



JANUARY 2026

Land at Grove Farm and Land East of the Railway Line, Bentley, Suffolk

Rebuttal Proof of Evidence of Laurie Handcock

PINS Reference: APP/D3505/W/25/3370515

Iceni Projects Limited on behalf of
Babergh District Council

January 2026

Iceni Projects

Birmingham: The Colmore Building, 20 Colmore Circus Queensway, Birmingham B4 6AT

Edinburgh: 14-18 Hill Street, Edinburgh, EH2 3JZ

Glasgow: 201 West George Street, Glasgow, G2 2LW

London: Da Vinci House, 44 Saffron Hill, London, EC1N 8FH

Manchester: WeWork, Dalton Place, 29 John Dalton Street, Manchester, M26FW

t: 020 3640 8508 | w: [iceniprojects.com](https://www.iceniprojects.com) | e: mail@iceniprojects.com

linkedin: [linkedin.com/company/iceni-projects](https://www.linkedin.com/company/iceni-projects) | twitter: [@iceniprojects](https://twitter.com/iceniprojects)

ICENI PROJECTS LIMITED
ON BEHALF OF BABERGH
DISTRICT COUNCIL

Land at Grove Farm and Land East of
the Railway Line, Bentley, Suffolk
REBUTTAL PROOF OF EVIDENCE OF LAURIE
HANDCOCK

CONTENTS

1.	INTRODUCTION	1
2.	HISTORY AND DEVELOPMENT: POINTS OF CLARIFICATION	2
3.	OTHER POINTS OF REBUTTAL	9

1. INTRODUCTION

- 1.1 This Rebuttal Proof of Evidence has been produced following receipt of evidence from the Appellant and Rule 6 Party and is intended to provide points of both rebuttal and clarification. Having read through the other parties' evidence, it is apparent to me that there are elements of my Proof of Evidence relating to the history and development of the Parish of Bentley, which require update. The Rule 6 evidence, and particularly work produced by Alison Farmer, Leigh Alston (included at Appendix 4 of Ms Farmer's Proof of Evidence) and Edward Martin have identified factual points which require a revision of my analysis of how Bentley has developed. I will address these points first, and explain the implications for my own evidence, before providing a section rebutting specific points raised by Laura Garcia, in particular, in her Proof of Evidence for the Appellant on Heritage matters.

2. HISTORY AND DEVELOPMENT: POINTS OF CLARIFICATION

- 2.1 Following the completion of my Proof of Evidence, a full review of the other parties' evidence has identified that certain conclusions that I reached within my Proof were not correct. It is clear that the history and development of Bentley is complicated, and access to archival information incomplete, given that a good deal of information is held privately by the Tollemache family in their personal archive. I am grateful to the Rule 6 Party for making accessible, in their evidence, some of this archival material, which I had not previously been able to review. I am also grateful for the work of Leigh Alston (see his evidence at Appendix 4 of Alison Farmer's Proof of Evidence) as he has undertaken a 'deeper dive' into some of the buildings around the site, including internal site visits, which has helped me to reconsider my own evidence. In this section, therefore, I would like first to clarify some key points of historic fact and analysis, with reference to my own Proof of Evidence.

Clarifications

Which Manor did the Site fall within, historically?

- 2.2 At the point of producing my evidence, I incorrectly reached the conclusion, from the information available to me, that the Site, and particularly the western parcel, fell within the Manor of Dodnash, a manor which emerged in the medieval period, and continued to be traceable into the 19th century. I now understand, however, that the Site had fallen, historically, primarily within the Manor of "ChurchHouse", with a portion falling within the Manor of Falstaff. The manor of ChurchHouse was the property of Holy Trinity, Ipswich (and references in my Proof of Evidence to Holy Trinity as a manorial possession are therefore synonymous with this manor). The house at its centre is 'Church House', the property immediately to the north of St Mary's Church, which I have addressed as a non-designated heritage asset. The division of the land ownership in the early seventeenth century is illustrated within Appendix 1, the 1613 Tollemache field survey. This document records a position during the period when the Tollemache family held all four manors in Bentley, and records that at this date, the parcels both sides of Church Road fell within ChurchHouse's ownership, with the exception of 'Burreldefielde', at the junction of what is now Church Road and Potash Lane. I understand that Dodnash's manorial possessions sat further south, closer to Dodnash Priory and the modern settlement of Bentley

Bentley Hall's ownership, and relationship with the Site

- 2.3 I had reached the view, from the available evidence, that in the 1660s, the Tollemache family's disposal of the manors of Bentley (supposedly precipitated by a disastrous bet that resulted in them losing all of the agricultural land in the Parish) involved them passing all four of the Manors in their possession on to the Meadows family (see paragraphs 3.11-3.14 of my Proof of Evidence). I had then traced continuous ownership of the four manors into the 1790s, as the Meadows family then passed the properties on to the Keene family.

-
- 2.4 My attention has been drawn by Edward Martin's Proof to a reference to a 'John Cudworth' (Proof of Edward Martin, page 2, within point 1 on this page) who took ownership of Bentley Hall from the Tollemache family in 1668. He died, it would appear, at some point between 1670 and 1675, the date of his will, but the estate remained in his name until at least 1701. By 1789, it was in the hands of the Deane Family, and was then bought back by Stanhope Tollemache in 1895 (this final part of the narrative is picked up by my Proof at 3.15, in which paragraph a reference to '1795' should read as '1895').
- 2.5 The other three manors, Dodnash, ChurchHouse 'and Old Hall' (which appears to refer to Bentley Old Hall) and Falstaff did indeed pass to Meadows. The passage of these manors to the Keene (later Ruck-Keene) family is suggested by Edward Martin to have been via a return of these lands to the wider Tollemache family, in the form of a sale by Philip Meadows in 1679 of these three manors to Tollemache Duke. Both Tollemache Duke and his son of the same name are buried in Bentley Church, and died in 1690 and 1713 respectively¹. It would appear consistent with Martin's approach, therefore, that they held land in the Parish.

Potash Lane: History, Development and Age

- 2.6 In the Heritage-Specific Statement of Common Ground, Ms Garcia and I agreed the following (at para 2.23): *"that Potash Lane is not medieval in origin and was established in the late 18th century/early 19th century."* I reached that conclusion based on the information available to me at the time, and in particular between a comparison of the first two substantive maps of the Parish of Bentley available, the Verron (1795) and Mudge (1805) maps. I have now, however, reviewed the illustration which Alison Farmer derives from the 1613 Tollemache Estate survey, and some other references made in Alison Farmer's Proof (and Leigh Alston's work, and Martin's Proof), and in my view, these provide compelling evidence that Potash Lane and its routing predated the early 19th century, and was a route previously known as the "Hundredway". As a starting point, I would note that Ms Garcia and I are now agreeing a revised wording to this paragraph which reads,

It is agreed that there is the potential for Potash Lane to follow an earlier route and predate its first mapped appearance on the 1805 Mudge map. It is agreed that the Scheme would not cause any change to the route of this lane, nor any change in the ability to access and traverse it by various modes of transport.

My conclusions as to how one should read this evidence are as follows.

¹ I concur with Mr Martin that these men were direct descendants of Lionel Tollemache, 1st Baronet (1562-1612), with the older Tollemache Duke being Lionel's great-grandson. His mother, Elizabeth Tollemache, was the daughter of Robert Tollemache, Lionel's son. This period of ownership therefore reflects Tollemache ownership through a secondary line.

-
- 2.7 There is sufficient clarity in the 1613 Tollemache field survey (which is not associated with a map, but identifies specific field names, and gives information as to their location and size), that, when combined with the 1838 Tithe Map and Apportionments (see Figure 5 of Alison Farmer's Appendices (CD C18B), one can identify field locations with some confidence. I agree with Ms Farmer that the fields which she identifies in Figure 5 as falling within the site from the 1613 field survey descriptions are indeed so located. The naming of some fields evolves with changes in spelling, and some fields are combined or divided (so that ChurchHouse field is more or less the same size as Church Field and Wadmellwent, and Burreldfielde becomes Great and Little Burrow Field, by 1838), but these changes are traceable, and I therefore reach the view that the approach shown in Figure 5 is a compelling interpretation.
- 2.8 It is striking, it follows, that Sellettes ('Sillets' in 1838, having become enlarged) Burreldfielde and Dowlands are all said to "abbuteth upon [or "lyeth by] the Hundred Way to the south". I have undertaken a very rough measurement of the land framed by Church Road, the lane to Church Farm, Pond Hall Lane and Potash Lane (including the later properties which have been introduced since 1613) which indicates this land is approximately 41.9 hectares or 103.5 acres. Adding up the land parcels in the 1613 survey which are said to cover this western parcel, the total comes to 100 acres and 81 perches (100.5 acres/40.7 hectares). With a small margin for error in measurement, and some small boundary changes, I would conclude that this demonstrates that the form of the site's western parcel is as described and illustrated using the 1613 field survey by Alison Farmer. In other words, I conclude that the four thoroughfares listed above that frame the parcel existed in 1613, and that the references to the 'Hundredway' in the 1613 survey refers to a route that ran contiguously with Potash Lane.
- 2.9 Edward Martin suggests that the route might be even older, noting a 1299 documentary reference to "le Hundredisweye" (Martin Proof, page 7). I have not seen the document from which this reference is derived and cannot therefore support the veracity of the claim that this is the same route, but it is possible that Potash Lane, as the Hundred Way, predates the 1613 survey. Indeed, Leigh Alston's work (Alison Farmer Appendices (CD C18B), Appendix 4, pages 2-3) concludes that Potash Cottages is much older than the early 19th century date I have previously concluded, and has reached the view, as an architectural historian with particular interest and expertise in timber framing, that from his internal investigation of this building and its associated barn, that they both date to the 16th century. This reasserts the idea that Potash Lane has pre-1613 medieval origins, the farm being situated so as to require access from Potash Lane or a predecessor in a similar location.
- 2.10 The anomaly, of course, that arises from this, is the Verron Map, which becomes inconsistent with all of the above. The evidence above is sufficiently compelling that the Verron Map appears to have inaccuracies within it and may be an anomaly. I would conclude that while Charles Verron's work, being for the Ordnance Survey, was reaching for high levels of accuracy, this phase of the Survey's work was known to be less accurate than the adopted maps. In this instance, as can be seen within

the reproduced version of the map in the CAAMP (CD F1, figure 13, page 16), some elements shown are rather indicative in their form; Engry Wood is not shown in the correct location (it should appear to the right of Pond Hall Lane, the road marked north to south to the east of Bentley), and other woodlands in the north of the Parish are rather broad in their form. Similar, but more extreme, issues can be identified with Hodskinson and Faden's 1783 map, shown in the CAAMP alongside Verron's Map (CD F1, figure 13, page 16).

Implications for Evidence

Site Ownership, and Relationship with other Heritage Assets

- 2.11 In my Proof of Evidence, I identified a period of shared ownership between the Hall and the Site, and that therefore the Site made a contribution to its significance as part of wider agricultural estate that was within the same ownership from the 1540s to the 1780s (see 5.33 to 5.34 of my Proof, for example). The time period of shared ownership I now believe to be of around 120 years, from the 1540s until 1662. While this shortens the overall period of shared ownership, I do not take the view that this materially changes the nature of my assessment, or the conclusions that I reach in respect of the harm to the Bentley Hall Cluster. Firstly, I do not share Ms Garcia's view that such a period is "at best, ephemeral" or "brief" (Proof of Laura Garcia, 9.24, 14.22) in historical or architectural historical terms; whole architectural movements rise and fall during such timescales, and the landscape of a place can be changed irrevocably over the course of four or five generations. Importantly in this case, the buildings within the Bentley Hall Cluster were either built or significantly altered during that time period and *directly reflect* the scale of the Tollemache land ownership during this period.
- 2.12 As I have set out between 5.25 and 5.28 of my Proof of Evidence, there is evidence of considerable work having taken place to the cluster in the 1580s, including the construction of the Barn, possibly the longest timber-framed building of its type in the country, and as I have noted in my Proof, comparable in scale to some of the largest barns of any type in the country. It also incorporated what was likely a court hall space, used for holding courts, and for celebrations and gatherings involving the wider community. As the list description (See CD C16 C1, Appendix 3), records, its construction is likely to be associated with the use, from 1581, of Bentley Hall as a dower house for the mother of Lionel Tollemache, 1st Baronet, and the Barn, Meeting House Stables and refurbished Hall express their role at the centre of a large estate made up of multiple landholdings, singly-held and operated. As a simple point, while the Barn is ostentatious, it is also functional and reflects the sheer scale of the arable agricultural landholdings the Tollemache family held within the Parish at this time.
- 2.13 For the reasons set out above, my conclusions as set out within my Proof of Evidence as to the effect of the scheme on this cluster of highly graded listed buildings, set out at 5.70-5.72 of my Proof of Evidence, stand.

-
- 2.14 Given the above, I also disagree Ms Garcia's rather confusing approach to characterising the operation of the Tollemache estate during the 16th and 17th centuries. She sets this out at 8.44 of her Proof, and while it is clear that she agrees that during the period between the 1540s and 1662, the Site and Bentley Hall were in the same "wider landholdings", it is also said here that, "the Appeal Site does not lie within the same landholdings as the Bentley Hall grouping and historically, it never has". This is because, she argues, they fell within different manorial possessions. This is self-evidently a flawed piece of analysis. While the manors within Bentley may have been constituted as separate land units, and bought and sold as such, where there was a single owner of multiples of these (as there was at various times in the Parish's history), they naturally became part of a single, functional unit. The 1613 Tollemache survey captures the point; a single landowner, reviewing the entirety of their landholding within the Parish, considers together the various manors, sub-heading them accordingly, but reviewing the entirety under their ownership. It is fundamentally incorrect to say that the Site and Bentley Hall have never been within the same landholding.
- 2.15 Finally, as a secondary matter of clarification, I would note that where, within my Proof of Evidence, I refer to a deed showing the sale of Bentley Hall to Meadows in 1662, it would now appear this deed related to Bentley *Old* Hall (with ChurchHouse).

Potash Lane: Age and Significance

- 2.16 As set out, I am no longer of the view, as set out within the Heritage-Specific Statement of Common Ground at paragraph 2.23, that Potash Lane or its routing date to the turn of the 19th century, having reviewed the additional information provided by the Rule 6 Party, and this part of the Statement of Common Ground should be struck through. I understand that Ms Garcia similarly accepts that this evidence suggests the potential for an earlier origin for this route.
- 2.17 In terms of my own evidence, this changed position does not materially change my assessment of the value of Potash Lane, its contribution to the Conservation Area, or the importance of its relationship with the Site, including views. It serves to underscore the age and importance of the manorial farmland landscape that the site encompasses and adds to an understanding of the time-depth that can be appreciated in this vicinity, and to which the Site contributes.
- 2.18 Ms Garcia's evidence relies heavily on the idea that Potash Lane 'only' dates to around 1800, as she argues that the Lane forms an 'arbitrary' boundary for the Conservation Area at its southern end, and undermines perceptions of the Site and its surroundings as forming part of a historic landscape with a perceptible sense of time depth (see for example LG Proof of Evidence paragraphs 4.6, 6.12-6.15, 6.18 and 6.66). It is implied that the choice of this boundary weakens the Conservation Area, and the contribution of the Site to the Area's character and appearance. As a starting point here, I would say that my professional view is that the approach taken in the CAAMP (CD F1, page 8) is an appropriate and acceptable one, even before one considers the fact that Potash Lane is older than Ms Garcia and I previously agreed was the case.

2.19 I acknowledge Ms Garcia's point that the Lane cuts through one of the Manors within the Parish (Falstaff) and doesn't follow the Parish boundary. As the CAAMP says, however, "there is no sensible alternative" to it on this southern side of Bentley and it serves the purpose of drawing into the Area features which contribute to significance, such as Falstaff Manor and Engry Wood. Conservation Area boundaries can often be challenging to define, and it is typical to find one part of an area's boundary which may be less obvious than others, but this does not suggest that the Conservation Area as a whole has any less value for it. Some pragmatism is clearly required and given that Ms Garcia appears unhappy at the size of the Area (LG Proof 6.1), I am surprised that she seeks to suggest that the boundary should sit further south.

2.20 That Potash Lane predates 1613 and probably dates at least to the mid-16th century only strengthens its logic. In particular, I note that Ms Garcia (who I recognise may now be revising her position) was wrong in her Proof, on the basis of the evidence we now have, to say that,

"...the layout on the tithe mapping for the Site could not even have existed previously for the western portion of the Scheme because of the construction of Potash Lane along the southern boundary, cutting across and requiring the redrawing of field boundaries..." (LG Proof, 6.66)

The western portion of the Site has an external boundary which in my view is traceable to at least 1613, and quite probably earlier, strengthening the sense that it is an area of the Conservation Area, and a component of the setting of listed buildings, with a historic overall form, experienced in relation to routes surrounding it with a historic character.

2.21 I would note also that Ms Garcia's approach to the views of the Church of St Mary from Potash Lane, which she views as only being a "matter of amenity" rather than a heritage view, is undermined by the age of this route (LG Proof, paras. 4.32 and 7.29). As a starting point, I am of the view that her approach is misconceived. I concur with her view that there is a need to consider, in the case of views of Churches, whether or not these are 'heritage views' (as I have done at 5.22 of my Proof of Evidence). It is plainly the approach of Historic England that these are 'heritage views', given the approach they take in their consultation responses (CD B12 a-c) and Babergh Council's Heritage Officer took the same approach (B18a and B18b).

2.22 Ms Garcia is alone in believing that views from Potash Lane do not contribute towards the significance of St Mary's Church. Her approach is based on the principle that Potash Lane 'is not a route to the Church' and one would need to turn one's head to look at it (LG Proof, 4.24), and, in her view, it is not possible to perceive the significance of the asset within these views (LG Proof, 4.32). This is, however, a historic route, which provided a means of access to Church Road and on towards the Church, and may well have therefore formed part of the experience of parishioners from the southwest of the Parish visiting the Church, and at least in the 19th century, and probably earlier, it was also a jumping off point for a footpath direct to the Church (see my Proof 5.18 and 5.68). I have

explained in my Proof why I am of the view that it was intended to be seen, and have noted too that the views from Potash Lane and Church Road are the only longer views of the Church appreciable within its setting. Ms Garcia herself seems to believe such long views do contribute towards significance (LG Proof, paragraph 4.27, last bullet).

- 2.23 Accordingly, Ms Garcia's conclusion that views of the Church of St Mary are not ones that contribute towards heritage significance is fundamentally misconceived and is further undermined by the fact that Potash Lane now appears to be significantly older than she (and I, from the evidence we had available previously) had concluded. I would note, within this context, that she has concluded that the Church would remain visible from Potash Lane. She says at 7.29 of her Proof of Evidence that,

"The top of the church tower is at a higher level than the panels would be and therefore, although the view would change, the views of the tower itself would be retained."

- 2.24 This is directly at odds with the visual provided within Appendix 11d (Viewpoint 4) of the Landscape Proof, which shows that the Tower would be occluded, as I had concluded would be the case within my Proof of Evidence. While the panels may be considerably shorter than the Church's tower, they are also considerably closer to the viewer, and sufficiently tall that, with the proposed landscaping, they would plainly conceal the Church tower in all remaining views from Potash Lane and Church Road.

- 2.25 For the reasons set out above, I am of the view that Potash Lane's now plainly greater age reinforces its significance and undermines Ms Garcia's conclusions in relation to the effect of the scheme on St Mary's Church. I am also of the view that this impacts upon how she considers views from Potash Lane in respect of the Conservation Area, and as set out above, it plainly impacts upon her conclusion that this Conservation Area boundary is ill-conceived or arbitrary.

3. OTHER POINTS OF REBUTTAL

- 3.1 Having set out the above positions, including positions of Rebuttal, I would like to make the following further, more specific points of Rebuttal, in response to the evidence of Laura Garcia, on behalf of the Appellant.

Bentley Conservation Area

- 3.2 Ms Garcia makes much, in her Proof of Evidence, of the process by which the Bentley Conservation Area was designated, including a section, at Appendix 2, specifically on this point. The Conservation Area was adopted without legal challenge, and Ms Garcia accepts the designation. Given this, and the subsequent unchallenged adoption of the CAAMP, I am unclear where the various procedural points made within Appendix 2 of her Proof go; certainly no conclusion is reached in this Section as to how the Inspector should interpret these points. In any event, having advised Babergh Council during this process (without any awareness of the Appeal Scheme, as set out at 1.8 of my Proof of Evidence), I took the view throughout the process that the Council had acted carefully and in line with statute, case law and guidance in its adoption of the Area. Appendix 2 does not assist the Inspector in determining the Appeal, in my view.
- 3.3 From paragraphs 8-15 of this Appendix, and elsewhere in her evidence, Ms Garcia sets out a position, particularly at paragraphs 10-13, that the Tollemache family's history in the Parish acted as the 'unifying' basis for the designation of the Conservation Area, and that, in her view, this approach is flawed. As a starting point here, I would note that the reasons for the Conservation Area's designation are well set out at page 4 of the CAAMP. The 'associated connection' with the Tollemache family is noted but is plainly not the sole basis for the Area's designation. The Tollemaches act as a recurring theme within the Conservation Area, a 'leitmotif' within its history, but it is the significance and preservation of the wider manorial landscape, its preponderance of highly graded assets, many of them of a considerable age, its ancient woodlands and routeways, among other features, that are the basis for its designation. Ms Garcia's suggestion that a connection with the Tollemache family has been overplayed (and that this weakens the Conservation Area) is not supported by a proper reading of the CAAMP.
- 3.4 In any event, her view that the Tollemache connection is overplayed in the first instance doesn't appear to be made out by the evidence. The family were present from the mid-1200s, and from this period until around 1510, had their principal seat within Bentley. From this period until the 1660s, they became increasingly dominant in landholding terms, owning the entirety of the land within the Parish for much of this time. Following the 1660s, they continued to hold the ancient woodlands within Bentley, maintaining a continuous pattern of Tollemache land ownership, supported with the purchases made by Tollemache Duke in 1679, with three manors held by this branch of the family into the 18th century. In the 19th century, Stanhope Tollemache then began re-amassing land and

held this into the 20th century. Accordingly, until recent times, when the Tollemaches ceased to own land in Bentley, there was a pattern of continuing land holding by this single family for a period of around 800 years, with over 500 of these including the ownership of large swathes of the key manorial farmland within the Parish. They are the only family to have ever held full ownership of the whole Parish. The connection, in my view, runs far deeper than Ms Garcia appears to accept.

The Tollemache Family in Bentley from 1510

- 3.5 A further, important point on the Tollemache family that arises from Ms Garcia's Evidence in relation to the Tollemache family is her view that the family's landholdings in the 16th and 17th century in particular are not of particular significance, because its principal seat had moved elsewhere. I have, above, set out why I disagree with her that this is a 'brief' period, but I would add that I disagree that because the 'principal seat' of the family had moved to Helmingham Hall in 1510, Bentley ceased to have any significance to the Tollemache family. I note the quotations she includes at 6.23 of her Proof from *Old and Odd Memories* by Lionel A. Tollemache. They come from a part of the book where the author recounts his fondness for Helmingham Hall, where he grew up, with Bentley set, briefly, against this. His approach is striking when set against, for example, the actions of his younger half-brother, Stanhope, who set about buying back property in Bentley, and styled himself as 'of Bentley Hall'. Plainly, not everyone in the family in the nineteenth and early twentieth centuries were so dismissive of the family's history in Bentley.
- 3.6 Additionally these quotations tell us little about the family's perception of the Parish and its role in their family history in the 16th and 17th centuries. It must be remembered that the Tollemaches were, at this time, increasingly upwardly mobile, ambitious and wealthy, and were capable of holding and maintaining multiple estates; their holdings proliferated further from the 17th century onwards. The extent to which they invested in Bentley in the 1500s, and particularly from 1580, do not provide evidence of a family with a mere 'sentimental' interest in their land ownership, or role within the community of Bentley.

Relevant Guidance Documents

- 3.7 Finally, I would like to note two points of Rebuttal and Clarification in relation to Guidance documents referenced in Ms Garcia's Proof, and their relevance to the Inspector's decision-making.
- 3.8 I firstly note, as a matter of clarification, Ms Garcia's reference to Historic England's *Commercial Renewable Energy Development and the Historic Environment* (Advice Note 15), and the inclusion of the document in the Core Documents at F5. I agree that this is a relevant and helpful guidance document; it was not referenced in my Proof, but this was an oversight in summarising the relevant guidance document. I note that beyond including it in a list of relevant documents, Ms Garcia does not refer to it directly.

-
- 3.9 I note also Ms Garcia's reference to the Government's 'Solar Roadmap', and in particular to Appendix 2 (CD D26). This document is referred to at 6.80 of her Proof of Evidence, wherein she refers to the following quotation:

"Solar is industrialising in the countryside - Solar farms are carefully designed to have a minimal visual impact. They can usually be easily screened by hedges and other vegetation, and visual impact is carefully considered during the planning process. They operate almost silently, without pollution, and once operational generate very little maintenance traffic."

- 3.10 The appearance of this quotation, it is said, indicates that "it is the position adopted by Government that solar does not represent industrialising development in the countryside when carefully designed". It is important to understand the context to this quotation, in order that it might inform the Inspector's approach to determining the appeal. Appendix 2 of the Solar Road is a table of what the document refers to as 'misconceptions' about solar. It is referred to in the main document as "a reference tool for use with communication and marketing materials" produced by the Solar Taskforce for use in the promotion of solar schemes. It is important to note that the quotation, and the Appendix more widely, does not provide a provable, factual position as to the effect of solar in principle. It also does not say that, as a point of fact, solar schemes are 'not industrialising'. The approach, instead, is clear, that with the right mitigation, and approach to design and landscaping, they 'can usually' have their impacts minimised. It is not certain that this will be the case, and a decision-maker may conclude that screening hasn't taken place effectively, or that the scheme has more than a 'minimal visual impact'. This text has been produced to give an indication of how the government view solar schemes which end up being consented and built out, to support engagement with stakeholders through the planning and promotion process.

- 3.11 Accordingly, the Inspector is not bound, in my view, by its conclusions *in principle* as a result. Indeed, appeal decisions since the publication of this document have arisen where Inspectors have not straightforwardly concluded that solar schemes have a minimal impact, or where adverse landscape effects have been found to arise. It is clear that the mitigation process is central to a consideration of whether a scheme is, or might be, 'industrialising'. A good example of this approach is found at paragraph 43 of the Wandon End decision (H26), where the Inspector describes the scheme as follows: "the straight rows of panels and the horizontal emphasis of the scheme, to the extent that it would be perceived, would appear out of place in this rural landscape". They then take into account mitigation and conclude a moderate adverse effect on the landscape. I have considered where the Appeal Scheme might be seen, or perceived, to have a form that is at odds with the existing character and considered the effect that this would have in heritage terms. It is important to note in this case that this site falls within the Conservation Area, and therefore the change takes place both in relation to the site itself, and its surrounding accessible points, to which mitigation is, as I have addressed in evidence, applied.