

WIND ENERGY DEVELOPMENT

Landscape and Visual Issues

Experience of Michelle Bolger | Liz Lake Associates



LIZ LAKE ASSOCIATES

Chartered Landscape Architects • Urban Designers • Landscape Planners

WIND TURBINE DEVELOPMENT

Landscape and Visual Impact Assessment

The landscape and visual aspects of a proposed development are an essential element of most planning applications, even those that do not require a formal Environmental Impact Assessment (EIA). Wind turbine developments generally require a formal EIA and landscape and visual issues, including impacts on the setting of listed buildings, are usually at the forefront of disagreements between advocates and opponents.

LiZLaKe has developed a framework for undertaking landscape and visual impact assessments that take account of all recent directives. It has formed the basis of training workshops given to planners and landscape architects on landscape character and its role in the planning system. Where this methodology has been used as the basis of our evidence at public inquiry, it has proved to be robust on cross-examination.

Recent Projects

When Broadland District Council learnt that an application for WTD would be made at **Guestwick** in Norfolk they instructed LiZLaKe to prepare a scoping document for the landscape and visual chapter of the EIA and to agree photomontage viewpoints with the Applicants, Enertrag. We reviewed the Environment Statement (ES) when it was submitted and we advised the council that we felt there were significant adverse landscape and visual impacts. The council refused the application and when an appeal was lodged Michelle Bolger was asked to give expert landscape evidence at the subsequent public inquiry.

Although the inspector found in favour of the Council the decision was subsequently overturned at judicial review and a new Inquiry was held in June and October 2007. Michelle Bolger gave evidence at this inquiry as well.

In December 2007 the Inspector dismissed the appeal for a second time on the grounds of adverse impacts on the landscape and on listed buildings. In his conclusion he agreed with our assessment that

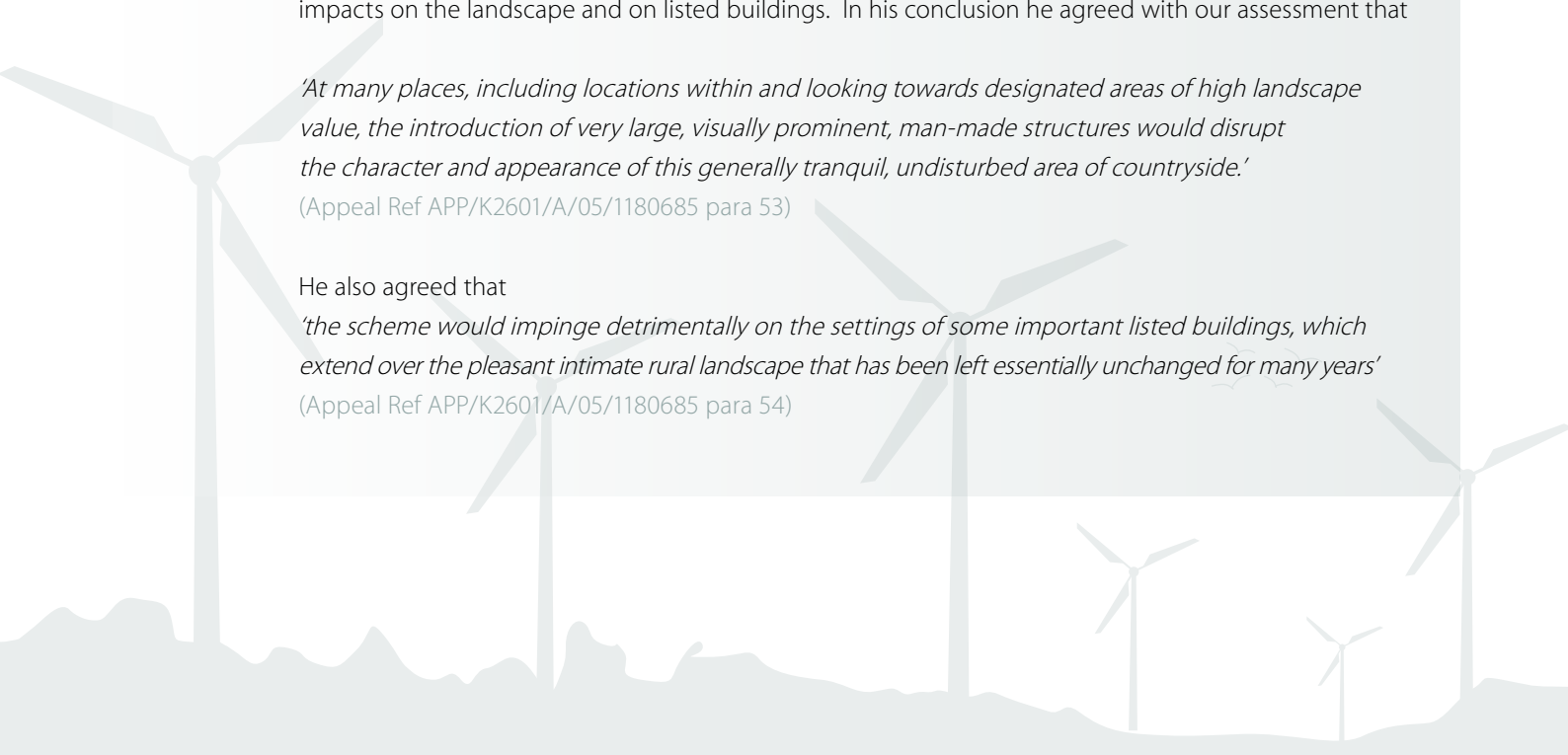
'At many places, including locations within and looking towards designated areas of high landscape value, the introduction of very large, visually prominent, man-made structures would disrupt the character and appearance of this generally tranquil, undisturbed area of countryside.'

(Appeal Ref APP/K2601/A/05/1180685 para 53)

He also agreed that

'the scheme would impinge detrimentally on the settings of some important listed buildings, which extend over the pleasant intimate rural landscape that has been left essentially unchanged for many years'

(Appeal Ref APP/K2601/A/05/1180685 para 54)



For the **Ellands Farm** Wind Turbine Development we were contacted by a local group of objectors and we prepared a Landscape Report which was submitted as part of their objection to the development by Enertrag. Subsequent to the application's refusal, Michelle Bolger was instructed by the Local Planning Authority (LPA) to give landscape evidence on their behalf. The Landscape Report we originally submitted had highlighted the potential impact on the setting of a number of listed buildings but this had not been given as a reason for refusal by the LPA. As a consequence Michelle Bolger prepared a second proof of evidence on behalf of the objectors that specifically addressed the issue of the historic environment.

The appeal at Ellands was dismissed with the inspector's decision letter supporting the landscape evidence that Michelle Bolger had presented – both the impact on the landscape and the impact on the historic environment.

The impacts on the adjacent landscape setting formed by the three villages are so severe as to make the impact unacceptable. To my mind the intimate human scale landscape that abuts the site could not absorb a development of this scale without significant loss of character and there would be a major adverse effect on the landscape setting of the three surrounding villages.

(Appeal Ref: APP/G2815/A/06/2019989 Para 26)

...given the importance of preserving the setting of listed buildings, of preserving ancient monuments and their settings, and protecting RHPG, the sum of my conclusions is that the proposals would have an unacceptable impact on the historic environment.

(Appeal Ref: APP/G2815/A/06/2019989 Para 37)

Liz Lake gave evidence on behalf of Maldon District Council who refused permission for WTD close to a Grade I listed chapel on the sea wall at **Hockley Farm, Bradwell**. Despite an objection from English Heritage the inspector granted the appeal. The decision has since been overturned at the High Court and Michele Bolger gave evidence at the second inquiry which was held in November 2009. The second inspector concluded that there would be some harm to the public interest locally, *'particularly in respect of a change in landscape character, an associated adverse visual impact for many, but not all, viewers in their appreciation of the landscape, and an adverse impact on some aspects of the setting of St Peter's Chapel which, in consequence would not be fully preserved, and would not be enhanced.'*

(APP/X1545/A/06/2023805. Hockley Farm, Hockley Lane, Bradwell-on-Sea, Essex, R P Mellor Jan 2010 Para 109) However he considered that these adverse impacts were outweighed by the renewable energy benefits.

An application for a 10 turbines was submitted by Infinergy Ltd for a scheme at **Thackson's Well Farm** in the Vale of Belvoir, Lincolnshire. Working for a local opposition group Michelle Bolger submitted a landscape response to the Environmental Statement in January. Despite a recommendation from the planning officer for approval the application was refused by the Planning Committee.

Infinergy appealed against the decision and the appeal inquiry was held in October 2008. Michelle Bolger gave expert evidence on landscape, visual amenity and historic environment issues. The appeal was scheduled for eight days but eventually lasted eleven.

The appeal was dismissed with the Inspector agreeing with our assessment of the adverse impact on the historic environment:

From the evidence and my site inspections, I have found that this part of the Vale is unusually rich in the number of historic assets of the highest grades within it, and especially so in the historic significance of visual relationships between them and their surrounding landscapes.

.....

I am left in no doubt that, given the height of the proposed turbines and the siting of turbine 9, harm to the historic qualities of the landscape would result of such significant and unacceptable magnitude as to outweigh the electricity generation benefits of this particular scheme in its entirety.

(Appeal Ref: APP/E2530/A/08/2073384 Para 80)

A development of five wind turbines was proposed by Ecotricity at **Enifer Downs Farm** north east of Dover., and opposed by the Langdon Action Group. The site was within a Special Landscape Area and 2km from the Kent Downs AONB. In December 2007 Michelle prepared a landscape response to the Environmental Statement for submission to the Local Planning Authority. The Local Authority asked the Developer for further information but Ecotricity decided to appeal on the grounds of non- determination. Subsequently Supplementary Environmental Information was submitted with revised photomontages.

An inquiry was held in January 2009 and Michelle Bolger gave evidence on landscape, visual and historic environment issues on behalf of the Action Group. The decision, which was issued 16th March 2009, has dismissed the appeal on a number of grounds, including visual impact and the impact on listed buildings. The inspector agreed with our assessment of the impact on Dover Castle:

The present day visual relationship to Fort Burgoyne and the Duke of York's Royal Military School further consolidate the view northwards (to the horizon above the ridge beyond) as part of the setting of castle. Within this setting, it is apparent from the relevant photomontage (A17, at 3.72 km) that even though the Swingate masts appear taller than the proposed turbines because of their greater proximity, the spread and rotation of the turbines on the horizon would represent a more demanding and less harmonious focus for the eye. I also find turbine 1 in particular in this view to be uncomfortably close to the otherwise suitably isolated tower of the Duke of York's Royal Military School. In these specific respects, I consider that the setting of the Castle would not be preserved or enhanced.

(App Ref APP\X2220\A\08\2071880 Land West of Enifer Downs Farm, David Lavender Para 87)

Vortex was a group of local objectors to a WTD proposed by Nuon for a site near Dorrington in Shropshire, **Bearstone, Market Drayton**. The site is located in a local landscape character type unique to the District. Michelle Bolger prepared a landscape report that reviewed the Applicant's very comprehensive ES. It was submitted as part of Vortex's objection to the proposals. The planning officer recommended approval but the application was refused by the planning committee.



Nuon appealed and the inquiry was held in May 2009. Michelle Bolger gave evidence at the inquiry on landscape and visual impacts and on the effects on the historic environment. The decision, which was issued on 15th July 2007, dismissed the appeal and the inspector agreed with our assessment of the character of the landscape and the nature of the impact:

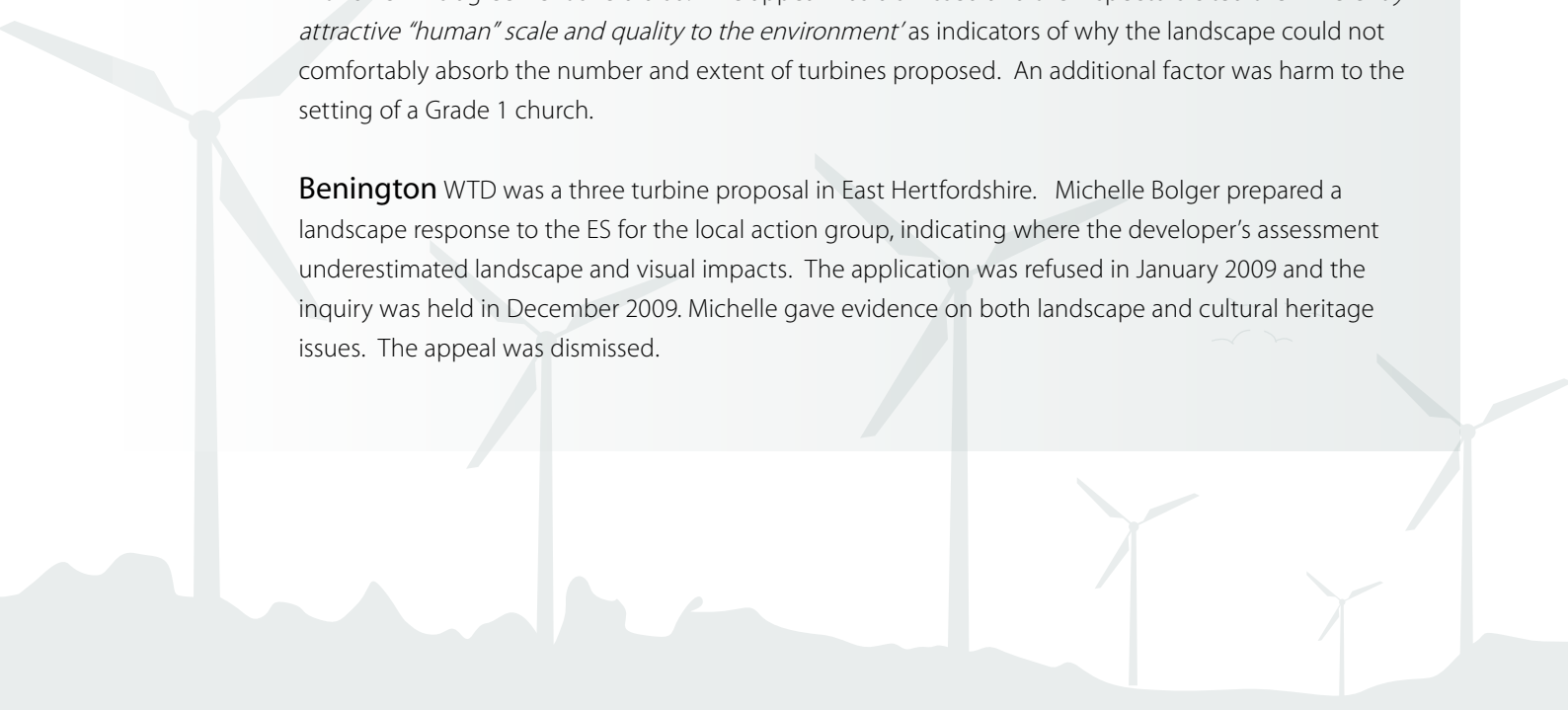
It would change the landscape character in the area around the site, especially as the landscape pattern is small-scale and the turbines would be at a height greater than the trees in and around the site. The turbines would clearly introduce new, large scale elements that would result in a significant change in the character of the site itself, and in this landscape character area. Due to the unique nature of this landscape type in Shropshire I agree with the LDU assessment that the landscape should be conserved. Altogether, I consider that the net effect of the development would be to cause unacceptable diminution to the fundamental, key contributory characteristics of the Timbered Pastures landscape character area. (App ref APP/L3245/A/08/2088742 Land at Lower Farm, Bearstone, Market Drayton, Shropshire, T Cookson Para 40)

In July 2009 Michelle Bolger gave evidence on behalf of Stop Swinford Wind Farm Action Group at the Public Inquiry regarding the impact of the proposals at **Swinford** on the local landscape and on the historic environment. The proposed development is located adjacent to the registered historic park at Stanford Hall, a Grade 1 listed building. The decision was recovered by the Secretary of State who agreed with the Inspector's recommendation that the benefits of renewable energy generation outweighed the limited harm to the local landscape and to the setting of the registered historic parkland.

SHOWT, the objectors to a WTD development by Enertrag near **Hempnall** in Norfolk, wanted help in choosing viewpoints from where the developer would prepare photomontages. During a site visit Michelle Bolger made a selection of viewpoints which were presented to the Local Authority and the developer. Michelle prepared a landscape report which reviewed the developer's ES. At SHOWT's request she also spoke at the Planning Committee meeting in August 2008. The South Norfolk District planning officer recommended refusal and the planning permission were refused unanimously.

Enertrag appealed and the Inquiry, originally scheduled for April 2009 was held in September 2009. South Norfolk DC asked Michelle Bolger to give landscape evidence on behalf of the Authority and with SHOWT's agreement she did so. The appeal was dismissed and the inspectors cited the '*inherently attractive "human" scale and quality to the environment*' as indicators of why the landscape could not comfortably absorb the number and extent of turbines proposed. An additional factor was harm to the setting of a Grade 1 church.

Benington WTD was a three turbine proposal in East Hertfordshire. Michelle Bolger prepared a landscape response to the ES for the local action group, indicating where the developer's assessment underestimated landscape and visual impacts. The application was refused in January 2009 and the inquiry was held in December 2009. Michelle gave evidence on both landscape and cultural heritage issues. The appeal was dismissed.



In his decision for Benington the Inspector agreed that it was inappropriate development in the Green Belt. Overall he agreed with Michelle's assessment of the landscape as *'complex and fairly diverse landscape rather than one that is simple and homogenous'*

(APP/J1915/A/09/2104406 Land to the east of Walkern Road and north of High Elms Lane, Benington Robin Brooks March 2010 Para 30)

and concluded that it was not *'of such scale and simplicity as to lend itself to the sort of large scale development that wind turbines would represent. And despite its lack of formal protection it is undoubtedly attractive, settled and relatively undeveloped and secluded, qualities that weigh significantly in favour of its conservation.'* (Para 52)

The inspector also agreed with Michelle's evidence that there would be a dominant and overbearing effect on one residential property (700m) which would make it *'a significantly less attractive place to live.'* He also concluded that there would be harm to the enjoyment of the countryside, to the setting of two listed buildings and to the character of a locally designated historic parkland.

Developers of a three turbine scheme on **Matlock Moor** in Derbyshire, just outside the Peak District National Park, appealed against non determination. Two Local Planning Authorities were involved and Michelle was asked to prepare a report for the two planning committees on the landscape and cultural heritage impacts of the proposals. The inquiry was held in February 2010 and Michelle gave evidence on behalf of both authorities. The appeal was dismissed.

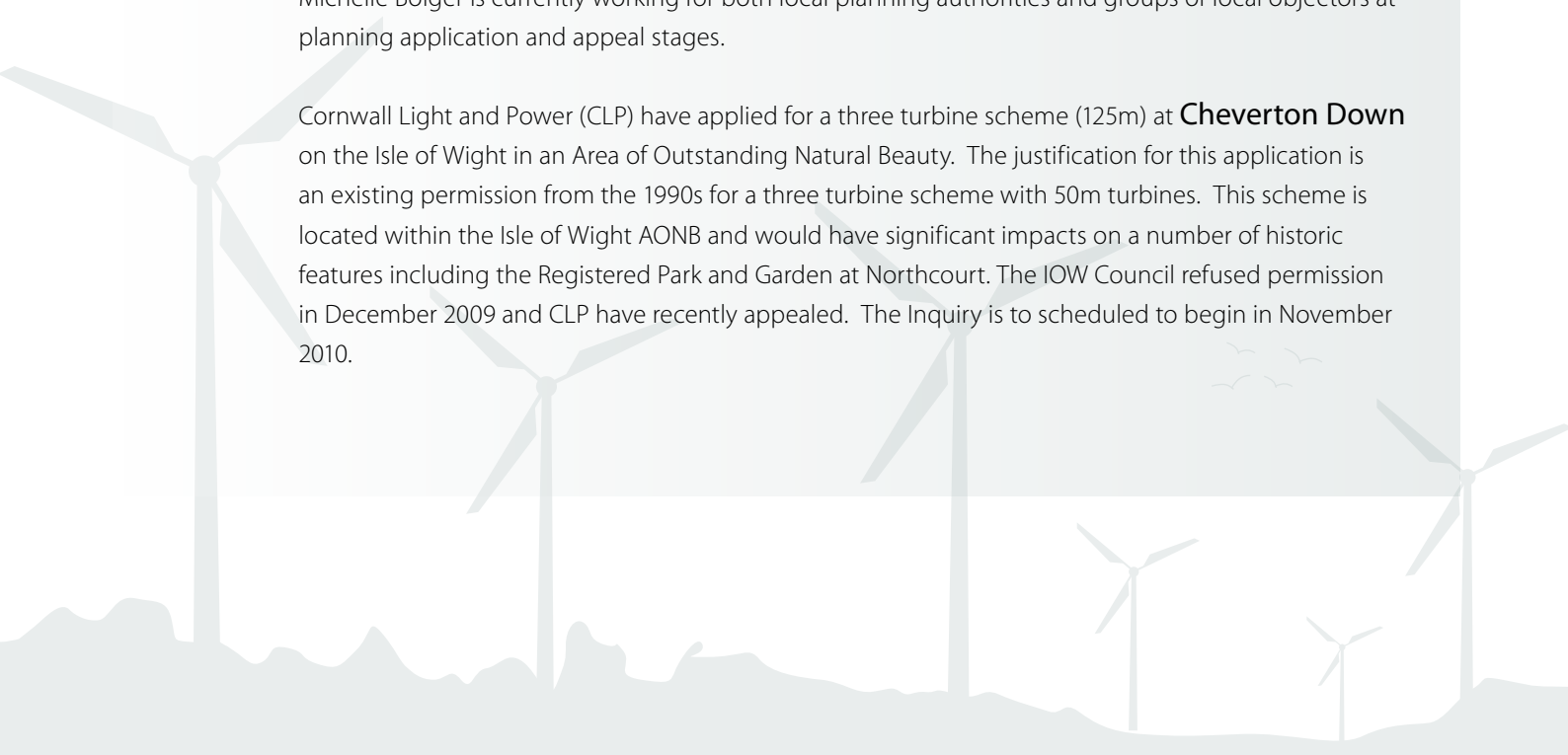
The inspector concluded that there would be unacceptable harm to the landscape, to the special qualities of the National Park and the living conditions of two residential properties on account of visual impact. She also concluded that there would be other adverse effects on the setting of a number of listed buildings, registered parks and a conservation area.

(APP/R1038/A/09/2107667 & APP/P1045/A/09/2108037 Land off Wirestone Lane, Middle Moor/Matlock Moor, Derbyshire. Ruth Mackenzie April 2010)

Current Projects

Michelle Bolger is currently working for both local planning authorities and groups of local objectors at planning application and appeal stages.

Cornwall Light and Power (CLP) have applied for a three turbine scheme (125m) at **Cheverton Down** on the Isle of Wight in an Area of Outstanding Natural Beauty. The justification for this application is an existing permission from the 1990s for a three turbine scheme with 50m turbines. This scheme is located within the Isle of Wight AONB and would have significant impacts on a number of historic features including the Registered Park and Garden at Northcourt. The IOW Council refused permission in December 2009 and CLP have recently appealed. The Inquiry is to be scheduled to begin in November 2010.



Enertrag have a WTD proposal at **Little Linton** in South Cambridgeshire. Like a number of proposals this application is very close to both district and county boundaries, in fact one of the turbines will be in Uttlesford, Essex. Michelle Bolger prepared a written response to the landscape visual and cultural heritage aspects of the Environmental Statement. The single turbine was refused by Uttlesford and Enertrag have chosen to appeal against non-determination by South Cambridgeshire. The appeal began in February 2010. Michelle gave landscape evidence on behalf of the LPA and evidence on cultural heritage issues for the local action group. The inquiry was adjourned and is due to resume in September 2010.

Pennant Wind Energy Ventures Limited appealed against the refusal by Blaenau Gwent Borough County Council to grant planning permission for a 4 turbine wind farm at **Pendragon Fach, Mynydd James**, Blaentillery in Wales. Michelle prepared evidence and appeared as an expert witness for landscape visual issues at the inquiry which was held in April and May 2010. Michelle gave her evidence as a consultant to DPP. The decision is expected by the beginning of July.

The Historic Environment

The impact of wind turbine development on heritage assets has become an increasingly important issue. At one time the impact on the setting of listed buildings and conservation areas was often undertaken by the landscape architect as part of the landscape and visual chapter of the ES. However it now generally part of the Cultural Heritage chapter and the assessment is undertaken by an historic environment professional, for example conservation architect, an historian or an archaeologists.

We have expressed concerns about whether these assessments adequately understand the visual impact aspects of impacts on setting and Michelle spoke on this issue at a Conference held in September 2009 to consider the question of assessing the impact of wind turbine development on the historic environment. A copy of her paper based on the talk can be downloaded from the news section of the lizlake website www.lizlake.com.



LIZ LAKE ASSOCIATES

Chartered Landscape Architects ■ Urban Designers ■ Landscape Planners

Western House | Chapel Hill | Stansted Mountfitchet | Essex | CM24 8AG

t +44 (0)1279 647044 e office@lizlake.com www.lizlake.com

