The NPPF (updated 2023) has a number of objectives, including the environmental objective of moving to a low carbon economy. Para 152 states that 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'. Para 158 goes on to state that 'when determining planning applications for renewable and low carbon development, local planning authorities should: a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; b) approve the application if its impacts are (or can be made) acceptable' In terms of para 174(a) the application site is not in a protected landscape i.e. not AONB, National Park or any other relevant designation, therefore para 174 (a) has been misapplied. In fact, para 174 (b) of NPPF recognises the need to consider the landscape but also the economic benefits of the very farmland that creates that landscape, stating that planning policies and decisions should: 'recognise 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;' The planning balance of the landscape and economic and low carbon benefit provided by this development needs to be considered, however, the impetus towards positive planning for energy change and low carbon development tips that balance towards ensuring the economic benefits of the countryside is realised. In this instance – as supported by NPPF para 158 – visual

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	impact will be mitigated against. In addition, significant biodiversity net gain will be achieved by strengthening the existing native planting, the creation of wet grassland and nectar rich grassland and new tree and hedge planting around the edges of the Site. The technical assessments undertaken to inform the application have been completed in accordance with up-to-date guidance and standards. The conclusion of the technical assessments is that there is no single issue or combination of issues that should prevent the proposed development from proceeding. The proposed development would be acceptable in terms of highway capacity and safety, would not cause adverse public health and safety impacts or unacceptable adverse amenity or visual impacts. The carefully designed layout scheme would ensure that there would not be a significant adverse effect on designated or important habitats and species and that no additional flood risk would be caused. Planning conditions, good management by the applicant and an Environmental Permit from the Environment Agency will ensure the protection of local amenity and the environment from negative effects of development. Furthermore, the Landscape Strategy, developed in consultation with SLR ecologists and landscape architects, would ensure that the final design of the scheme brings landscape improvements and ecological benefits over and above those offered by the existing arable land. In light of the above considerations, it is concluded that the development should proceed in accordance with the underlying objectives of policies relating to a low carbon economy, production of renewable energy and supporting the resilience of the rural economy. The planning policy analysis also concludes that the development could proceed in accordance with the development plan policies for the area. In all these circumstances it is considered that there should be a firm presumption in favour of permission being granted.