

**Land 800 metres South of Park House Farm, Meriden Road,
Fillongley, North Warwickshire**

**Sam Oxley CMLI on behalf of North
Warwickshire Borough Council**
**Landscape and Visual Effects, and
Consideration of Green Belt**

Final report SUMMARY

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Chapter 1

Summary

The proposals

- 1.1 The applicant is proposing a large solar farm across ten fields (61ha) in a rural area of hills and valleys in North Warwickshire including solar panels, substations, transformer stations, tracks/roads, parking, high security fencing and gates, and CCTV. The applicant sets out that mitigation planting measures would be implemented around the boundary of the site and within it. Onsite mitigation would include hedgerows to help filter views of the proposed development. These would be allowed to grow to 2.5m in height, which would take many years, and given the site encompasses an elevated hill, would be limited in terms of the effectiveness at filtering views, especially in winter.

Key issues

- 1.2 An LVA was prepared by FPCR. The applicant has since prepared further information on landscape and visual effects as part of their SoC, with this new work being undertaken by Pegasus. They have provided different judgements of effects for certain viewpoints. It is unclear why the applicant has prepared a second LVA and changed their judgements, given the proposal itself has not changed, and if they now seek to distance themselves from their original LVA, consider that work flawed, or are seeking to build upon it.
- 1.3 My site visits confirmed that the site extends over an elevated hill and ridgeline, which drops to river/stream valleys. It falls in all directions but particularly to the east and west. The proposed development will run across the domed horizon in the landscape, including along the crest of the hill, making it widely visible particularly from the east and west.
- 1.4 The LVA suggests the site is enclosed but I did not find this. Land beyond Green End Road - Meriden Road, the B4098 and the M6 - Common Lane provides wider horizons in the further distance, but within this broad triangle the land is often open, with the site forming a recognisable horizon.

- 1.5 The photomontage visualisations that are provided include a wide angle of view (over 80 degrees) and use photographs taken with a ultra-wide angle lens (20 degrees), which is not advised by the Landscape Institute, as it distorts the image. It is good practice to use a 50 mm lens, and also show 53.5 degree frames but these are not provided. Used on their own, the images are misleading as to the effects. This is because their wide angle of view and image distortion makes the landscape seem flat, and the site seem distant. They also often only show an eclipsed view, when in practice a wider field of view across the site is available. As such they are only helpful when used with extreme caution on site as a visual aid as to where the proposed development will be, when the full extent of the change can be appreciated at landscape scale. This will be apparent on the site visit.
- 1.6 Visibility is particularly widespread and is an important consideration in the appeal decision, including from the area of Coventry Way from VP7 up to Red Hill (beyond VP13), and the associated PRoW along the valley. This area of fields appears to be well walked by local people. There were people walking dogs, the paths are worn, and there are several informal paths as well as the PRoW – e.g. a connection from VP15 to VP5. From this area to the east of the site, which can be described as a natural amphitheatre with panoramic views across to the site, the site is very apparent and close by. From this area, the site will occupy a wide angle of view extending up to the hill top that forms the site, and effects on recreational users and wider viewers will be an important consideration. The character of the local landscape would be notably changed as experienced from here, the site being an important determinant of character.
- 1.7 Houses on the B4098, particularly the new houses at Far Parks (a gated housing estate) will have views – those from Far Parks will be an important consideration especially from upper levels. Others will have more filtered views, but as several houses along this road can be seen from the site, it is evident that the houses will have views of the site that are not available from the public road.
- 1.8 Views from Fillongley village itself and the Ring and Bailey (Scheduled Monument) will mainly be filtered or screened by vegetation or other buildings. There will be filtered views from the paths around the Ring and Bailey, when the trees are leafless.
- 1.9 Views from Park House farm and the area of VP9 to the north west of the site will be open and, as they are elevated, the proposals will result in a change which should be an important

consideration in the appeal decision, with the proposed development seen extending across the top of the ridge within the centre of the site. There is a gateway and a park railing here that enables open views. The view from the area of the park railings is less obscured than the location of VP9. The character of the local landscape would be notably changed as experienced from here.

- 1.10 There are open sequential views from Green End Road and the residential properties along it, heading west from Park House farm past Fillongley Mount to Manor House Farm (VP10). There is a gateway before the road junction, beyond Fillongley Mount (three properties) which enables open views across the elevated hill of the site to the south east. The site is very visible and occupies a wide angle of view. The character of the local landscape would be notably changed as experienced from here.
- 1.11 The photomontage from VP11 on the PRow by Meriden Road is somewhat misleading in showing a flattened (wide angle) and eclipsed view (as is also the case elsewhere) given the proposed development will be seen from the roadside here at close range, directly to the east of the viewer. The sequential visual effects from Meriden Road will be an important consideration in the appeal decision, and the character of the local landscape would be changed as experienced from here.
- 1.12 VP7 is on Coventry Way over the M6. The photomontage is somewhat misleading here as it shows a single wide angle (flattened through use of the 20 degree lens), eclipsed view. In practice, the site and south eastern part of the proposed development will be seen from the bridge here at close range, extending up to the skyline.
- 1.13 Dropping down to VP6 on the Coventry Way on the south eastern edge of the site, there will be an important visual effect for consideration in the appeal decision resulting from available views at close range from this recreational route, and the character of the local landscape would be notably changed as experienced from here. The applicant over emphasises the effectiveness of planting in filtering views here and elsewhere.
- 1.14 Some of the properties to the south of the M6 can be seen from the site, so there will be some views from this area, along the road up to Corely Moor, opening up more in winter. Views from this direction are however generally more filtered by vegetation.

- 1.15 Elevated and long distance views are likely from the area to the north of the site (Tippers Hill). Whilst helpful in understanding landscape context, changes are not likely to be a concern at this distance.
- 1.16 As an overview, the areas of most important effects for consideration in the appeal decision include:
- a. The Coventry Way and other PRoWs to the east of the site. This is an attractive well used landscape to the east of the site which includes properties such as Far Parks to the west of the B4098 Coventry Road. The change will have a characterising effect from this area, locally altering the character of the landscape, and there will be important effects, both static and sequential, on landscape and visual amenity.
 - b. Meriden Road and Green End Road including areas around Park House farm, Home Farm, Fillongley Mount, Manor House Farm, White House Farm where again the change will have a characterising effect, locally altering the character of the landscape, and resulting in important effects (both static and sequential) on visual amenity. The widespread views over attractive rural countryside, looking south east and east, will be significantly altered through the very visible presence of a large scale hill top solar farm.
- 1.17 The applicant uses the following categories of effect: Major, Moderate, Minor, Negligible. I use the term 'importance' rather than 'significance', given this is not development that qualifies for EIA, and also use the terms Major, Moderate, Minor/Negligible.

Landscape consideration

- 1.18 The proposal will negatively affect the character and appearance of the rural agricultural farmland by introducing large scale industrial/urban character development into a currently undeveloped area, where it would be incongruous with the farmland character. This would be particularly the case given the topography of the site is a dome/ridge of higher land which forms the skyline to views from the east and west. The site is outward facing and not contained as maintained by the applicant. It is not a site where effects can be contained, as would be the case for a more suitable site on lower ground, or facing in one, rather than multiple directions. Given the topography, it is not a site where mitigation can be effectively used to reduce the effects.

- 1.19 The assessment of landscape effects is also presented in tables in Appendix B of the LVA. For landscape, the findings are **Minor** at a wider scale, and **Moderate** at a site and immediate context scale, dropping to **Moderate/Minor** at year 15.
- 1.20 Given I consider susceptibility and therefore sensitivity to be greater across the elevated hill ridge of the site, as well as magnitude of change to remain higher in the longer term, and that the use of the word temporary, but for a 40 year period seems somewhat misleading, I consider effects on landscape at a site and immediate context scale to be **Major-Moderate** at construction and completion, and **Moderate** by year 15. I consider the effects to remain **Moderate across the 5-6 square km** that will be affected, both directly and through a very apparent change in outlook across the surrounding site facing slopes. This will result in a locally important effect on landscape character, which would be greater than for a more suitable site, where mitigation could be more effective. Beyond around 2km from the site and the 5-6 square km that will be physically or perceptually altered, the effect on landscape character will not be an important consideration for this appeal decision (Minor or Negligible).
- 1.21 The applicant provided another appraisal of landscape effects in their SoC, where they recognise that the effect would be Moderate adverse at a site level, across the appeal site itself. They state that the physical character of the surrounding landscape would remain unchanged. This is true but assessing effects on landscape character requires more than just consideration of the physical effects. They state (SoC Para 4.28-9):
- “All of the key characteristics associated with the landscape beyond the Appeal Site would remain and prevail with the Proposed Development in place, with the Landscape Strategy Plan illustrating the additional landscape enhancements which would be introduced as part of the proposals such as the historic field boundaries, would remain after the Proposed Development is decommissioned as a legacy of landscape character enhancement. There would be a **negligible effect on the LCA 7 Church End to Corley Hills & Valleys beyond the Appeal Site itself.**”* [my emphasis added]
- 1.22 Whilst it would be reasonable to claim this beyond the 5-6 square km that is physically and perceptually affected, the statement that there will be a negligible effect in landscape character beyond the appeal site itself is incorrect in my opinion, because of the nature of the site, located across an obvious hill, separated by two valleys. It is clearly evident when walking west down the

Coventry Way, through something of a natural amphitheatre with panoramic views across to the site, and characterised by it, that a change across the appeal site will also significantly alter the whole area across which the Coventry Way traverses. The same is true to the west, where a change in outlook from elevated areas of countryside will lead to a significant change in the way the landscape character, and views, both static and sequential, are perceived.

- 1.23 As with visual receptors, the LVA appears to underplay the short and long-term effects on the site and the landscape which surrounds it. Considering the site is currently rural agricultural land, with scenic qualities, and would experience a large scale change for 40 years due to the proposed development, it is considered highly unlikely that no important adverse effects would be identified in relation to the landscape beyond the appeal site itself. Planting hedges will at best help filter lower level views, but not screen them, especially in winter. Vegetation takes a long time to grow.

Visual consideration

- 1.24 The proposed development would be located on an undeveloped dome of higher land forming a ridgeline, where the elevated location means mitigation can not be effective. This land is locally widely visible, as it faces outwards to all sides. I consider it very unlikely that a development of this scale across a site which lies on a gentle, but elevated ridge, would result in what can be described as contained visual effects. This could only be achieved on a better, low lying or more enclosed site, perhaps where the land slopes outwards in one direction rather than them all.
- 1.25 The original LVA identified **Major/Moderate** visual effects at Year 1 and completion at VPs 1 and 2, and **Moderate** effects at VPs 6, 7, 11 at construction, and VPs 8 and 13 at construction and completion.
- 1.26 In October 2024, the applicant provided another landscape and visual appraisal, upon appointment of Pegasus. The SoC identified **Major** visual effects at Year 1 at VPs 1, 2, and 6 and **Moderate** effects at VPs 5, 7, 11 and 13. By Year 15 they considered **Moderate** effects to remain at VPs 1, 2, 5, 7, 11, and 13, but that there would be no Major effects.
- 1.27 I consider that important visual effects will arise from VPs 1, 2, 5, 6, 7, 9, 10, 11 and 13. These represent residential receptors and road users on the edges of Fillongley along the Coventry Road (B4098) including at Far Parks, along Meriden Road, and Green End Road - Park House farm, the various properties at Fillongley Mount, around Manor House Farm, and at White House

Farm. This includes sequential effects upon users of paths and roads, especially Coventry Way and the PRoW to the east, west and through the site.

- 1.28 As an example, I do not understand why the assessors do not find notable effects at Park House farm. I consider effects on Coventry Way to have been understated, those upon Far Parks to be omitted, and other residential properties along Green End Road and off Meriden Road to have been missed. I attribute the omissions to use of the Approximate Visual Envelope, which was misleading, and perhaps limited field work, especially in winter. I attribute the underestimation of effects to use of visualisations using an ultra-wide angle lens, which flattens and distorts the image, and which does not meet the requirements of the Landscape Institute's guidance – images are presented showing a wide angle of view, resulting in flattening of the view and making it appear more distant, and often eclipse views in places where more open views are available.

Visualisations

- 1.29 The proposals are shown in a series of visualisations [CD1.36] but these show glimpsed views rather than the full extent of the available view, show a very wide angle of view across only part of a page (>80 degrees), used the wrong camera lens and single rather than composite images, which has the effect of making the landscape and the site appear flattened. As such these visualisations should be treated with extreme caution and only used when standing at the locations on site as a visual aid as to which fields will be developed. They are misleading and do not conform with the technical guidance provided by the Landscape Institute [CD6.12]. The Rule 6 visualisations are more useful and comply with guidance.

Green Belt

- 1.30 This land is part of the Green Belt between Birmingham, Coventry and Nuneaton. Development of this site therefore would give rise to an extensive sub-urban influence within part of this arable landscape. The alteration to the skyline and horizon would have an urbanising effect, reducing the attractive scenic qualities of this area of countryside, and making it feel less open and undeveloped. It would not feel like countryside.
- 1.31 The landscape of this Green Belt area is rolling farmland across hills and valleys, with areas of hedgerow, tree belt and woodland vegetation. Introducing flat development platforms in a sloping site would alter the topography, across the footprint of these earthworks. Large-scale areas of solar panels extending across ten fields would be uncharacteristic of the landscape of the Green

Belt in this area. Although planting could help partially filter views of the proposed development in the long-term, it would also reduce open scenic views across the landscape. It will not be effective in filtering views of the higher part of the site which is across a hilltop. Mitigation can not be effective on a poor site.

- 1.32 In relation to the Green Belt, the development of the site will not safeguard the countryside from encroachment by built development. It will alter its character to one of built development and reduce the sense of openness. It will not be contained within strong boundaries as the site extends over a shallow, domed hill/ridge top running SSW to NNE, which would make this impossible to achieve, given it forms a horizon to local views, and its boundaries are the lower stream valleys. This would be very different if the site was flat or more bowl-like, or indeed if it broadly sloped in one direction rather than several. This is not a good site, across which a sympathetically designed development, with sound mitigation, could be achieved.
- 1.33 Factors which will contribute to this include:
- a. Installation of ten fields of solar panels in east to west orientated arrays, 2.3m high, which will not blend into the rural landscape given their colour, hard edges reinforced by shadows, unnatural material, and reflectivity.
 - b. Construction of 13no transformer stations, substation, car park and a network of tracks, noting it is uncertain how these will be surfaced, but they will be on levelled platforms on a sloping site.
 - c. Installation of 2m perimeter fencing with 3m pole-mounted CCTV around the perimeter of the site, with an urbanising influence.
 - d. Critically, the rounded hill nature of the topography of the site, bound by lower stream valleys, and its function in local views and horizons, as explained above. The shape of the land means mitigation can not be effective.

Conclusions

- 1.34 Given visual effects seem to have been somewhat understated or missed, both in terms of grade and geographical extent, this would explain why the applicant considered effects on landscape character to be more limited than I do, which in turn lead on to them considering that the effects on the Green Belt would be more limited. I also consider that they have failed to appreciate the

elevated nature of the site, and its ridge top characteristic, meaning that it is outward facing both to the east and to the west, resulting in greater levels of effects on surrounding landscapes than would be the case if it only sloped one way, or was more contained within a bowl, or if it comprised flatter, lower lying land, with woodland and tree belts beyond it, for example. Ultimately, this is not a site where effects can be sufficiently reduced through mitigation. Disproportionate landscape and visual effects will remain.

- 1.35 The reason for the changes in the judgements between the two sets provided by the applicant is unclear and it is uncertain if Pegasus support the findings of the original LVA. The changes in grades between the two appraisals are notable, but both increase and decrease.
- 1.36 This, together with the recent provision of a more accurate ZTV, which appears quite different from the original, upon which the viewpoint selection and assessment was based, makes me question the robustness of the LVA.
- 1.37 The applicant fails to fully recognise the change in open and undeveloped character that would result from the construction and operation of the site. Such development at the site would result in the presence of a large scale industrial energy generation development to the north of the M6, into an area that does not have any obvious large scale development of this type, and into an area designated as Green Belt (see Policy LP3 of the North Warwickshire Local Plan 2021). The proposed development would reduce the openness of the Green Belt, and its characteristic rural farmland land use. Arable land is expected within the countryside, and is part of its character. Built development comprising hard surfaces, substations, tracks, fencing, CCTV etc is not characteristic of the countryside.
- 1.38 The landscape and visual effects, particularly resulting from the elevated nature of the site which means mitigation cannot be as effective as it could be on a lower or better shaped site. Their effects on and harm to the openness of the Green Belt as well as its landscape and visual character (currently undeveloped rural countryside with scenic qualities), are such that significant weight should be given to these matters in the planning balance and determination of the appeal.