



**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 appellant 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 appellant 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. The planting of hedgerows and hedgerow trees would be secured via Condition. The vegetation in this area has been managed by the farmers, but it is unclear who would manage it in the future.

Key issues

- 1.2 An LVA was prepared by FPCR. The appellant has since prepared further information on landscape and visual effects as part of their SoC [NW-03], with this new work being undertaken by SLR. As such they have updated some of their judgements of effects for certain viewpoints. It is unclear why the appellant has prepared a new LVA and changed their judgements, given the proposal itself is 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 visit confirmed that the site extends over an elevated hill and ridgeline, which drops to river/stream valleys on either side. It drops to both the east and west. As such the proposed development will form the horizon in the landscape, running 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. Green End Road - Meriden Road, the B4098 and the M6 - Common Lane provide wider horizons in the further distance, but within this broad triangle the land is often open, with the site forming the horizon.
- 1.5 The photomontage visualisations that are provided include a wide angle of view (c.80 degrees) shown on a small page. It is good practice to show c.53.5 degree single frames but these are not

provided. Used on their own they can be misleading as to the effects. This is because their wide angle of view and small size 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 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 from the area of Coventry Way from VP7 up to Red Hill (beyond VP13). This area of fields appears to be very well walked by local people. There were a number of people walking dogs, the paths are well worn, and there are several well used informal paths as well as the PRoW – e.g. a worn connection from VP15 to VP5. From all of this area to the east of the site, the site is very apparent, close by, will occupy a wide angle of view extending up to the hill top that forms the site, and effects on recreational users will be an important consideration. The character of the local landscape would be changed as experienced from here.
- 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, appearing as the trees start to lose leaves.
- 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 views from the lane 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 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 changed as experienced from here.
- 1.11 The photomontage from VP11 on the PRow by Meriden Road is somewhat misleading in showing an 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 visual effect 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 an 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 changed as experienced from here.
- 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). These 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 will be:
- a. The Coventry Way 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 road. The change will have a characterising effect from here, locally altering the character of the landscape, and there will be important effects on visual amenity.

b. The northern end of 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 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 appellant uses the following categories of effect: Major, Moderate, Minor, Negligible. Significance is not identified, as this is not a proposed development which required EIA. Para 2.23 of the LVA provides some information as to how levels should be judged, and is appropriate. 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 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 appellant.

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. 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 appellant 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. It is clearly evident when walking west down the Coventry Way that a change across the appeal site will also significantly alter the 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 is perceived.

1.23 As with visual receptors (discussed below), the LVA appears to underplay the short and long-term effects on the site and it's the landscape which surrounds it from a landscape perspective. 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.

Visual consideration

1.24 The proposed development would be located on an undeveloped dome of higher land forming a ridgeline. 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.

- 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 appellant updated their landscape and visual appraisal, upon appointment of SLR in the run up to the appeal. 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 B4098 including Far Parks, along Meriden Road, and Green End Road - Park House farm, Home Farm, Fillongley Mount, Manor House Farm, White House Farm.
- 1.28 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 and perhaps limited field work. I attribute the underestimation of effects to use of visualisations which do not meet the requirements of the Landscape Institute's guidance – images are too small, 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 [NW-04] but these are small in size, show glimpsed views rather than the full extent of the available view, show a wide angle of view across a small page (>80 degrees) which has the effect of making the landscape and the site appear flattened. As such these visualisations should be treated with caution and only used when standing at the locations on site as a visual aid as to which fields will be developed. They are somewhat misleading and do not conform with the technical guidance provided by the Landscape Institute [NW-17].

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 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.
- 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. 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.
- 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 nature of the topography of the site and its function in local views and horizons, as explained above.

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 appellant 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.
- 1.35 The reason for the changes in the judgements between the two sets provided by the appellant is unclear and it is uncertain if SLR 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, makes me question the robustness of the LVA.
- 1.37 The appellant 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 [NW-10]). 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, and 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 determination of the appeal.

