

Bentley Parish Council – response to re-consultation on Grove Solar Farm

Application Reference DC/23/05656

Bentley Parish Council have read the applicant's response dated 9 July 2024 but don't feel it addresses any of the issues we have raised. While the only 'concession' to our concerns is to offer some financial benefit, we don't feel this can possibly compensate for the significant harm that will be caused to our landscape, heritage and amenity of local residents by this application.

Landscape

A review of the applicant's LVIA and the Additional Information by two independent landscape experts (Alison Farmer dated January 2024 and Michelle Bolger dated 30 August 2024) concludes that the development could not be accommodated in this landscape **without significant harm to the character and appearance of this valued landscape**.

The fact that the site is part of the Suffolk Coast and Heaths NL Additional Project Area was missed by both Axis who produced the applicant's LVIA and the Landscape Officer at Place Services in their advice to the applicant which has affected their judgements on the harm that will be caused. See Appendix 1 for Alison Farmer's comments on the LVIA.

In the applicant's response on page 8 they agree that development is in a prominent location but maintain that *"setbacks have been taken on Church Road to avoid development in a prominent location"* but there is no setback of panels here as confirmed by Alison Farmer's comments. They also maintain that *"The access strategy avoids taking traffic along Church Road which is a recognised quiet lane."* Yet this is exactly where construction traffic will need to go to access the DNO substation site.

Heritage

The Supplementary Heritage Assessment submitted is considered to be **a gross underestimate of the harmful heritage impacts of the proposed development** which would be located in close proximity to a large number of heritage assets – 20 within a short distance of the site boundary. See Appendix 2 for the Parish Council's detailed response.

Separately, Bentley Parish Council have commissioned a Conservation Area Appraisal for the north of Bentley which gives an independent heritage expert's view of the high status of the heritage assets and landscape in this area. We include this appraisal with these comments.

Construction

Church Road, Potash Lane and connecting footpaths and a bridleway surrounds three sides of the site and are well used by walkers, cyclists and equestrians but the needs of those users during construction have not been considered neither is the viability of access to the proposed DNO sub-station using the single track, Quiet Lane of Church Road.

In conclusion Bentley Parish Council strongly objects to this application on the grounds already made but repeated here -

- It is contrary to policies in the adopted Bentley Neighbourhood Plan (see below)
- It would cause significant harm to the historic core of the village and its listed and unlisted heritage assets.

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- It would cause significant damage to a recognised valued landscape area.
- It would have significant impact on residents' amenities by reason of noise, glint and glare and visual impact.
- It would result in the loss of a large area of good quality, productive arable land.

This application would be contrary to the following policies in Bentley's Neighbourhood Plan:

BEN 3 Development Design

- The proposals would harm the amenities of nearby residents by reason of noise, outlook and glint and glare.
- The designs do not respect the qualities and character of the setting of the village within a high quality, Valued Landscape.
- They do not maintain and enhance the quiet and tranquil character of the village and its setting.

BEN 7 Protecting Bentley's Landscape Character

The proposals will impact the landscape character by development that will interrupt long distance views across the landscape particularly to the Engry Wood and St Mary's Church.

- Development on upper valley slopes will be visually intrusive (on the eastern field)
- Erosion of rural lane character through introduction of new development with new junctions that will cause fragmentation of lanes due to the introduction of new access routes in Church Road and Potash Lane which will also physically interrupt hedges.

Policy BEN 11 - Heritage Assets

The proposals will not preserve or enhance the significance of designated heritage assets of the Village, their setting, and the wider built environment;

- Or contribute to the Village's local distinctiveness, built form, and scale of its heritage assets;
- be of an appropriate scale, form, height, massing, alignment which respects the area's character, appearance, and its setting;
- proposals do not demonstrate a clear understanding of the significance of the asset and of the wider context in which the heritage asset sits.

Policy BEN 12 - Buildings of Local Significance

- The protection of buildings of local significance, including buildings, structures, features and gardens of local interest or of heritage interest, must be appropriately secured.

Appendix 1

Comments on the LVIA for Grove Farm Solar, Bentley

Introduction

Alison Farmer Associates (AFA) was appointed by Bentley Parish Council to undertake a review of the Grove Farm Solar Farm Landscape and Visual Assessment (LVIA).

The proposed development has been submitted by Green Switch Capital as a full planning application DC/23/05656 to Babergh District Council. The proposed scheme will take approximately 8 months to construct and have an operational life of 40 years.

This review has focused on the LVIA but has also made reference to the following documents:

- Design and Access Statement
- Heritage Impact Assessment
- Arboricultural Assessment

This review has been desk based but relies on a good knowledge of the area from previous assessment work. It does not include a detailed review of individual judgements on the effects of the scheme but rather provides an overview of the soundness of the LVIA.

Method and Approach

The methodology used to assess the effects of the proposed development is set out in Appendix 1 of the LVIA. It is broadly in accordance with published guidance and makes a clear distinction between landscape character and visual effects. However, no reference is made to the Landscape Institute (LI) Technical Guidance Note (TGN) on Assessing Landscape Value Outside of Designations (2021) and to the criteria that are taken into account (refer to appendix 1).

Graphics and Presentation

The mapping associated with the LVIA locates the development and provides information on the context and landscape baseline. The following observations are made:

- The Main Site and Substation Site are not labelled on the drawings nor are the main routes or footpaths numbered. Similarly key properties are not labelled which makes cross reference with the text harder.
- The topography map shows only 5m intervals for topography and therefore does not readily illustrate the variation in topography across the site. Given that solar panels are 3m in height, a 2m interval for topography would be more informative.

- No mapping is provided showing the layout of the proposed solar panels and variation in site topography. This is an omission as it significantly informs susceptibility and the nature of effects.
- A number of the viewpoint photographs are poor quality, dark and blurred e.g. Viewpoints 10 and 11 and do not meet the LI standards.

Detailed consideration of the topography of the site shows that the highest area is adjacent to Engry Wood at 42m AOD and the lowest point is in the northeast of the site at 32m AOD. The change in topography across the site is c. 10m not 5m as suggested in the LVIA (para 4.2.4).

Understanding of Baseline

Character

Landscape character assessments have been reviewed within the LVIA but no recognition is given to the fact that the boundaries between character types are rarely abrupt. It is clear from overlying topography with character types that the field east of Church Road forms part of the Rolling Valley Farmlands landscape i.e. the upper valley slopes. This increases the susceptibility of this part of the site to the proposed development.

Reference to Historic Landscape Characterisation indicates that the historic assets surrounding the site range from medieval to 18th century and that the remaining enclosure pattern, ancient woodlands and historic quiet lanes also reflect this antiquity, although some boundary loss is noted in the central and western parts of the site. The articulation of landscape features and elements in this landscape gives rise to a distinct legible pattern and character which is rare in the context of the wider Shotley Peninsula. This is especially relevant to the Ancient Estate Farmlands landscape type and increases susceptibility.

Value

The LVIA does not include a thorough understanding of the value of the area. The LVIA makes reference to the past recognition of this landscape as part of the Dodnash Special Landscape Area (para 4.2.24) and value in the Bentley Landscape Appraisal at para 4.3.46. This latter document highlights the importance of the balanced and cohesive composition of landscape elements, lack of modern development and sequential views which impart strong perceptions of time depth. However, the LVIA fails to make reference to the following independent evaluations:

- Natural England Natural Beauty Assessment, 2017. This evaluation was undertaken to define areas which are worthy of national landscape designation. The site falls within Evaluation Area D3 Shotley Peninsula which extends across the site as far as Ipswich and includes the elevated farmland stretching eastwards along the Shotley Peninsula (refer appendix 2).

- Valued Landscape Assessment for Suffolk Coast & Heaths AONB, 2020. This study reviewed the Additional Project Area to the SC&H AONB (of which the site forms a part) and determined that it expressed sufficient qualities to be recognised as a valued landscape in NPPF terms (refer appendix 3)

Whilst both these evaluations predate the LI TGN the criteria used to assess value closely align with those set out in the TGN and follow the correct application and approach to assessment. Lack of reference to these independent studies is a serious omission in the LVIA and has a knock-on impact when assigning a value to the landscape and in understanding the susceptibility of the landscape to the type of development proposed. This in turn affects the professional judgements made regarding the sensitivity of the landscape and magnitude of change and whether the proposed development is acceptable or not. It also affects the design of the mitigation.

These past assessments clearly illustrate that whilst the landscape is not worthy of national landscape designation (AONB) it nonetheless has positive and valued attributes that lift it above ordinary countryside. The Natural England assessment of natural beauty highlights throughout the table for Evaluation Area D3 the higher qualities associated with the Bentley Hall and church area and its surrounding context.

The recognition of the Suffolk Coast and Heaths Additional Project Area as a valued landscape is also significant in NPPF policy terms and is specifically referred to with the AONB management plan (page 12).

Viewpoints

It is not clear if the viewpoints have been selected following consultation with the Local Authority officers. Furthermore, there are no viewpoints which are representative of local residents/heritage assets.

Mitigation – design and landscaping

The proposed design and layout of the scheme does not take account of the susceptibility of the landscape to the proposed development. Good practice is to ensure solar panels follow contour lines as this reduces visual and characterising effects. However, in the east of the site where the land drops more steeply into the valley, the panels run east-west against the contours. The panels are set back from properties along Potash Lane and to the south of the Church, drawing the panels into the central parts of the site. However, the scheme is not drawn back from Church Road.

It is noted that the hedgerow planting is located on the outside of the security fencing which is welcomed and that the proposed scheme introduces new hedgerows. The LVIA considers these hedgerows to ‘generally follow the historic boundaries which have been removed’ (appendix 4 page 2). ***However, reference to historic maps indicate that these proposed hedgerows only partially reflect the historic enclosure pattern. They would introduce an east west grain to the landscape***

pattern when historically the grain of hedgerows would have been predominately north south. This new enclosure pattern is not more in keeping with the historic pattern as it would create smaller scale fields on the outer fringes and larger fields in the centre. This does not accord with the landscape character assessment guidelines as it does not reinforce traditional landscape patterns. Furthermore, the restoration of the site does not allow for the possibility of reinstatement of past footpath routes as indicated on historic maps and the key view of the church tower from Potash Lane would not be respected during the lifetime of the scheme nor post decommissioning. The proposed mitigation and positive ‘legacy’ of the scheme is therefore questionable. (emphasis added).

The proposed mitigation planting would take time to develop, it would therefore not reduce the visual effects of the scheme in the short term and in the mid to longer term would at best filter views.

Assessment of Effects

The judgements on the effects of the proposed development have been underestimated. This is principally as a result of a lack of understanding the value and susceptibility of the landscape to the proposed development and the downplaying of sensitivity. A lack of understanding of sensitivity has meant that the nature of the effects of the development are not properly identified. This is clear in the conclusions which state that the proposed scheme does not have unacceptable effects.

Given the shortcomings noted above, development of the scale and nature proposed would not sit comfortably in the eastern part of the site and **would erode the special qualities of the whole of the site which have so clearly been articulated in past assessments of the area**. The open views across farmland to ancient woodland on the skyline and the experience of heritage features and their interrelationship, which increase perceptions of time depth, would be seriously eroded.

On this basis the judgements reached within the LVIA are not considered to be robust.

Appendix 2

Bentley Parish Council Comments on the Grove Farm Solar Supplementary Heritage Assessment (“SHA”) (as authored by AOC Archaeology of Loanhead, Edinburgh)

Introduction

1. This SHA has been submitted by the Applicant in an attempt to respond to the many objections to this proposal which raise heritage concerns, including those from Historic England, Babergh District Council’s Heritage Officers, Bentley Parish Council, many local residents and the action group Stop Grove Farm Solar.

2. The SHA attempts to plug some of the many gaps in the originally submitted Heritage Assessment, although the additional site visit undertaken took place in May and once again was confined to considering summer conditions, with all trees in leaf. This is simply not representative of views from October–April, ie for the majority of the year.

Points which are accepted by the Applicant’s consultants

3. It is accepted that the proposal would change the land use from agricultural to one which is of “an industrial character” (1.3).

4. Even the SHA maintains the view expressed in the HA that there will be harm to the setting of Grade II* Listed St Mary’s Church and Grade II Maltings House. Harm to setting is conventionally treated “less than substantial”, in contrast to direct harm to the fabric of a heritage asset, which is conventionally treated as “substantial”. But that does not mean that harm to the setting of a listed building should not attract great weight. We believe that the acknowledged harms – and the many other harms not acknowledged by the SHA - will have real impacts on the significance of these and other heritage assets.

Grade II* Listed St Mary’s Church

5. The SHA recites the familiar facts. It suggests (5.1.3) that the removal of some vegetation to the south of the Church has had “an adverse impact on the enclosed

religious and memorial space which was historically created around the Church”. This is a manifest error and calls into question whether the writers of the SHA had ever seen what was removed. The removals were very large overgrown leylandii trees planted as part of an ornamental garden in the 1970s outside the Churchyard and which had grown to an immense height and were subsuming the power lines to Bentley House. Otherwise the reductions were to yew trees which had ceased to fulfil their original function as markers to the church yard path and had been allowed to grow out of control into full size trees. These have been retained as topiaried yews - alongside the other yews which frame the paths within the churchyard. Overall, everyone who uses the Church considers the tree works to have been an enormous benefit to the Church and Churchyard, allowing daylight and sunlight into the Churchyard and restoring pre-existing views towards the fields to the south.

6. The SHA makes a number of additional points about impacts on the Church. In turn:

i. the development would be located on agricultural land close to the southern boundary of the churchyard which has been “agrarian in nature since the construction of the Church” (5.1.7). Elsewhere in the SHA, there is an acceptance of that the proposal will have an “industrial” character (1.3). This is an admission that the proposal will dramatically disrupt a setting relationship which has lasted uninterrupted for over 800 years.

ii. The Tollemache family owned the Bentley Hall Group of assets for many centuries and the SHA accepts that they also owned “the surrounding land, including Falstaff Manor and the application site” (5.1.7). Indeed, the Tollemaches added Falstaff Manor to their Bentley Estate in the 1540s. The SHA suggests that “this postdates the establishment of the Church”. This is hardly surprising as the Church is the oldest structure in the parish. However, the association still goes back nearly half a millenium, which is one of depth and great richness.

iii. It is accepted by the SHA (paras 5.1.8-5.1.9) that there are a variety of views of the Church Tower across the larger western part of the development site and from the lanes to the south and the east. The SHA acknowledges that “the Church would be viewed across and beyond the modern solar array” (5.1.9) and that “this would change the experience of the view of the Church Tower” (ibid). The SHA (5.1.8) seems to

Appendix 2 – comments on SHA

propose that the solution would be to block these views with screen planting; however, this means that these valued and celebrated views of the oldest and tallest building in the parish – enjoyed from some of the most popular circular walks in Bentley - will be deliberately obscured as a result of the development or left to be experienced across a sea of plastic panels. There is a suggestion at the end of para.5.1.8 that Potash Lane may not be of great antiquity. This is not evidenced and is disputed. It is shown on many early maps and provides access to medieval Potash Cottages/Farm.

Grade I, II* & II* Bentley Hall Group

7. This is a remarkable group of very high status assets, sitting “at the centre of the manorial estate” (5.2.1). But this estate included the sweep of farmland and woodland just to the south of the Church. Even the SHA has to acknowledge the “geographically proximity” (5.2.4) of the development site and that it forms part of the “broader landscape context” of these assets.

8. However, the SHA asserts that the site makes a “relatively modest contribution to the significance of the assets” (5.2.4) and goes on to assert a “neutral impact” and no harm at all to the setting of the Bentley Hall Group (5.2.8).

9. This analysis is completely rejected. It is simply wrong. Bentley Hall, the separately Grade II* Listed range of Tudor outbuildings behind it and Grade I Listed Bentley Hall Barn to the north are evidence of a manorial estate heavily centred on agricultural activity. Extraordinarily, the vast majority of the original manorial farms are still productively farmed and form the broader setting for the high status complex. Paras 5.2.6 & 5.2.7 both acknowledge that the application site was “historically owned by the Tollemache family”.

10. The very closest manorial fields to this Group to the south comprise the application site. Indeed, the main approach from the village to the Church and Bentley Hall Group would quite literally be through the middle of the proposed solar farm. This will fundamentally and dramatically disrupt the setting of this very high status group in a demonstrably harmful way.

11. We also dispute that there will be no views from this group towards the solar development. Bentley Hall sits on a plateau above a valley feature to the south carrying a stream which feeds the Medieval fishponds below it. There are winter views

to the south which have not been examined by the applicant's consultants. The SHA is incomplete as it has not sought access from the owners of the Bentley Hall Group; nor has any winter view analysis been undertaken. Views from the public highway on the north side of the complex in high summer would plainly not reveal direct winter relationships. This is NOT a sound basis for assessment.

Maltings Group containing three Grade II Listed Buildings

12. The SHA has to acknowledge a harmful effect on Maltings House (5.3.5), as this rural farmstead still in its original setting would have to look at the eastern field of solar panels and the DNO substation. This will not be a "low level" effect on its setting.

Red Cottages and Potash Cottages

13. Many of these cottages have direct views over the larger, western portion of the proposed development. The SHA acknowledges that these non-designated, but historic dwellings would suffer "an appreciable and perceptible change to the land to the north" (5.4.6). Even a medium adverse impact on their wider setting is acknowledged. Harm to their setting is a factor to be weighed against the proposal.

14. The suggestion in the SHA that Potash Lane dates from the late 18th or early 19th century is doubted. Potash Cottages were originally Potash Farm and date from 16th-17th century. They would have needed access from the lane.

Little House, Bentley House & Glebe Cottage

15. There are clear views from all three non-designated heritage assets (and from their historic approaches) across the application site, as these properties are very close to the site indeed.

16. The SHA says that the proposed development "may or may not be visible from these Buildings of Local Significance". These buildings are all related to Bentley House, originally "Bentley Church House" and the manor house of the manor of that name. In the 1840s, after a land exchange with the Church, this became the Vicarage to St Mary's Church, a role which it played until the end of the 20th century. It is a building with Medieval origins and 18th and 19th century alterations. **Hope Lodge** is an extremely attractive Lodge building at the head of its drive. These buildings all

contribute to the significance of the grouping just to the north of the site, which includes the Church and Bentley Hall assets.

17. There will be clear harm to the setting of these undesignated assets which are themselves historic and exhibit strong group value with the designated assets.

18. Their significance is missed by the SHA and the impacts understated because of the absence of research and of a winter intervisibility assessment.

Uplands Farmhouse

19. Uplands is a fusion of an historic site with some original buildings and an award-winning contemporary structure, all set within in an attractive garden and woodland. The house is oriented to look due south – directly over the eastern field. To suggest that the Proposed Development “may at times be intervisible” is a serious understatement and suggests a failure to appreciate the proximity, the rolling topography and the absence of any intervening coniferous vegetation.

20. The suggestion of a “neutral” impact is so wide of the mark that it calls into question the entire SHA.

Falstaff Manor

21. This house lies at the heart of the farm-holding which is promoting the solar development. It is another remarkable survival and dates from the Medieval period with 18th and 19th century improvements. It appears to be the original manor house from which “Falstaff Manor” was held, at least until it was subsumed within the broader Tollemache holding at Bentley in the 1540s, when it was acquired by Lionel Tollemache from the Brokes, who had married into the Fastolf or Falstaff family, who themselves held the manor from the 1300s and lent it their name. They were directly related to Sir John Falstaff of Shakespearian fame.

22. The reference to “the Nacton family” at para. 5.7.2 of the SHA is erroneous. There is no such family, although the Fastolfs held land at Nacton, so the writers of the SHA may have become confused.

23. What cannot be in doubt is the importance of the survival of Falstaff Manor, which warrants much greater investigation.

24. The SHA states (5.7.8) that “the wider historic setting of Falstaff Manor relates to the rural, agrarian, and dispersed settlement pattern in the wider landscape and historic associations to nearby landholdings. At present, the wider landscape, which survives as a relatively unchanged agricultural landscape, echoes the historic landscape and thus the location of Falstaff Manor within the wider rural landscape is easily appreciable.”

25. This will all change when Falstaff Manor is wrapped in solar development to the North and West, including the whole of the field alongside Church Road, which is its main approach from the North and Church & Hall Grouping of high status designated assets, with which it was associated for many centuries.

26. The impact on the setting of historic Falstaff Manor would be high.

Church Farm and Barn

27. The timber framed buildings at Church Farm are believed to be the original vicarage of Bentley, first the subject of a land exchange with the Ruck-Keene family in 1843 and then translocated to their present site in the later 1840s to accommodate the building of the Bentley-Hadleigh rail spur. The large timber framed barn on site remains in storage use and has not been “converted” into a dwelling house.

28. They are located at the far end of Church Farm Lane, a very attractive and sinuous tree-lined lane which has panoramic views across the application site. The SHA (5.8.5) predicts an “appreciable and perceptible change of land use to the south of the buildings”. In reality, the approach to Church Farm would so dominated by the serried rows of solar panels to the south that the setting effects would be overwhelming.

Grove Farm

29. Although undesignated, Grove Farm is an historic farmstead, long associated with Falstaff Manor and served by attractive historic brick-built ranges of outbuildings adjoining local public rights of way. It sits at the historic junction of Pond Hall Lane and Potash Lane.

30. Views from Grove Farm, its immediate curtilage and its historic the access along Potash Lane would be transformed unrecognisably. The “low” level of harm predicted is a serious underestimate.

Ancient Woodland/Historic Landscape

31. The SHA (section 5.11) appears to acknowledge the role of ancient woodland within the landscape as providing additional context and significance by virtue of its setting relationship to the highly designated assets nearby.

32. Here Engry Wood is well known to be one of the 16 historic Tollemache woodlands in Bentley, many of which the family held for 800 years, and which local people and most visitors **know** make Bentley’s woods special and very ancient. That may not be so well known in Loanhead.

33. Views of Engry Wood across the open landscape, sometimes with the Church Tower in the same panorama, are very important. Views to Engry Wood are very highly valued for their historic and landscape qualities. This sense of an ancient landscape is readily appreciated and adds significance to the high status group of designated assets just to the north of the application site.

34. The SHA woefully undervalues this role of the wider historic landscape in the significance of these assets and the high impact that 100,000 solar panels and 2 substations will have on this relationship.

Conclusions

35. Even the SHA accepts harm to the settings of Grade II* Listed St Mary’s Church and Grade II Listed Maltings House. However, the developer’s intention appears to be to block or obscure views of the Church Tower from the south by extensive planting, so that it cannot be seen from the various vantage points to the south. It asserts no more than “neutral” impacts to the settings of all other designated impacts, including the Bentley Hall Group. It also records low-medium harm to the settings of a wide range of non-designated heritage assets, but does not summarise these impacts in its Conclusions.

36. This assessment is considered to be a gross under-estimate of the harmful heritage impacts of the proposed development.

37. The following conclusions are offered.

38. First, the proposed development is being promoted in close proximity to a very large number of heritage assets. Even the SHA considers **20** of these within a short distance of the site boundary, including one Grade I Listed and three Grade II* Listed Buildings. This should immediately have rung alarm bells for the consultants.

39. Second, the original HA missed many important facts and relationships, such as the fact that Falstaff Manor was part of the Tollemache manorial estate at Bentley Hall and the complete absence of winter analysis for heritage assets. The latter deficiency has still not been remedied, but has compounded the deficiencies in the assessments.

40. Overall, the analysis simply fails to absorb the network of historic relationships which persist around and across the application site, which, by virtue of its open and agricultural nature, contribute in a highly material way to the significance of the group of assets in question, ranging from ancient Engry Wood to the Hall/Church Group and to Falstaff Manor itself (now receiving some belated attention).

41. It is considered that the placing of a “solar panel and substation landscape” across these open agricultural fields, all experienced at present with highly attractive wooded backdrops, would be very harmful in heritage terms.