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BEL/JS/2

TOWN AND COUNTRY PLANNING ACT 1990

**APPEAL BY BROADVIEW ENERGY DEVELOPMENTS LTD AGAINST THE REFUSAL
TO GRANT PLANNING PERMISSION FOR THE CONSTRUCTION, OPERATION AND
DECOMMISSIONING OF A WIND FARM COMPRISING 5 WIND TURBINE
GENERATORS AND ASSOCIATED INFRASTRUCTURE ON LAND AT SPRING FARM
RIDGE, NORTH OF WELSH LANE BETWEEN GREATWORTH AND HELMDON**

PROOF OF EVIDENCE

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ON BEHALF OF BROADVIEW ENERGY DEVELOPMENTS LTD

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1. PREAMBLE

1.1. I am Jeffrey Stevenson and I hold the degrees of Master of Arts (Honours Geography) and Master of Philosophy (Town and Country Planning) together with a Post Graduate Diploma in Economic Development. I am:

- A Member of the Landscape Institute
- A Member of the Royal Town Planning Institute
- A Member of the Institute of Environmental Sciences
- A Member of the Energy Institute
- An Affiliate of the Institute of Ecology and Environmental Management
- A Fellow of the Royal Geographical Society.

1.2. Jeffrey Stevenson Associates is a corporate member of the Institute of Environmental Management and Assessment (IEMA) and recognized as a Registered Environmental Assessor (Associate Assessor Group 1 Member). For the sake of completeness, I am also a member of CPRE, the Ramblers Association, ICOMOS UK (the International Council on Monuments and Sites which monitors and considers nominations for World Heritage Site status) and Europa Nostra.

1.3. I was one of the authors of the Landscape Institute's and the Institute of Environmental Management and Assessment's (LI and IEMA) Guidelines for Landscape and Visual Impact Assessment (GLVIA Second Edition) and I am Chair of the Landscape Institute's/IEMA's GLVIA Panel which has produced, with Professor Carys Swanwick as writer, the revised and updated Third Edition of the Guidelines (Core Doc 8.13).

1.4. For over thirty years I have been employed in local government and private practice. From 1988 I was involved in a number of parts of the RPS Group. Until late 1991 I was a director and senior manager of RPS Clouston, the core practice of the RPS Group at that time, providing consultancy services with respect to landscape and environmental planning, environmental sciences, landscape architecture and design. From 1991 until 1999 I was a founding partner and chairman of the management group at EPCAD Consultants - a practice specialising in landscape planning, environmental planning, landscape design, ecology and nature conservation services. From 1999 to the present I have practiced as an independent consultant and am the sole principal of Jeffrey Stevenson Associates Ltd.

1.5. More or less from the outset of my professional career, I have been involved in planning, landscape and environmental studies many of which have dealt with development in or potentially affecting highly valued/protected areas for example National Parks, Areas of Outstanding Natural Beauty, Areas of Great Landscape Value, Green Belt land, Heritage Coast, Conservation Areas and National Scenic Areas. Over the last 15 years or so, I have been involved in or with perhaps as many as 145 wind farm sites and/or development appraisals 71 of which have progressed to or within the planning system since my involvement.

1.6. Of the 71 schemes, 8 are still in the development sanctioning system (including Spring Farm Ridge which had been consented but is now the subject of challenge and Inquiry re-run), 45 have been constructed or consented. A further

4 were considered appropriate in visual and landscape terms but were refused for reasons which were unrelated to landscape and visual matters – the landscape and visual evidence having been accepted. 14 were refused for reasons which included landscape and visual concerns (see JSA Proof Appendix 1).

- 1.7. Of the other c74 schemes, c64 did not progress or, if they did, did so or are doing so without my involvement. Currently, I am carrying out preliminary inspections or more detailed landscape and visual assessments for or advising on c10 sites/schemes in England, Wales and Scotland.
- 1.8. Because I appear at this Inquiry under the umbrella of Broadview Energy it must not be assumed that I am a 'pro-wind farm' landscape assessor. In last ditch efforts to convince an Inspector south of the Border or a Reporter in Scotland, opposing barristers/advocates have sometimes sought to brand me as an uncritical lover of wind turbines. The implication is that my judgement has been tainted or infected by a pre-disposition to be favourably disposed towards turbines and that I have been rendered 'blind' to potential harm.
- 1.9. I state plainly that I am not pre-disposed in favour of wind turbine development and I am by no means uncritical of wind turbine development. Although I cannot name the projects for reasons of confidentiality, I have advised (and continue to advise) clients and potential clients that, notwithstanding the spectrum of response to such proposals ranging from the strongly negative to strongly positive, the potential visual and landscape effects of their development concepts and/or schemes, in my professional opinion, would be adverse, sometimes clearly sometimes probably unacceptably so, likely to be rejected whether by a local planning authority in the first instance or on appeal and, should they continue with my services, that I would be bound to say so. As a corollary, it is therefore almost inevitable in the circumstances of a Public Inquiry such as this, that I should be perceived as someone who only supports wind farm proposals. This would be a superficial and incorrect conclusion.
- 1.10. I have in the past provided advice to two wind farm objector groups and was approached and invited by Natural England to advise and give evidence on their behalf against a wind farm proposal. Time constraints and other commitments ruled this out. I do not believe for one moment that if I had a pro-wind farm bias that the invitation from Natural England would have been extended. I was the Landscape Institute's representative for Natural England's programme aimed at producing guidance for Natural England staff in assessing on-shore wind energy proposals. If the Landscape Institute considered that I was biased in this regard, I do not believe that I would have been asked to represent the Membership. Equally, if the Landscape Institute deemed that I was somehow suspect in my professionalism, I would not have been appointed Chair of the GLVIA Revision Panel.
- 1.11. Notwithstanding my experience with respect to assessing the potential effects of wind farm development, this is not the limit of my past or recent experience. However, it is fair to say that as market conditions have altered over the last 2 – 3 years, providing opinion and advice with respect to wind energy concepts and proposals has occupied more and more of my professional

workload until it is over 90%. More recently, as consultant to Gillespies, I was involved with landscape and visual impact assessments addressing EDF's proposal for Hinkley Point 'C' nuclear power station and its associated on-site infrastructure together with the off-shore jetty. I gave evidence at the Jetty Inquiry and also was involved in production of various responses to the IPC Panel's questions and requests for information – in particular having regard to the landscape and visual relationships with the area of outstanding scenic interest at the Fairfield Estate as well as the Quantock Hills AONB.

- 1.12. I have re-visited the Landscape Institute's Code of Professional Conduct and Practice together with its Royal Charter. I am fully cognisant that landscape architects have responsibilities to the character and quality of the environment; that we should seek to manage change in the landscape for the benefit of both this and future generations, and we should seek to enhance the diversity of the natural environment, to enrich the human environment and to improve them both (the natural and human environment) in a sustainable manner. I believe that in considering the proposed development at Spring Farm Ridge, in addressing the potential visual and landscape effects and in submitting my opinion to this Inquiry (as I did to the first Inquiry), I have fulfilled my professional responsibilities.

2. THE PURPOSE AND SCOPE OF MY EVIDENCE

2.1. The purpose of my evidence is to address the relevant Reasons for Refusal contained in the Council's decision letter as well as the relevant concerns of third parties.

2.2. I do this by:

2.2.1. Demonstrating that the host contemporary landscape is not of such sensitivity such that it could not accommodate a wind farm of this scale and therefore the proposed development will not give rise to unacceptable harm in landscape terms.

2.2.2. Demonstrating that the proposed development is acceptable in terms of residential amenity. By this I mean that no property would fail what has come to be known as the 'Lavender Test' so far as the visual component of residential amenity is concerned.

2.2.3. Demonstrating the effects of the proposal in relation to recreational amenity will not, with respect to the overall enjoyment of the landscape, be unacceptably harmed.

2.2.4. Demonstrating that with respect to parts of the contemporary environment which have been designated for landscape reasons, unacceptable harm will not arise.

2.2.5. Demonstrating that Inspector Fieldhouse considered carefully all relevant landscape and visual matters prior to coming to the decision which was subsequently challenged.

2.3. I also have regard to the seam that links the contemporary landscape with cultural heritage considerations – matters addressed by Andrew Brown. Assessment of the contemporary landscape which may include heritage features is a distinct and different exercise to an assessment of impact on the heritage significance of designated and undesignated heritage assets.

2.4. Therefore, bringing the initial purpose of my evidence together with the set of considerations set out above, I believe that I provide a clear demonstration in relation to contemporary landscape and visual matters that planning permission can be safely granted for the Spring Farm Ridge proposal.

2.5. I should point out that the FEI at page 39 referred to FEI Appendix C (pp 70-71) which should have carried a diagram illustrating the points made. The relevant diagram is included at JSA Proof Appendix 2.

3. INITIAL STATEMENT

The Terms ‘Special’ and ‘Value’

- 3.1. I consider that, by and large, the great majority of landscapes in this country are ‘special’ in that they are usually ‘special’ to someone or to a local community. I recognise that, by and large, all landscapes are highly valued by communities living within those landscapes. There is, however, a hierarchy of landscape value as recognised in planning policy and guidance.
- 3.2. The National Planning Policy Framework refers to valued landscapes and provides a measure of guidance as to levels of relative value indicating that the planning system *‘should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes, geological conservation interests and soils...’* (paragraph 109). *‘Local planning authorities should set criteria based policies against which proposals for any development on or affecting protected... landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites...’* (paragraph 113) *‘Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.’* (paragraph 115)
- 3.3. Bringing ‘special’ and ‘valued landscape’ together, it is reasonable to consider that all landscapes are special and valued at, at least, one level but some are more special and valued than others and, in general terms, those that are designated at the international level are more special and valued than those designated at the national level and then at the local (that is District) level. I have placed the site and its immediate setting within this hierarchy in Table 3.1 below.

Table 3.1: Valued Landscapes Hierarchy

Hierarchy	
International	
National	
Local	
Undesignated	Spring Farm Ridge Site and Setting

- 3.4. I note that the Council’s *‘Energy Efficiency and Renewable Energy SPD July 2012’* (Adopted 2013 Core Doc 4.9) carries a figure (page 13) *‘Constraints in South Northamptonshire’*. The key indicates national and local designations covering landscape, cultural heritage and nature conservation. This does not deny that the local environment is deemed ‘special’, ‘cherished’ regarded as of ‘high value’ by those who live in the vicinity – as is the case with virtually every landscape where change of any scale is proposed. Nevertheless, the proposed site is completely unconstrained so far as the figure is concerned. The placement

of the site and its immediate setting at the level indicated in Table 3.1 appears justified.

Recent Change

3.5. I am aware of the most recent guidance concerning landscape and visual impact assessment – referred to as GLVIA3¹ as well as that published by Scottish Natural Heritage (SNH)² concerning cumulative landscape and visual impact assessment.

Scottish Natural Heritage

3.6. The purpose of referring to the SNH cumulative guidance (Core Doc 8.14) is the clear exhortation in paragraph 33 of that document which I consider is equally relevant to individual as well as cumulative assessments: ***‘The key principle for all... impact assessments is to focus on the likely significant effects and in particular those which are likely to influence the outcome of the consenting process.’*** (SNH emphasis.)

3.7. This is a principle which is expressed elsewhere in that document in various ways and which is expressed again at paragraph 102 where attention is implicitly drawn to the problem of providing increasingly detailed and voluminous information which, at the end of the day, is largely of little relevance or may be irrelevant to the decision: ***‘The level of information generated can distract attention from the most significant.... effects which are likely to influence the consenting decision. Assessments should therefore focus on the most significant... effects and conclude with a clear assessment of those which are likely to influence decision making.’*** (SNH emphasis.)

The Guidelines for Landscape and Visual Impact Assessment Third Edition GLVIA3

3.8. GLVIA3 strongly endorses the approach set out above and stresses proportionality.

3.9. It is also relevant to note the guidance offered by the Landscape Institute/IEEMA set out on the Institute’s website which states: *‘The third edition of Guidelines for Landscape and Visual Impact Assessment (GLVIA) was published on 17 April. GLVIA3 has now replaced the second edition (GLVIA2: the Blue Book). In general terms the approach and methodologies in the two editions are the same. The main difference is that GLVIA3 places greater emphasis on professional judgement and less emphasis on a formulaic approach. Members have asked for clarification on the status of projects developed under GLVIA2, but reviewed or implemented after publication of the third edition. An assessment started using GLVIA2 should be completed using that edition. However, if in the view of the professional a comparison should be undertaken with GLVIA3, and subsequently if necessary a re-assessment undertaken according to GLVIA3, then this should*

¹ Landscape Institute/Institute of Environmental Management and Assessment; ‘Guidelines for Landscape and Visual Impact Assessment’; 3rd Edition; 2013

² Scottish Natural Heritage; ‘Assessing the Impact of Cumulative Onshore Wind Energy Developments’; 2012

be discussed and agreed with the client in the first instance. Obviously, assessments started after the publication of GLVIA3 should use it, rather than GLVIA2.'

- 3.10. The Spring Farm Ridge ES was started applying GLVIA2 and completed similarly.
- 3.11. I have re-read the landscape and visual impact assessment alongside GLVIA3 and have come to the conclusion that a re-assessment is not necessary although, for the sake of completeness, some clarification is necessary. The ES, the FEI and my evidence to the first Inquiry presented significant effects 'in EIA terms'.
- 3.12. Given the LI/IEMA Statement of Clarification (Core Doc 8.18), the methodology table applied at that time might usefully be redefined as in Table 3.2 below. Previous references to effects of, for example, of moderate/major and or major significance should be understood in terms of moderate/major or major level of effect with these levels being classed as 'significant'

Table 3.2

From

EFFECT MAGNITUDE	EFFECT SIGNIFICANCE		
HIGH	Moderate	Moderate/Major	Major
MEDIUM	Low/Moderate	Moderate	Moderate/Major
LOW	Low	Low/Moderate	Moderate
NEGLECTIBLE	Negligible/Low	Low	Low/Moderate
	LOW	MEDIUM	HIGH
	RECEPTOR SENSITIVITY		

To

EFFECT MAGNITUDE	LEVEL OF EFFECT		
HIGH	Moderate	Moderate/Major	Major
MEDIUM	Low/Moderate	Moderate	Moderate/Major
LOW	Low	Low/Moderate	Moderate
NEGLECTIBLE	Negligible/Low	Low	Low/Moderate
	LOW	MEDIUM	HIGH
	RECEPTOR SENSITIVITY		

Key		Significant
		Not significant

3.13. Therefore, having regard to the points made in above, this proof of evidence has been submitted on this basis: that is having regard to proportionality, focussing upon the most significant effects and concluding with a clear identification of those which I feel are likely to influence decision making. I consider the likely significant effects (arising from the impacts of the scheme) which are the most likely to influence decision making are:

- the effect with respect to local landscape character; and
- the effect with respect to the visual amenity enjoyed recreationally and residentially in the locality.

3.14. I note that the Council in its Reasons for Refusal and Statement of Case does not (in my opinion correctly) raise the issue of potential cumulative impacts noting the operational, consented or proposed developments at or within 15 km of the Spring Farm Ridge site (see JSA Proof Appendix 13).

Other Confirmed and Potential Change

3.15. I note that there have been two applications for further residential development in the local area within 1 km of the nearest turbines. They are at Stuchbury Hall Farm to the north (application to convert a barn into a residential unit) and at Bungalow Farm to the south (consent granted to convert a single storey dwelling into a two storey dwelling).

3.16. A further potential change in the locality is the proposed High Speed Rail Link HS2 which is proposed, at this stage, to run past the site to the south of the B4525 from west of Radstone, between Greatworth Hall and Greatworth and on to the east of Thorpe Mandeville. It is understood that the HS2 route would pass into a tunnel at a point to the north-east of Greatworth and thence beneath Helmdon Road and the B4525 (Core Doc 14.1).

3.17. This, if it goes ahead, will increase the perception of 'developed countryside' in the vicinity although the route's placement in cutting south of the B4525 will mitigate that perception to some degree.

3.18. Finally, it is to be noted that the 'Tanks A Lot' site has been granted retrospective planning permission to continue its activities which include driving ex-military vehicles around and across part of the local landscape. The fact that this is now a permanent land use with accompanying noise and movement may condition how local residents and visitors will choose to enjoy the amenity offered by local rights of way.

3.19. There are no other changes of which I am aware that could affect the local baseline.

Landscape Planning Policy

3.20. I do not address cultural heritage matters which is a subject which clearly requires specialist training and qualification. Equally, I do not deal with what is termed 'the planning balance' – a matter for Mr Bell. However, I have had regard to a number of documents which contain policy and/or guidance which relate to landscape and visual amenity.

3.21. Guided in part by Mr Bell, they are:

- The National Planning Policy Framework.
- The 'saved policies' of the South Northamptonshire Local Plan 1997 including but not limited to: G3, EV1, EV2, EV21, EV29, EV31 – all of which are interesting but are not directly related to renewable energy development since there does not appear to be any guiding policy in that regard.
- The Draft Joint Core Strategy including, but not limited to, policies S1, S11, BN9, R2 .

3.22. I have also had regard to Supplementary Planning Guidance: 'Wind Turbines in Open Countryside' 2010 and to the 'Energy Efficiency and Renewable Energy Strategy SPD Consultation Version' 2012 now adopted (2013) (Core Doc 4.9).

3.23. In simple terms, the policies seek the protection of that which is considered worthy of protection and appear to set out facilitating criteria, the meeting of which should lead to planning permission being granted. However, when such policies or draft/emerging policies state that proposals will not be consented if significant adverse effects arise, they cannot be seen other than as obstructive rather than facilitating. This has clear relevance to commercial scale wind energy development. It is accepted and even explicit in guidance that wind energy will give rise to significant effects. It is also the case that, given the nature of such development, that a sector of the perceiving public will consider the effects arising to be adverse. Any policy which states that a development will be granted permission except that it gives rise to significant adverse effects with respect to landscape and/or visual amenity must therefore be obstructive to commercial scale wind energy development since a wind farm could never pass such a test.

4. LANDSCAPE

Regional Landscape Considerations

4.1. Regional landscape considerations are addressed in the ES at 7.5.2.1 onwards.

The site is predominantly situated within Character Area 95 Northamptonshire Uplands, with the eastern fringes of the site located within Character Areas 89/94 Northamptonshire Vales and the Character Area 91 Yardley-Whittlewood Ridge; which extend north east from the centre of the study area. The site location is illustrated with these character areas and others within the 30 km study area on ES Figure 7.2. A full description of all the regional character areas within the study area is contained at ES Appendix B.

4.2. Character Area 95 Northamptonshire Uplands: The majority of the Site is located at the south eastern boundary of this character area which covers a large proportion of the landscape in South Northamptonshire abutting landscapes in the neighbouring counties of Oxfordshire and Warwickshire. The key characteristics are stated as follows:

- Rounded, undulating hills with many long, low ridgelines (1);
- Abundant and prominent ridge and furrow with frequent deserted and shrunken settlements (2);
- Sparse settlement of nucleated villages on hilltops or valley heads (3);
- Mixed farming: open arable contrasts with pasture enclosed by good hedges with frequent hedgerow trees (4);
- Wide views from the edges and across the ridge tops (5);
- Straight, wide, enclosure roads, often following ridges (6);
- Little woodland, but prominent coverts on higher ground (7);
- Ironstone and limestone older buildings with a transition across the area (8);
- Brick buildings in some villages (9);
- Great variety of landform with distinctive local features like Hemplow Hills (10); and
- Large and nationally-important historic parks (11).

4.3. Of the above 11 key landscape characteristics, it is only number (5) '*wide views from the edges and across the ridge tops*' which is relevant here. In any event, it should be noted that this is not strictly speaking a key landscape characteristic. The characteristic might, more correctly, have been drafted '*combination of openness and topography with relatively little variation in amplitude which, in turn, permits wide views... tops*'. Pedantically perhaps, that combination will remain unaffected.

4.4. What is relevant is the introduction of wind energy development which will alter perceptions of the landscape and which are, at this scale, essentially subjective amenity related matters.

4.5. I have also paid attention to the East Midlands Regional Landscape Character Assessment which incorporates the Peak District National Park and the Lincolnshire Wolds AONB which was produced by Landscape Design Associates for Natural England's East Midlands Region. The site is located within an extensive

landscape type – Village Farmlands – Group 5c Undulating Mixed Farmlands. The key landscape characteristics are:

- Varied landform of broad rolling ridges, steep sided valleys, rounded hills and undulating lowlands; **Response:** this will continue.
- Well treed character arising from abundant hedgerow trees, copses and woodlands; **Response:** this will continue.
- Upland areas mark a major watershed in Middle England and are the source of major rivers; **Response:** this will continue.
- Mixed farming regime with mainly arable land uses on hills and ridges and in fertile lowlands; intact hedgerow networks generally associated with pastoral land uses; **Response:** this is anticipated to continue very much as before.
- Sparse settlement patterns with limited modern development; widespread use of local limestone and ironstone in vernacular buildings and churches; **Response:** this will alter in the locality of the site and its immediate setting via the introduction of a modern wind farm but it will be essentially a localised occurrence.
- Network of quiet country lanes linking rural communities; **Response:** this will continue.
- Remote, rural and sometimes empty character; **Response:** this will continue in the main but would be altered in the locality, especially should HS2 be consented and constructed. However, it should be noted that the site and its immediate setting is not remote, it is not empty and it would remain rural. There is a perception of 'developed countryside' in the vicinity and this would be reinforced by the wind farm (and HS2). I have addressed the matter of 'industrialisation' elsewhere in my evidence (see paragraph 9.4 below).
- Frequent and prominent ridge and furrow and evidence of deserted or shrunken medieval settlements. **Response:** this will continue where it occurs.

4.6. In terms of altering the elements, patterns, and combinations of elements and patterns that give rise to *regional* (and district/local) character, the Spring Farm Ridge proposal would have little relevance.

4.7. Because of its nature, little would be changed physically on the ground. Wind farm development, by its nature, is generally additive rather than subtractive. By 'additive' as opposed to 'subtractive', this can best be explained in the following manner. A wind farm by its peculiar³ nature, removes very little of the existing

³ By 'peculiar' I do not mean 'odd' or 'strange'. Rather, I adopt the meaning which relates to something being a characteristic of and distinctive i.e. 'peculiar to' something. If the observer were contemplating a building then one way to consider the appearance would be to refer to the massing of the elements and the relationship between 'solid' and 'void' - usually hard exterior finishes versus door and window openings. Developments with a high proportion of solid to void tend to be described as 'heavy', 'massive', 'impenetrable' whereas those with a higher void to solid ratio are described as 'light', 'airy', 'permeable'. A wind farm has a 'peculiar' geometry in the sense that it (normally and certainly in this case) has an unusually low solid/void ratio when read as a single form of development. In the landscape fabric sense, it is 'peculiar' in having a very light footprint and one which permits farming to continue more or less up to or very close to the turbine bases.

landscape fabric. Thus the wind farm is perceived to add elements leaving the broader existing elements, patterns and combinations of patterns largely untouched.

- 4.8. Nevertheless, because of the *locally* characterising effect which would arise were consent to be granted (see below and also the FEI) a comment or reference *may* be appropriate along the following lines: *'wind energy development has given rise to locally characterising effects for example between Greatworth and Helmdon'*. However, given the geographic extent of the region, I suspect this type of observation would have to be repeated in a number of areas. However, notwithstanding the presence of a number of commercial scale wind energy developments in the region, this does not occur. It seems reasonable therefore to conclude that wind energy is not regarded as a regional characteristic or even a key landscape characteristic within any of the landward landscape types.
- 4.9. In general terms at the regional scale, whether through consideration of the Countryside Agency material or the Regional LCA, no significant landscape character effect would arise. It is more relevant to pay closer attention to the effect which would arise at the local level.

Local Landscape Considerations

JSA Methodology, Theoretical Wind Farm Landscape, Local Landscape with Wind Farm Sub-type

- 4.10. The FEI includes the JSA methodology (and I have commented on it in Section 3 above with respect to the LI/IEMA Clarification Note 1/13 – Core Doc 8.18). The JSA Methodology was discussed with authors of the ES chapter and it was agreed that it was appropriate and fit for purpose. In simple terms, there is sufficient wind farm experience in the UK for useful and practical terms to have evolved such as 'wind farm landscape' and 'local landscape with wind farm sub-type' or 'landscape with wind farm development'. These terms, along with the concept of 'valency' have passed into 'normal' usage although it is preferred if the term 'valency' is not used.
- 4.11. Significant character effects would occur where wind turbines would be said to characterise the landscape whether in the form of a wind farm landscape or as part of a local landscape with wind farm sub-type – in this case primarily Undulating Claylands with Wind Farm.
- 4.12. The wind farm landscape would be where the wind farm would be *the* defining key landscape characteristic and would be how that part of the landscape would be defined, perceived and described. Essentially it would be where the wind farm would be the dominant element within perceptions. The wind farm would continue to exert a less dominant but still characterising effect outwards from the wind farm landscape where it would, in combination with other principal landscape elements, give rise to a local landscape sub-type – in this case Undulating Claylands with Wind Farm. At the scale of the Undulating

Claylands, bearing in mind just how extensive they are, the area affected would, proportionately, be small.

- 4.13. As distance increases from the turbines, the wind farm would be read more and more as a diminishing component of the landscape with a reducing contribution towards perception of character moving from the determinant of it (wind farm landscape) where the turbines might be described as solely dominant; through the locally co-dominant/contributory stage (local landscape plus wind farm sub-type – where they may be prominent) to the apparent (where the wind farm's characterising effects are subordinate to those of the original baseline landscape type/character. That would be where the Undulating Claylands reassert their broader dominance over the landscape (as opposed to visual) influence that the wind farm may exert. Moving farther afield again, the wind farm would then become more incidental. These principles were explained in FEI Appendix B pages 70 - 71 and should have been illustrated by means of the diagram at JSA Proof Appendix 2.
- 4.14. It should be noted however that it is perfectly possible for an observer to conclude that her/his immediate surroundings are not *characterised* by a wind farm (since this depends on 360 degree awareness of the elements, patterns and key characteristics in-the-round) whilst, at the same time, remaining the subject of a significant *visual* effect when viewing in the direction of the wind farm placed within a relatively narrow cone of view.
- 4.15. In my opinion, the theoretical ranges of the wind farm landscapes and the local landscapes with wind farm sub-types each would be as set out in Table 4.1 below.

Table 4.1: Significant Landscaper Character Effects - Ranges

	Theoretical Wind Farm Landscape	Probable Theoretical Local Landscape with Wind Farm Sub-type	Possible Theoretical Local Landscape with Wind Farm Sub-type
Spring Farm Ridge	800m	1.5 km	2.5 km

- 4.16. I discussed this approach and my findings with staff of Stephenson Halliday and they agreed with me that the ES judgements were over-cautious i.e. that significant character effects may extend up to c3.0 km to 4.0 km from the turbines. The theoretical ranges were then set out at Figures 6-8 in FEI Volume 2.

On-the-Ground Experience and why the ES is Over-Cautious

4.17. The ES judgements (see the ES at 7.7.6.3) are over-cautious as a result of conflating visual impact assessment with landscape impact assessment. GLVIA3 (Core Doc 8.15 and essentially repeating GLVIA2) states at paragraph 2.18: 'LVIA must address both effects on landscape as a resource in its own right and effects on views and visual amenity' and on page 22 (4th bullet point) 'LVIA must deal with and clearly distinguish between the assessment of landscape effects, dealing with changes to the landscape as a resource, and the assessment of visual effects, dealing with changes in views and visual amenity'.

4.18. The ES judgements with respect to landscape character rely too heavily on views in the direction of the wind farm. I offer as an example the following.

4.19. From ES 7.6.6.3 relating to the Undulating Claylands 6a Tove Catchment Area:

*The views of the proposed development within 4 km would be heavily filtered in many areas within this landscape due to level of tree cover. The turbines would be predominately viewed against the background sky and appear evenly spaced in compositional terms. Beyond 4 km, the effects of the proposed turbines on the Tove Catchment Area 6a (Undulating Claylands) would vary with distance and elevation and the proposed development would assume a lesser presence and increasingly become a minor element in the pattern of landscape elements. The magnitude of change on the landscape character from areas beyond 3 km of the site would range from moderate to negligible with a level of effect no more than **Moderate and Not Significant** with turbines often predominantly screened by a combination of topography and shelterbelts/hedgerows/ plantations.*

*Overall, there would be a locally significant effect on the Tove Catchment Area 6a at close range and up to distances of between 3 km and 4 km subject to screening levels. Within a landscape of medium sensitivity, the magnitude of change on the character of this landscape type within an approximate 4 km radius from outer turbines is considered to be Major to Moderate which results in a level of effect which would range between **Major / Moderate and Moderate , and Significant from some areas.***

4.20. Also from ES 7.6.6.3 but this time relating to the Undulating Hills and Valleys 13b Bugbrook and Daventry:

*This landscape area is located between 10 km and 20 km to the north of the site and ZTV coverage will be extremely limited resulting in a Slight magnitude of change and an overall effect which would be **Moderate /Minor and Not Significant.***

4.21. Again from ES 7.6.6.3 and relating to the Low Wooded Clay Ridge – Whittlewood Plateau 8a:

The nature of the views within this landscape vary with longer views possible in northern areas combined with enclosed views from many other parts of the landscape due to the

level of woodland screening. Viewpoint 11 is located within this landscape which illustrates limited views due to intervening topography and mature hedgerow screening.

Views of the proposed development from many parts of this landscape generally would be

heavily influenced by the level of tree cover and topography with magnitude of change

ranging from Moderate to Negligible. The overall magnitude of change in respect of the

Low Wooded Clay Ridge (Whittlewood Plateau 8a) landscape area would be Slight to

*Negligible resulting in a **Moderate /Minor to Minor level of effect which would be Not Significant.***

- 4.22. The ES judgements are heavily reliant on visual effect arising rather than assessing the potential nature of the change against the landscape type's local elements and patterns at the site and in its immediate setting as well as its key landscape characteristics. In summary, removing those aspects of the assessment which relate to visual amenity as opposed to landscape character, the key characteristics of the surrounding landscape types would not be significantly affected. Such significant *character* effects as would arise would be more limited in geographical extent – hence theoretically up to 2.5 km rather than 3.0 – 4.0 km.
- 4.23. Even if the ES's 3 – 4 km extent were to be accepted, would this give rise to an unacceptable effect on landscape character? As previously indicated, the regional level is too coarse grained a level to be affected noting that the location of the site is more or less at the conjunction of Joint Character Areas 95 – Northamptonshire Uplands, 89+94 Northamptonshire and Leicestershire Vales and 91 – Yardley – Whittlewood Ridge. This is an area where the characteristics are less well defined than in the core areas and where there is a sense of transition. There are two points to note. Earlier I indicated that because of the additive rather than subtractive nature of wind farm development, at the JCA level there might sensibly be a further localised characteristic: *'wind energy development has given rise to locally characterising effects for example between Greatworth and Helmdon'* which, if extended to c3.0 km – 4.0 km would read as *...between Culworth/Sulgrave, Thenford/Marston St Lawrence, south of Radstone and east of Helmdon.* This would be relevant not just to JCA 95 but also JCA 89+94 and JCA 91. The second point is that, as a glance at ES Figure 7.2 demonstrates, such a locally characterising effect as would arise within this area would be minimal in scale and on the very margin of each of these areas. As such, no significant effect would arise at this level whether for the host RLCA or its neighbours.
- 4.24. The same principal and conclusion applies at the regional scale within the terms of the East Midlands Landscape Character Assessment's – Type 5c – Undulating Mixed Farmlands.
- 4.25. As noted, at the local level, the key characteristics of the adjoining landscape types would be substantially unaffected. In terms of how the landscape in these areas would be perceived, there would be (a) a small scale effect within unit 13a (see ES Figure 7.3) Undulating Hills and Valleys Woodford Halse; (b) a similarly

small scale effect in unit 10a Limestone Plateau Croughton, Aynho and Farthinghoe Plateau and (c) virtually no perceptible significant effect in 8a Low Wooded Clay Ridge Whittlewood Plateau given the screening effect on woodland which comprises the westernmost tip of the character area. Bringing the scale of the effect compared to the overall extent of the character areas (which are smaller than the total area of the respective landscape types), together with the limited interaction with the key landscape characteristics, (and bearing in mind the long-term but essentially reversible nature of the effect) the ES conclusion would be valid – that no significant effects would arise with respect to these landscape types and their character areas which adjoin the Undulating Claylands Unit 6a Tove Catchment.

- 4.26. Whilst it makes little difference in terms of the overall conclusion, I still consider that it is important to recognise that the approach adopted in the ES led to a wider casting of the 'significant character effects' net than was necessary and this is reflected in the conclusion set out in the FEI (see FEI Figure 8).
- 4.27. 'On the ground' experience of this landscape permits the reader to consider drawing in the Possible Theoretical Local Landscape with Wind Farm boundary to a more practical level. The villages of Greatworth, Helmdon and Sulgrave are sufficiently strong and individual in character to contrast markedly with the surrounding landscape. Their character would be substantially unaffected when considered in the round i.e. taking all relevant considerations into account. Considering the landscape to the north of Sulgrave, east of Helmdon and west of Greatworth, there is a sense of separation from the site. The same is experienced in the vicinity of Viewpoint 6. The montages for Viewpoints 8 & 9 demonstrate the point made earlier that although a significant visual effect may arise when viewing solely in the direction of the proposed wind farm, when one stops to consider the character of the landscape at the viewpoint – literally in the round – it is clear that the location is not *characterised* by the wind farm although viewers may consider that there is an effect (whether positive or negative) on the amenity that they enjoy – a separate consideration as GLVIA3 requires (as did GLVIA2 previously).
- 4.28. Accordingly, it is my opinion that the 'on the ground' characterising effect of the proposed wind farm would extend towards Sulgrave; perhaps slightly beyond Allithorne Wood; down to Helmdon and around it on the west side; towards but not reaching Radstone and then west towards the power lines and pylons and then to Greatworth. Thereafter the line might usefully be drawn along the Marston St Lawrence – Magpie Farm road before swinging east towards Sulgrave.
- 4.29. The proposed wind farm would be set within open farmland next to the 'Tanks A Lot' operation such that pre-existing land uses would continue much as before. The wind farm would thus be additive and, by implication, easily removed such that the original landscape could be easily recovered. The wind farm would arise from 'planting' the turbines into an established landscape whose elements, patterns and combinations of elements and patterns would largely remain untouched. At the same time, the 'peculiar' geometry of the wind farm (see Footnote 3) carries with it the characteristic of having a high degree of visual permeability permitting observers to look between and beyond the individual

elements and thus maintain linkage and reference to the wider host context. Openness would be reduced to a degree but not significantly.

4.30. A detailed description of the character of the host landscape (Undulating Claylands - Tove Catchment) is set out in the ES at 7.5.2.2 with description of surrounding landscape types in Vol 4 Appendix B of the ES (see also JSA Proof Appendix 3 where I include the key landscape characteristics of the host and adjoining landscape types which are within 5 km of the proposed turbines (see FEI Figure 1 – types 13a, 10a and 8a – Undulating Hills and Valleys, Limestone Plateau and Low Wooded Clay Ridge).).

4.31. The FEI reviewed the baseline description and stated the following at 7.6.2.2 onwards.

4.32. *'South Northamptonshire Landscape Character: A county wide landscape character study Northamptonshire Current Landscape Character Assessment, (2003) was carried out for Northamptonshire which has assessed the Landscape Character Types (LCT) and Landscape Character Areas (LCA). This report was updated as a Strategic Framework Study, (November 2006) with limited changes to information on landscape character. The proposed site is located in South Northamptonshire District, within the Undulating Claylands Landscape Type (6a Tove Catchment Area LCA), which is an undulating landscape covering a large proportion of South Northamptonshire. The Undulating Claylands are bounded to the west and north by the Undulating Hills and Valleys LCT and to east by Low Wooded Clay Ridge LCT. Figure 7.1 illustrates the site in the context of the local landscape out to a distance of 15km.'*

4.33. *'Other Areas of Local Landscape Character: The remaining landscape character types identified by the Northamptonshire Landscape Character Assessment, the Aylesbury Vale Landscape Character Assessment (May 2008) and the Oxfordshire Wildlife and Landscape Study within the 15km study area have been reviewed and illustrated on Figure 7.1. The analysis of landscape sensitivity and the effect on key characteristics within a more focused area including all landscape character areas within a 10km radius is set out within Appendix A.'*

4.34. Having regard therefore to landscape character, there would be significant direct character effects within the open farmland landscape (see FEI section 7.8.6) of the Undulating Claylands (Tove Catchment 6a). It is important to note however that the theoretical effects⁴ would be relatively limited in extent when considered 'on the ground' and would occur within a landscape type which is by no means small-scale overall⁵ or especially unique, far less rare. A part of the

⁴ See the FEI at section 7.8.6 where it sets out the theoretical extent of the possible significant character effects – that is up to c2.5 km from the turbines.

⁵ It is almost inevitable that, in farmed countryside, there will be a charge that turbines will be totally out of scale in the host landscape. And yet wind energy developments have been consented, built and operated successfully in both undesignated and locally designated farmed and settled landscapes (and also in statutorily designated landscapes). It is a flawed argument to equate the size of elements within the landscape to the scale of the landscape. 'Scale' does not refer to a specific dimension. It relates to

landscape character resource would be affected but it would not be 'lost' or destroyed. The effect would be local rather than widespread i.e. within a few kilometres in character terms; long-term as opposed to permanent, relatively easily reversed (and therefore important in terms of sustainability considerations) and, depending on persuasion, positively regarded by some, of no account for others and adverse for the remainder. Further confirmation is provided below having given consideration to the landscape sensitivity approach (see Table 4.2).

4.35. I have, as a separate exercise, considered a range of attributes that have generally been applied in wind energy studies and which are exemplified in the work of Lovejoy in Lancashire for the County Council and Coates in Cumbria for the County together with a grouping of District Councils (see JSA Proof Appendix 4). The theme of the approach set out in Table 4.2 is substantially mirrored in the work of Land Use Consultants in their capacity/sensitivity studies for local planning authorities (e.g. Cornwall, Huntingdonshire, Breckland).

4.36. Bringing such considerations together with the landscape at and in the local setting of the proposal, I set out my observations in Table 4.2 below. Columns 1, 2 and 4 are those of Council consultants (Lovejoy in this case). The text in the third column is mine.

Table 4.2: Landscape Sensitivity Criteria

Physical	Lower sensitivity	Spring Farm Ridge	Higher sensitivity
Scale	Large	Medium – Large (larger on the more elevated landscape, smaller scale (i.e. medium scale) within the valley)	Small
Openness	Open, exposed	Open, partly exposed and windswept at times...	Enclosed, introverted, discrete
Landform	Smooth, regular, flowing	Smooth and reasonably regular...	Dramatic, rugged, complex
Land cover	Extensive areas of consistent ground cover	Reasonably extensive areas etc...	Mosaic
Complexity and Patterns	Simple and/or with sweeping lines, linear features and patterns	Simple with linear elements – hedges and plantations in places ... though not rigidly geometric...	Complex or irregular patterns

the understanding of relative size between features or elements. To understand scale, we are aware of elements whose size and extent are recognisable (houses, barns, trees, plantations). These are then applied to 'measure' or 'correlate' with the size of other elements and thereby make spatial judgements concerning the extent of the perceived landscape overall.

Built Environment	Contemporary masts, pylons, industrial elements, buildings, infrastructure, settlements	Built form close by in the vicinity. Some local masts farther afield as are high voltage electricity transmission lines and pylons. Established, partly traditional settlements are close by but shielded to an extent. Smaller scale commercial development to the south and east (adjacent to the proposed wind farm). There is the possibility of HS2 running to the south of the B4525 in the vicinity of the site.	Established, traditional settlements, buildings or structures New
Perceptual			
Sense of remoteness/wildness	Busy evidence of human activity	There is no sense of remoteness. The site is not remote from public highways or settlement. There is a clear sense of human intervention in this landscape as well as the presence of numbers of people at times using local roads. This is not a part of the countryside which would be widely regarded as a source of solitude and emptiness. This is not a wild landscape.	Remote and or peaceful, sense of tranquillity, solitude, emptiness
Perception of change	Dynamic or modern landscapes	Modern landscape with heritage assets in the vicinity (see Cultural Heritage evidence)....	Ancient landscapes, designed landscapes or landscapes with obvious historical continuity
Visual			
Landscapes that form settings, skylines, backdrops, focal points	Generally a low lying landscape without distinctive landform or horizon	A low lying landscape (i.e. a landscape without substantial changes in amplitude) without especially distinctive landform or horizons....	Areas with strong features, focal points that define the setting or skyline
Views intervisibility	Visually contained, limited views within/into/out of area near horizons	Mixed - extensive views in some parts (more elevated) with less extensive views in wooded/hedgerowed areas and visually sheltered areas (lower down)	Extensive views within, into/out of area, distant horizons
Value			
Rarity	Commonplace	Commonplace... ordinary....	Rare

Designated scenic quality	No specific designation	No specific designation...	National or regional designation
Cultural associations	No specific cultural association	See Mr Brown's evidence.	Strong cultural association
Amenity and recreation	Little or no amenity function	Locally promoted routes in the area and farther afield with the potential for users to see parts of the wind farm..... ⁶ At the same time, the legitimising of the 'Tanks A Lot' land use to the immediate east of the proposed wind farm is a recreational attraction which will have a bearing on how others will regard the locality when out and about walking on local rights of way.	Well used for amenity/recreation

4.37. Based on the Lovejoy model, this landscape – that of the Undulating Claylands in the Tove Catchment Area carries the characteristics which render it less rather than more sensitive and thus more rather than less capable of accommodating wind energy effects without unacceptable harm to its landscape attributes. However, as with virtually every wind farm development, the local host landscape at and within a few kilometres of the turbines will be sensitive given the locally characterising effect of the wind farm.

4.38. Turning to the Coates' model, many of the attributes are similar but here I note the following:

1. Openness with Broad Views (as partially evidenced at Spring Farm Ridge) represents a lower sensitivity attribute.
2. Flat or gently undulating topography (e.g. in the Spring Farm Ridge case) indicates a higher visual sensitivity.

4.39. Both the specific scheme assessment presented in the ES and updated in the FEI together with the sensitivity approach based on host attributes described above lead to the same conclusion: that the proposed wind farm would be set within a wider landscape which is capable of accommodating the proposal without changing broader existing key characteristics to the extent that there

⁶ The following is text from a proof delivered to the Harrington Inquiry. The Brampton Valley Way (also part of the Midshires Way) lay some 700m from the nearest 125m to tip turbine (open view). 'However, as referred to above, what is of particular note in respect of the Brampton Way is the response of the Northamptonshire County Council Rights of Way Service and Country Parks Team who, as reported by the Planning Officer in his report consider that if the proposed wind farm is consented, it will attract greater numbers of visitors and people will use the Brampton Valley Way to get a closer look. In other words, rather than dissuade people from using and accessing the countryside, the wind farm will prove to be an attraction. Having read the response from Northamptonshire County Council, this is an accurate report of their professional response.'

would be widespread transformation and that the host landscape type would be less rather than more sensitive in general terms.

GLVIA Definitions which acknowledge harm and ‘permit’ it without it being determinative

- 4.40. I have previously (evidence submitted to the first Inquiry) made reference to the Second Edition of the GLVIA’s definition of landscape sensitivity (*‘The extent to which a landscape can accept change of a particular type and scale without unacceptable adverse effects on its character.’* The Second Edition’s definition for landscape capacity was: *‘The degree to which a particular landscape character type or area is able to accommodate change without unacceptable adverse effects on its character. Capacity is likely to vary according to the type and nature of change being proposed.’*⁷
- 4.41. It was important to recognise that it was not sufficient for ‘harm’ in landscape character terms to arise for a scheme to be deemed out of kilter with landscape sensitivity or landscape capacity. It had to be something beyond the ‘harmful’ and to fall within the ‘unacceptably harmful’. But even if a scheme were to be considered to be beyond the capacity of the landscape to accommodate such a development, does that mean it should be rejected purely on landscape grounds? Much will depend on the value of the landscape and the fact, as PPG22 Companion Guide makes clear, landscape and visual effects are only one consideration to be taken into account in assessing planning applications.
- 4.42. This leads on to the GLVIA Third Edition’s definition of sensitivity: *‘A term applied to specific receptors, combining judgements of the susceptibility of the receptor to the specific type of change or development proposed and the value related to that receptor’.*
- 4.43. In this case, landscape character at the broader scale would not be highly sensitive (this is not to deny that visual effects would extend farther than landscape effects) and neither is it highly valued as recognised by designation. It is locally *within part of* the host landscape type highly valued by the local community but otherwise undesignated, that the environment would be highly sensitive. In the immediate setting therefore, susceptibility would be high, the landscape impact would be high and would therefore give rise to a major level of effect which in turn would be significant in the vicinity (High magnitude x High sensitivity). Moving outwards, the impact would be of medium magnitude – perhaps up to c2.5 km from the turbines – and therefore give rise to a Moderate/Major level of effect (significant in character terms). Beyond that range, the magnitude of the impact would be less and therefore, even in a landscape of potentially High sensitivity, the level of effect (less than Moderate/Major) would not be significant.
- 4.44. Further, as Scottish Natural Heritage have recognised in another sphere (para 8.7.2 of SNH’s 4th Draft – still current – Scoping Issues for Windfarm EIA, October 2006 – Core Doc 8.16), there is a degree of flexibility in whether the effect would

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The Landscape Institute/Institute of Environmental Management and Assessment;
Guidelines for Landscape and Visual Impact Assessment; Spon; 2002; 2nd edition; p120

be local or widespread and affect a rare landscape type or one which is relatively commonplace. Although looking from the cumulative perspective: *'It should be assessed whether the windfarms, cumulatively, would dominate, or seem to dominate, the landscape character area. If so, they would become the key landscape characteristic and the landscape character would change. Where the landscape in question is rare the result would be the loss of a landscape resource. However, if there are other unaffected units of this character type, this may result in only local change.'*

4.45. It is clear that in this case (one wind farm and not multiple wind farms) the Moderate/Major (and greater) level of landscape effect would be localised and essentially contained within non-designated landscape.

4.46. Furthermore, when landscape character analysis is considered at a yet more local and limited level and the local host local landscape character type is disaggregated even further (see JSA Proof Appendix 5) and the on-the-ground characterising area described above (paragraph 4.27) the findings are interesting. The characterising effect would not be significant with respect to the Greatworth, Radstone and Sulgrave valleys given the local nature and 'flow' of the landscape. The proposed wind farm would be significant in character terms with respect to the interfluvial landscape and that part of the Helmdon Valley contained within the 3 km buffer (but bearing in mind that the Helmdon Valley extends farther to the east and with increasing scale, the magnitude of effect lessens).

4.47. Thus only a part of the Helmdon Valley would be significantly affected and other units of this type – even in as limited an area as contained within a 3 km buffer – would not be significantly affected. I accept that those who live in the vicinity will regard the valley as special and unique. But, having regard to (a) landscape designations (see below) and (2) constraints as mapped in the draft Energy Efficiency and Renewable Energy SPD (Core Doc 4.9 pages 13 & 14), this valley is not special in landscape terms.

4.48. The result of *adding* the proposed wind farm to the existing local environment would result in only local change in character without affecting any rare or unique landscape type (or removing any important landscape elements or patterns of elements). There would however be a modification to local skylines (in undesignated landscape) where the turbines would be prominent elements.

4.49. These factors drive towards the conclusion that, even within the landscape 'silo', the significant character effect arising from the proposal would not give rise to unacceptable harm should harm be deemed. This however is not the end of the matter. Should unacceptable harm in contemporary landscape terms be deemed, the ball must then be passed to Mr Bell who would consider that opinion and place it within the broader planning balance having regard to benefits and planning policy from the local to the national level.

Landscape Designations

4.50. There would be no direct physical effect within the Special Landscape Area to the west (see ES Figure 7.1). Clearly however this would not preclude significant

visual effects arising in that area from locations from which there would be open, unconstrained views to a reasonable proportion of the wind farm.

- 4.51. The relevant Special Landscape Area is the Aynho, Cherwell Valley and Eydon Special Landscape Area which covers most of the western part of the District including Boddington, Aston-le-Walls, Chipping Warden, Edgecote, Thorpe Mandeville, Marston St. Lawrence, Eydon, Culworth, Moreton Pinkney, Thenford, Middleton Cheney, Farthinghoe, Kings Sutton, Newbottle and Aynho.
- 4.52. Within that SLA framework, assuming significant visual effects would extend for up to c4.0 km to 5.0 km, then this could apply to limited parts of the landscape south-west of Culworth across to the Culworth – Marston road; south-west of Thorpe Mandeville to the same road and parts of the landscape roughly between Marston St Lawrence, Middleton Cheney and Farthinghoe. Clearly sections of these areas will be wholly or partly screened from the wind farm as a result of woodland, treescape and other vegetation. The SLA landscape, without being directly impinged upon but as perhaps *perceived* in these areas, depends on much more than a view in one direction and, finally, when compared to the SLA in total, the proportion of the area that might be potentially affected would be small in comparison with the total area of the SLA.
- 4.53. Accordingly, it is considered that even if judged to be of High sensitivity, the Low or less than Low magnitude of change would result in a level of effect of Low/Moderate or less and no significant effect would arise with respect to the designated landscape. The integrity of the SLA would not be compromised.
- 4.54. I consider the same conclusion applies to the Cotswolds AONB which lies at a much greater distance.

Positive-Negative Response sometimes referred to as Valency

- 4.55. It is important to bear in mind that change in itself cannot be assumed to be adverse. Landscape character is '*A distinct, recognisable and consistent pattern of elements in the landscape that makes one landscape different from another rather than better or worse*'. (Core Doc 8.15 GLVIA3 Glossary) The proposed development would lead locally to the establishment of a *different* landscape character in a highly localised context. It would be neither 'good' nor 'bad', neither 'positive' nor 'negative' in itself.
- 4.56. I consider that the proposed Spring Farm Ridge Wind Farm would broadly meet the range of design criteria and answer the 'design questions' set out at JSA Proof Appendix 6 in a largely positive manner. I consider that the image of the wind farm would generally be controlled, reasonably balanced, visually permeable and logically sited and, as such, would be capable of generating a positive impression for a proportion of the population within this landscape notwithstanding that a proportion will wish not to see the turbines.
- 4.57. Given I consider that the proposed development would broadly meet the design criteria, my opinion is that it can be regarded positively but I recognise that this conclusion is founded on professionally informed subjectivity and that a contrary opinion may legitimately be held.

4.58. If a contrary opinion is held, i.e. that the effect would be adverse *and* it is aligned with acceptance that a significant landscape effect would arise albeit in a highly localised context, then there is an inevitable conclusion. If landscape planning policy is set out in such a way as to state that no significant adverse effect should come to pass, then it would be impossible to comply with such a policy since there is always, as far as I am aware, a sector of the community which deems commercial scale wind energy development to be adverse. Such a policy would be entirely obstructive and not facilitating. If such a policy were universal and determinative, then no wind farm would ever be consented. This is clearly a matter for Mr Bell, but I understand Policy S11 of the current version of the Draft Joint Core Strategy to be just such a policy and to extend also to visual amenity considerations.

Sustainability - Reversibility

4.59. It has to be appreciated that, by being additive rather than subtractive, the proposed wind farm would be easily removed and the landscape very substantially restored to its original character other things being equal. Reversibility is an important consideration not only in contemporary landscape terms but, as I understand it, especially for cultural heritage considerations – a matter for Mr Brown. A new local key characteristic would be introduced over a limited area; broader local landscape types would be substantially unaffected; landscape character would be substantially retained and therefore sustained for the longer-term. In other words, the proposed development may be regarded as ‘borrowing’ the landscape and then returning it with interest following decommissioning with the original environmental capital being maintained for future generations.

4.60. Accordingly, with respect to contemporary landscape character, I consider that this local landscape would not be subject to unacceptably adverse landscape effects and it therefore has the capacity to accommodate the scale of the proposed wind farm in a manner which is sustainable in the longer-term.

The Seam between the Historic Landscape and the Contemporary Landscape

4.61. In this regard, I have been informed by and drawn from two documents: the Historic Landscape Character Assessment (HLCA) and the Historic Landscape Character Strategy and Guidelines produced as part of Northamptonshire’s River Nene Regional Park Environmental Character and Green Infrastructure Suite. Extracts are included at **JSA Proof Appendix 7**.

4.62. The 5 turbines would be located in the Historic Landscape Character Type 2 (HLCT2) 19th Century Non Parliamentary Enclosure and in Historic Landscape Character Area 2a Farthinghoe – Kings Sutton Clay Uplands (see **JSA Proof Appendix 7**).

4.63. The key characteristics of this type (and my appraisal of the potential effect of the scheme upon them) are:

- Clay geologies; **Appraisal:** Unaffected to any extent.

- Irregular field patterns but often with straight internal boundaries; **Appraisal:** A limited effect would arise.
- Historic parkland and garden remains; **Appraisal:** No effect.
- Isolated ridge and furrow earthworks; **Appraisal:** No effect.
- Occupies both high ground and river valley sides. **Appraisal:** No effect. By that I mean the Type would continue to occupy high ground and river valley sides.

4.64. As noted in the HLCA (p37), *'They represent areas of early enclosure that have been significantly modified in the 19th century.'* (Emphasis added.) On page 38 it is stated *'HLCT2 represents major 19th century additions or changes to the previous non parliamentary enclosure. It coincides with the agricultural improvements of the time and generally comprises the addition of new field boundaries to the existing fieldscapes. However, it also includes a small number of completely new fields or layouts created in the 19th century.'* The landscape is therefore a mixture of both unchanged 19th century fields and those with additional 19th century boundaries. This is therefore not an ancient landscape.

4.65. The principal historic elements within the Type are: fieldscapes; settlements; communications; ridge and furrow and monuments.

4.66. Précising the HLCA, the disused remains of the railway line provide evidence of a past major communication route whereas today (the line having been closed in the 1950's) communication routes through the area are mostly minor roads. This may alter markedly to the south of the B4525 should HS2 be delivered. Settlements have retained or tended to retain their historic cores but have seen expansion of later forms of development on their fringes notably at Greatworth where more modern housing has been developed. The industrial estate accessed off the B4525 is a further later 20th century change (as is the more localised example of farm change with the anaerobic digester plant at Stuchbury Manor Farm). I understand that ridge and furrow does not occur at the wind farm site. Concerning monuments, there is evidence of a deserted medieval village at Stuchbury (see Mr Brown's evidence). So far as I am aware, there are no relict landscapes which would be significantly affected by the proposed development in cultural heritage terms (see Mr Brown's evidence regarding the deserted medieval village).

4.67. Given that all landscapes are 'historic', the landscape of the site and its immediate setting is that of a palimpsest substantially altered in the 19th century with further change in the 20th and, if HS2 is developed, a major introduction of a new communication link will further change patterns in the area – especially those associated with fieldscape. This will increase perceptions of developed countryside in this part of this historic landscape type.

4.68. As I understand these matters having been informed by the documents referred to and in discussion with Mr Brown, the landscape experienced today is not intact in the sense that it consistently maintains the patterns and elements of any given period in the past. Rather, whilst the site and its immediate setting have 'time depth' with evidence from various periods, they would not be regarded as especially representative of any one period such that preservation should be invoked.

- 4.69. I have not limited myself to considering the Type 2 Non Parliamentary Enclosure Historic Landscape Type and the Historic Landscape Character Area 2a Farthinghoe – Kings Sutton Clay Uplands. I have also been informed by the descriptions provided with reference to the 19th Century Parliamentary Enclosure Type 5 and HLCA 5h – Syresham – Croughton Limestone Plateau to the east and the Fragmented Parliamentary Enclosure Type 6 and HLCA 6a Western Clay Uplands to the north.
- 4.70. I have considered all three sets of key characteristics (for Types 2, 5 & 6) and consider that the relevant aspect with respect to the proposed development is fieldscape and, in particular, the boundaries – the effects on which would be limited.
- 4.71. The Spring Farm Ridge landscape is not ‘natural’ and ‘wild’ in the sense that it has remained untouched by the hand of humankind. As I have understood the ES, the FEI, the documents referred to above and Mr Brown’s evidence, it has been a working landscape throughout history and remains so today. And neither is it ‘timeless’. It has not been unaffected by or rendered immune from the passage of time. It has been, and remains, subject to time’s passage and thereby subject to the social and economic forces which people have placed and will continue to place upon it (witness the possibility that HS2 may cross part of the local landscape in the vicinity of Greatworth). This is not to say that it is not highly valued by the local community but, in this matter, it is more valued for the palimpsest that it offers aligned with the contemporary scene; for the marks of heritage and history which have endured and which are or may be visible and legible (or perhaps discerned on the ground) in the landscape of the 21st century rather than as an entire manuscript preserved in a timeless (i.e. changeless) form from a past period.
- 4.72. In contemporary landscape terms, my understanding of ‘historic landscape’ is that it is not about the past but about the future. I see Mr Brown looking at the past and telling us what is of cultural heritage significance and what effects, with respect to that significance, would arise from the proposed development’s impacts. His evidence brings the past up to the present. In contemporary landscape terms, I consider the presence of the wind farm would add to the interpretation of and extend the legacy of human intervention in this landscape – carrying the historic into the future in a positive (and very substantially reversible) manner. The wind farm’s existence would occupy a very limited period in terms of the ‘life’ of this landscape. Twenty five years of such human intervention and management would be minimal in the context of its time depth.
- 4.73. Once removed, other things being equal, the contemporary landscape would be substantially ‘reclaimed’. Where there would be a residual effect beyond decommissioning would be the continuing surface presence of the tracks and the sub-surface presence of the retained elements. It has to be borne in mind however that, after 20-25 years, the tracks would be significantly weathered and ‘bedded in’ to the landscape and people’s perceptions. Present day tracks across farmland are common and accepted – especially across the landscape immediately to the east (‘Tanks A Lot’). They and the

retained sub-surface elements would then come to represent a layer of detail which, initially, would be a legacy of the recent contemporary landscape and which, subsequently, would join the historical and then archaeological layers of the palimpsest of cultural context adding to the time depth legacy.

- 4.74. The 'temporary' but otherwise long-term presence of the proposed wind farm would broaden the range of perceptions of this landscape and its interpretation. Some would regard this positively, some in a negative light. The presence of the wind farm would, nevertheless, be long-term (but essentially temporary) in that at the end of its useful life it would be decommissioned and very substantially removed thereby substantially recovering the landscape of today.
- 4.75. Such scope for reversibility is a consideration which, I believe, is relevant both in contemporary landscape considerations as well as in heritage assets terms (see Mr Brown's evidence and the importance of reversibility as indicated by English Heritage).
- 4.76. As I have understood the ES, the FEI and Mr Brown's evidence, the proposed wind farm would not destroy important and highly valued elements from the past or prevent the public's understanding of the past in the present; and neither would it prevent the past being carried forward into the future for generations in front of us to enjoy.
- 4.77. Given the findings expressed in the heritage assets sections of the ES and the FEI and Mr Brown's evidence, so far as I understand them, the Spring Farm Ridge Wind Farm would not preclude the cultural heritage backcloth including the elements and patterns its historic landscape maintaining its *'...time-depth and associated historic characteristics into the future'* and it would *'...ensure that there is a degree of continuity from the past through the present into the future, thereby allowing the threads of history to be visible in the landscape itself.'*⁸
- 4.78. Present and future needs can be met whilst maintaining recognisable and tangible links with the past. The proposal would also preserve the choice for future generations whether or not to re-establish substantially (other things being equal) what might be thought of as the landscape of today layered on top of parts of landscapes from the past or whether to continue with clean, renewable energy generation within the terms of paragraph 4.77 above. Thus the Spring Farm Ridge proposal is eminently sustainable from the long term visual and historic/contemporary landscape resource perspective.

⁸ MacInnes, L., *The Historic Landscape in Scotland: Towards a Strategy for the Future* in *'Understanding the Historical Landscape in its Environmental Setting'*; Smout T. C., (ed); 2002

5. VISUAL AMENITY – RESIDENTIAL

The Lavender Test

- 5.1. Increasingly regard is being paid to what has been termed the 'Lavender Test' which is not in fact a test but more a 'rule of thumb' – a means of considering the potential visual effect of a wind energy development with respect to residential amenity. The 'test' derives originally from Inspector David Lavender's decision in respect of a proposed wind farm at Enifer Downs, North Dover (APP/X2220/A/08/2071880 dated 16th March 2009) and which he subsequently developed in his Carland Cross decision Appeal Ref: APP/D0840/A/09/2103026 dated 19th January 2010 (Core Doc 6.5).
- 5.2. In the Carland Cross decision, Inspector Lavender stated at para 23: *'The planning system is designed to protect public rather than private interests, but both interests may coincide where, for example, visual intrusion is of such magnitude as to render a property an unattractive place in which to live. This is because it is not in the public interest to create such living conditions where they did not exist before. Thus, I do not consider that simply being able to see a turbine or turbines from a particular window or part of the garden of a house is sufficient reason to find the visual impact unacceptable (even though a particular occupier might find it objectionable). However, when turbines are present in such number, size and proximity that they represent an unpleasantly overwhelming and unavoidable presence in main views from a house or garden, there is every likelihood that the property concerned would come to be widely regarded as an unattractive (rather than simply less attractive, but not necessarily uninhabitable) place in which to live.'*
- 5.3. The criteria can be reduced down to a number of factors: the number of turbines, their size, their spread, and their proximity (assuming of course a reasonably open and unconstrained view is available) such that they give rise to an *'unpleasantly overwhelming and unavoidable presence'* when judged from main views from a house or garden. A key consideration must be the scope for or the absence of alternative views hence the use of the word *'unavoidable'*. This squares with the approach which recognises that the visual component of residential amenity is but one aspect of overall residential amenity and also that visual amenity seldom relies upon the existence of one particular view from a property. By this it is meant that it is perfectly possible for an occupier of a property to be the subject of a significant (adverse) visual effect when viewing in one particular direction without the change being unacceptable in terms of overall visual amenity taking all other relevant visual considerations into account. A further and particularly important criterion in visual terms is that the change in the view would lead to an effect on the property such that *'...there is every likelihood that the property concerned would come to be widely regarded as an unattractive (rather than simply less attractive but not necessarily uninhabitable) place in which to live.'* (Emphasis added.) The 'widely regarded' point is important in that the opinion has to extend well beyond that of an occupier or a neighbour or even other neighbours. 'Widely regarded' is taken to mean that the public at large would more generally express such a sentiment.

- 5.4. This approach was taken forward at, and conclusions emerged from, the Burnthouse Farm Inquiry (Core Doc 6.4). Rather than repeat material here, I draw attention to Mr Bell's evidence at his Section 3 in which relevant points are made with respect to wind energy proposals and the effects with respect to residential amenity. What I take from the Burnthouse Farm decision is the Secretary of State, first, effectively confirmed the appropriateness of the Lavender 'Test' approach as a way of addressing the question whether or not residential amenity would be unacceptably affected by a development and, second, confirming that a significant adverse effect upon the visual component of residential amenity is not necessarily enough or sufficient to engage the public interest.
- 5.5. In addition, there appears to have been agreement that other appeal decisions can assist in providing a useful benchmark. In that regard, a number of decisions were identified some of which I have direct experience.
- 5.6. I note that Inspector Fieldhouse, who visited or appraised many of the nearby properties, established her own form of words: *'The outlook from private property is a private interest not a public one. However, where the visual impact of a proposal is such as to cause unreasonable living conditions/amenity for the occupants of individual homes, and might be widely regarded as making the property an unattractive place in which to live, that is a legitimate matter of public interest. Visual effects are one element of residential amenity and must be judged having regard to, in particular, the layout of the dwelling, the aspect and use of its garden and entrances to, and exits from the property.'* (Decision APP/Z2830/A/11/2165035, July 2012 paragraphs 56 & 57).

Generic Effects with Wind Farm Development and the Relationship with Residential Amenity

- 5.7. It is inevitable that commercial wind energy development will give rise to significant visual and landscape effects. It is inevitable also that in the English Countryside (where many wind energy developments have been consented) that comparisons will be made between the scale of nearby trees and buildings and that of the commercial turbines along with the amplitude of the local landscape and the vertical extent of the turbines.
- 5.8. In every case with which I have been involved in it has been stated that the wind farm will give rise to significant adverse visual effects. It is nothing new to encounter this assertion at Spring Farm Ridge.
- 5.9. In many cases, the issue of the effect with respect to residential amenity arises. Residential amenity is sometimes thought of as solely as the view from the house. Whilst important, the visual component of residential amenity, is just that – one component amongst a number which combine under the heading 'residential amenity'. I understand that residential amenity encompasses much more than a view in one sector of the compass. My experience leads me to believe that it can include amongst other things, aural and olfactory conditions as well as clean air, reliable water supplies and other utilities as well as access to facilities and services. Nevertheless, residential amenity tends to be focussed upon the living conditions of residents and, under that heading, the visual component is an important one. I have limited myself to considering the visual component of

residential amenity whilst Mr Bell places my evidence within the broader concept of residential amenity which, I understand, is essentially a planning term covered by planning policy.

- 5.10. Whilst I agree that a number of significant potential visual effects (Medium magnitude or greater x High visual sensitivity – Moderate/Major or Major level of visual effect) would arise at a number of properties in respect of the Spring Farm Ridge proposal, so far as my professional opinion is concerned, I would consider that none of the properties would ‘fail’ the Lavender test and thus the public interest would not be brought into play.
- 5.11. I say this knowing that judgements such as these are to a very great extent subjective. I do not suggest that it is possible to be entirely objective but some form of ‘feel for the subject’ or ‘benchmarking’ (see above) can be gained from considering decisions made whether by Inspectors, Secretaries of State and/or Local Planning Authorities. Having reviewed a number of decisions, I feel that there is a sense of ‘cluster’ around the 700m – 800m mark from the nearest turbine where the greatest focus of attention is directed. I sense that beyond around 700m - 800m or thereabouts, it is very unlikely for visual effects with respect to a single property or group of properties to be unacceptable with respect to the visual component of residential amenity. My impression is that below 700m (and I have been party to some of the decisions in favour of wind farm proposals within or close to that range – for example Earls Hall, Bradwell, Cotton, Spaldington Airfield – Core Docs 6.28, 6.1, 6.29 and 6.9) close attention has to be paid whether the potential effects arising would be unacceptable. By this I mean that the property would be subject to such a magnitude of change that the property would come to be widely regarded as unattractive as opposed to less attractive (Inspector Lavender) or an unattractive and/or unsatisfactory place to live (Inspector Fieldhouse) and therefore sufficient to bring the public interest into play.
- 5.12. At Bradwell (twice) and Earls Hall, it was considered acceptable to consent 10 x 121m and 5 x 125m to tip respectively turbines at 630m from main elevations with unrestricted or near unrestricted views. At Cotton Farm in Cambridgeshire, the nearest turbine (8 total) from a main elevation with an open view to it was at 620m (127m to tip). At Spaldington Airfield the main (rear/recreational elevation, patio and external amenity space) view from the nearest property was some 630m, 750m and 770m from the nearest turbine in an open, virtually unrestricted view of 5 x 126m turbines from the open paddock, garden and house respectively.
- 5.13. At Spring Farm Ridge, there are properties which sit below the 700m range but, in each case, I believe that there are individual circumstances which tell in the wind farm’s favour. The judgements which I have made are essentially subjective but I am comfortable in my opinion that, with respect to the visual component of residential amenity, the public interest point need not be invoked against the Spring Farm Ridge proposal.
- 5.14. The ES addressed the subject of residential amenity at 7.5.1 and 7.7.8.1. A detailed assessment was provided in the ES at Appendix B and revisited in the FEI at Volume 3 Appendix A pp 51-53.

- 5.15. I have visited the properties referred to in the ES (see the map in JSA Proof Appendix 7). From a number of these properties a significant visual effect would arise for example (but clearly not limited to) Stuchbury Lodge, Stuchbury Hall Farm, Grange Farm, Spring Farm, Bungalow Farm, Stuchbury Manor Farm, Manor Farm.
- 5.16. Bearing in mind perceptions which can vary from the strongly positive to the strongly negative, with respect to those properties from which the occupiers would experience a significant visual effect, it is reasonable to conclude that some will consider the result to be adverse, some will be indifferent and some will regard the change positively. If the pattern of public response in the broader area around the proposal more generally reflects the UK pattern, it seems reasonable to believe that the majority will be positively or indifferently disposed and, post-construction, the proportion is likely to increase compared to the pre-construction proportion.
- 5.17. However, whilst it may be reasonable to consider that the general pattern of response to wind energy proposals remains positive – and frequently substantially positive – such a finding cannot be, and has not been in this case, applied indiscriminately to residents immediately surrounding the wind farm proposal and my approach has been to assume that those who live closest are likely to be the most ‘anti’ and vociferous within a geographically broader population of whom the majority may be in favour but who may remain silent. Assuming the adverse stance in all cases (as I have done when considering the residential amenity position) is therefore likely to result in assuming a more adverse groundswell than would actually be encountered on the ground (see below).
- 5.18. Part of my assessment was carried out seeking to identify any properties where it was felt that the visual effect of the scheme would be unpleasantly overwhelming and unavoidable and converting the property into one which I believe the public at large would generally regard as an unpleasant and therefore unsatisfactory place to live. I have visited all 27 locations listed in ES Appendix B – in many cases knocking at doors sometimes with and sometimes without result. I also considered one or two other properties which were not included in ES Appendix B at Helmdon. I have also visited properties taking the set of bare earth wireframes included at JSA Proof Appendix 8 which cover the locations up to c1 km from the nearest turbine.
- 5.19. I understand why an individual, adversely disposed to the proposed development, would wish to preserve her/his private amenity. I accept that a number of residents feel deeply about their homes and environment and that they consider that the proposed development will significantly adversely affect their private amenity. I consider that for those who have come to that conclusion, the wind farm will render their property *less pleasant*. I do not however feel that, bearing in mind the context surrounding the properties, that they would be converted into *unpleasant* places to live.
- 5.20. I have come to this conclusion having talked with a number of residents and making the assumption that all within the vicinity have adopted the adverse stance. This assumption has led to an over-estimate of the groundswell since a

proportion of those talked to expressed either support or indifference to the proposal. Equally it is fair to report that a proportion of the nearby residents are completely against what is regarded as a significant adverse infringement of the private amenity enjoyed within their property and public amenity when out and about conducting their daily business and enjoying the landscape.

- 5.21. It is to be borne in mind however that amenity, in essence, means pleasantness. A change in a resident's view may be regarded as adverse, converting the private view from pleasant to less pleasant or even unpleasant. But there is a considerable difference between something which is less pleasant and something which would come to be widely regarded as unattractive and unpleasant and therefore unacceptable with respect to the visual component of residential amenity when taking all relevant factors into consideration.
- 5.22. Assuming the adverse stance from all properties, I consider that such significant visual effects as may be felt to arise, would not be such as to significantly affect visual amenity overall when judged in the round for any individual property, any property forming part of a small cluster (or any property on the edge of or within a nearby settlement for that matter) to the extent that any property would be converted beyond the less pleasant to the unpleasant. I do not consider that any property would fail the Lavender 'test' as expressed in para 23 of the Carland Cross decision (see earlier).
- 5.23. There are a small number of houses which would fall within the 'dominant' range of at least one turbine (approximately up to c0.8 km from the nearest turbine – see also JSA Proof Appendix 7). The locations are:
- Greatworth Hall;
 - Spring Farm;
 - Bungalow Farm;
 - Gwebi/Ashvale (two properties);
 - The Bungalow;
 - Stuchbury Manor Farm
 - Stuchbury Hall Farm (just under 800m noting that farmland extends to the site boundary)
 - Grange Farm (just over 800m – four properties).
- 5.24. Irrespective that residents at the three closest properties are not opposed to the proposed development, it is nevertheless my dispassionate conclusion that in no case would the potential effect of the Spring Farm Ridge proposal convert any of the properties at these locations (noting that there are four properties at Grange Farm) into unpleasant/unattractive places to live and, for that matter, the same conclusion applies to all of the properties farther afield with respect to the proposal which are indicated on JSA Proof Appendix 7.
- 5.25. At the same time, I have had regard to two further possible developments in the local context. The first is the planning permission (submitted 04th May 2012, granted 29th January 2013) at Bungalow Farm for the conversion of the existing house into a two storey dwelling and the recently submitted application for the conversion of a barn at Stuchbury Hall Farm into a residential property. I note that both came forward at different times in the knowledge of (a) the proposed

wind farm; (b) Bungalow Farm's application being submitted just prior to the first Inquiry and Stuchbury Hall Farm after a senior planning Inspector granting consent (challenged) for the proposed wind farm and (c) in the knowledge either, in the case of Bungalow Farm, that planning consent could have been granted or, in the case of Stuchbury Hall Farm, that consent may still be granted subject to the findings of this Inquiry. I note that much more recently, the application for the conversion of the barn at Stuchbury Hall Farm was withdrawn and re-submitted. This fact reinforces the position that the applicants are willing to come forward in the light of (a), (b) and (c) above and it may of course be the case that there are other factors that have come into play.

5.26. In particular, when considering the potential effect with respect to visual amenity, I have regard to (a) the local context at the location and (b) the balance (as I have seen it) between the 'strength' of the significant visual effect looking in the direction of the proposed development from the house, the external amenity space and the access/egress versus the diminishing effect when the wind farm may become more peripheral and then not visible depending on viewing position and direction of view. At the same time, as noted above, I have borne in mind that residents do not only live in houses in the area but they also go about their daily business and enjoy recreational resources in the area also and this may well be considered an extension of 'residential amenity'. Notwithstanding however, having had regard to the passage through the landscape whether on local roads or other public rights of way, I find myself in alignment with Inspector Lavender in this regard.

5.27. At para 66 of his Enifer Downs decision Inspector Lavender wrote: '*Paragraph 39 of the PPS22 Companion Guide affirms that the planning system exists to regulate the development and use of land in the public interest. In most cases, the outlook from a private property is a private interest, not a public one, and the public at large may attach very different value judgements to the visual and other qualities of wind turbines than those who face living close to them. Equally, people pass through a diverse variety of environments when going about their daily lives, whether by car or when using the local rights of way network, and I find nothing generally objectionable in turbines being part of that wider experience...*' (Emphasis added.)

5.28. At para 28 of his Carland Cross decision, Inspector Lavender wrote: '*Sections of the National Cycle Network traverse part of the site and continue across the surrounding countryside, and there is also an extensive local network of footpaths from which the turbines would be visible. The National Trust further observes that the proposed turbines would be seen from its property at Trerice (3.8 km away). These and other attractions contribute to the high level of tourism activity long associated with the County and in turn to the local economy. However, visitors will inevitably pass through a range of different environments while on their way to and from as well as during their vacation, as will local residents in going about their daily lives. I find no reason why a wind farm would be incompatible with that general experience or should be regarded as harmful to it...*'

5.29. When combining the effect as experienced from residential locations addressed along with extending out into the landscape as people go about the daily business and enjoy recreation, I do not believe that the combined

experience would be such as to represent an unacceptable imposition on overall amenity. Accordingly my conclusion is that whilst significant visual effects would arise for a number of residents which must be considered adverse in that regard, the visual component of (extended) residential amenity would not be subject to an unacceptable adverse impact.

6. VISUAL AMENITY RECREATIONAL

Recreational Routes – Public Rights of Way

- 6.1. The ES considered the effects with respect to long distance footpaths and cycle routes. I see no reason to disagree with the overall findings that no significant effect would arise which would unacceptably impact upon the enjoyment of these routes for walkers and riders. Concerning recreational amenity, I consider that the more relevant consideration is in relation to local amenity.
- 6.2. I include at JSA Proof Appendix 9 a series of leaflets indicating that there are what may be termed locally promoted routes in the area together with recognition that the Long Distance Route – The Jurassic Way – passes well to the west beyond Middleton Cheney at over 7 km from the nearest turbine. The Millennium Way (no leaflet) runs however some 3.5 km – 5.0 km from the nearest turbine between Middleton Cheney and Thorpe Mandeville and at its high point runs just to the south-west of Thorpe Mandeville at c3.5 km.
- 6.3. The local promotional leaflets (Countryside Walks Greatworth, Countryside Walks Sulgrave, Walk 9 Greatworth) show that walkers are directed into the area surrounding the site and indicate routes through the site. Locally promoted public rights of way therefore pass in close proximity to the turbines.
- 6.4. As such, walkers passing through the site using some of the footpaths, would fall within the wind farm landscape where the presence of the turbines would be dominant. Public rights of way include not only the footpaths and bridleways but also the byway running north-south linking the Sulgrave – Helmdon Road with the B4525.
- 6.5. The Appellant carried out two surveys of public rights of way usage with respect to sections which traverse the site. Included at JSA Proof Appendix 10 is a summary table which should be considered alongside the maps which show the camera positions where movements were recorded and also directions of travel.
- 6.6. I offer some thoughts concerning the results and what they suggest to me.
- 6.7. I suspect that there are some anomalies in the figures which could explain why there are some counts at one camera not picked up by another. This could be a case where there are some people walking along the 'official' paths who then break off to continue along a different route – for example perhaps walking around a field edge rather than directly across a field. Equally, if this is the case, then there may be some walkers who do not register at all – for example if there are 'informal' links between the Grange Farm to Camera 4 route and the bridleway to the north. In other words, if such an informal link exists, then someone could walk out from Helmdon westwards then turn north at some point and then return along the bridleway (and vice versa).
- 6.8. There are also various possibilities about some walking out and walking back along the same route and being counted twice and some walking out along footpaths and then walking back via minor roads and being counted once.

None of this discredits the material in any way. It simply means that it should be considered with care.

6.9. What the data indicates to me is that these routes are used probably by residents on 'normal' weekends and probably by residents/guests and visitors on 'special' weekends such as at Easter or other Bank Holiday weekends.

6.10. We also have to note that, in 2012 at least, there were (and I believe still are) 'health walks' out of Greatworth on the 01st and 3rd Tuesday of each month (see JSA Proof Appendix 9) and it is reasonable to assume that some of them will use some of the PROW network that crosses the site from time to time.

6.11. In conclusion, what this all suggests to me is that there is an extensive network of PROW's in the wider area parts of which cross the site. Given the maps on the promotional leaflets which are included in JSA Proof Appendix 9 combined with the geography of three local villages in the area, the data indicate that these routes are reasonably used (probably by residents mostly but possibly well used over holiday weekends by residents and visitors). However, from my experience of promoted routes elsewhere over holiday weekends e.g. in Cumbria and Yorkshire, those routes would seem to be subject to much heavier usage (Midshires Way – Harrington; Pennine Bridleway – Carsington; Mary Townley Loop – Scout Moor, The Pilgrims Way – North Pickenham and the Ridgeway above West Mill in Oxfordshire etc) and that what my 'feel' for these figures is, is that the effects relate to 'local' amenity interests rather than those of a wider or more elevated importance. That is not to say that the effects are unimportant – clearly they are important to local people – but it is to try to place them into some kind of perspective.

6.12. Views from sections of rights of way passing by (and also from open sections of parts of the main and minor roads in the locality) would be significantly affected but it could not be said that this would apply to the experience overall when moving around the wider area. Changes in direction coupled, in places, with the screening effects of adjacent topography, vegetation and structures and the built form of and within settlements, allied to the fact that walkers, riders (and cyclists and motorists/passengers) do not simply fix their gaze in one direction at all times, suggest that such significant effects as may be felt would not necessarily be so when considered in relation to the overall journey or the recreational experience.

6.13. Those who are most likely to be affected are walkers, riders, cyclists and recreational motorists and their passengers who are enjoying the outdoors landscape chiefly over the minor 'B' class and unclassified roads together with the footpaths and bridleways which are close to or cross the site. The greater preponderance of viewing opportunities would occur in the immediate vicinity between Sulgrave, Thorpe Mandeville, Marston St Lawrence, Halse and Helmdon.

6.14. There are no relevant long-distance promoted routes in the local or wider landscape other than the Millennium Way which runs to the west and from which a significant visual effect would be experienced from place to place where open views permit between Middleton Cheney and Thorpe Madneville. This route is screened in many places however by flanking vegetation, minor topography and

built form and even from those sections from which a view eastward in the direction of the wind farm would be possible, middle distance vegetation will, from place to place, restrict views. From unconstrained positions the visual effect would be of Medium or perhaps toward Medium/High magnitude and, at c3.5 km at the nearest, would cross the visually significant threshold.

- 6.15. Walkers would fall within the visual influence of the wind farm along open sections of rights of way most notably in the triangle between Sulgrave, Greatworth and Helmdon. Farther afield, views in the direction of the wind farm would be possible from other open sections of rights of way but, with increasing distance and given that none appear to offer key views to areas of high scenic interest, the effect on recreational amenity is felt to be limited notwithstanding that a significant visual effect would occur.
- 6.16. The same applies with respect to the passage through the landscape for cyclists, horse riders and vehicle drivers and passengers on local roads by and large in the area between Culworth, Weston, Crowfield and Thenford. Although passing within the range of significant visual effects in the aforementioned zone (up to c4 km – 5 km), actual viewing opportunities are much more constrained and, for those in vehicles, of short duration. Although significant visual effects may arise along sections of the routes in the area, they would be transient and are felt not to be significant in terms of the amenity to be enjoyed overall given the relatively small-scale nature of the wind farm (in wind farm terms), its limited dimensions (geographically) and the undulating nature of the terrain combined with the potential screening/filtering effect of vegetation (hedgerow and woodland – even in winter) and built form.
- 6.17. Furthermore, I accept that some people may initially feel intimidated by the close presence of wind turbines. Equally I note that some people feel exhilarated by their presence so much so as to wish to walk right up to and pass beneath their over-sailing rotors. For those of the more nervous disposition, the Appellant has offered an alternative path which offers walkers the opportunity to steer clear of the turbines but maintain links and continuity with the surrounding right of way system (see **JSA Proof Appendix 11**).

Specific effects at attraction points

- 6.18. In travelling around the area, I have come to the conclusion that the principal 'attractions' are the enjoyment of the landscape as a recreational resource and the enjoyment of the cultural heritage legacy. Clearly there is also the recreational 'tank park' adjacent to the site (Tanks A Lot) to take into consideration. But in the local (and wider) sphere, the principal attractions are related to the historic context. The ES drew attention to a number of registered parks and gardens at 7.5.3.4 (Sulgrave Manor, Canons Ashby, Stowe Park, Fawsley Hall, Easton Neston, Aynho Park, Wroxton Abbey, and Farnborough Hall) and assessed the potential effects arising at ES 7.7.7.4. The two most relevant properties are Sulgrave Manor and Canons Ashby. I see no reason to disagree with the ES assessment for Sulgrave Manor. Concerning Canons Ashby, I feel that the ES magnitude with respect to Cultural Heritage Viewpoints C (6.99 km) & D (7.1 km) has been over-estimated – notably D. I consider that a more balanced assessment establishes the magnitude for C as Low/Medium and for D Low at

most resulting in a significance level of Between Moderate and Moderate/Major and Moderate respectively – neither giving rise to a significant visual effect. These significance levels would be reduced further when considering the effect within the full panoramas available as opposed to only a 90° included angle.

- 6.19. The other parks and gardens lie too far for any significant visual effect to arise including Stowe.
- 6.20. Clearly the villages in their own right are 'attractions'. The effects with respect to conservation areas, listed buildings and other cultural heritage assets are addressed by Mr Brown.
- 6.21. Of all the 'attractions' in the area, I consider Sulgrave Manor to be the most important followed by the character of the villages of Sulgrave, Greatworth and Helmdon. Whilst significant visual effects will arise when viewing in the direction of the proposed wind farm from parts of these villages e.g. from part of the Wappenham Road in Helmdon, their fabric, the spatial relationships between buildings and the open spaces and their patterns will be unaffected. The elements and patterns that give rise to the character of the villages will remain intact. The scope to enjoy the character of the villages will be substantially unaffected

Conclusions

- 6.22. The principal recreational attractions are mainly associated with the countryside and the historic components of the landscape. Notwithstanding that a significant visual effect will be experienced by those enjoying the outdoor environment from place to place, the opportunity to participate in recreation and the enjoyment offered at those locations would not, I believe, be unacceptably eroded or undermined for those of an adverse disposition. Such pleasantness and amenity as may be enjoyed looking around the wider landscape would not, for those of an adverse disposition, be unacceptably reduced in my opinion.
- 6.23. Being aware that recreational amenity applies as much to residents as to visitors or those passing through: it is to be noted that statutorily designated landscapes as well as those which are more typically associated with outdoor recreation (country parks, historic parks and gardens, designed landscapes) by and large lie well away from the proposed site. The exceptions are (a) Sulgrave Manor and Canons Ashby (although the latter lies beyond the range of a significant visual effect). Sections of the widely promoted long distance Jurassic Way lies far enough to the west to be outwith the range of potentially significant visual effects. Whilst the Millennium Way falls in part within the range of a significant visual effect, the overall enjoyment of the amenity the route offers would not be significantly affected.
- 6.24. In adopting the adverse stance, the effects arising would not in my opinion cause unacceptable harm to highly valued recreational resources and their enjoyment in both the local and wider contemporary environment. By that I mean I believe that the wind farm would not dissuade anyone from coming into the area and that, in fact, it may serve as an element of visual interest for a

proportion of the population. Neither do I consider that residents would be dissuaded to any great extent from enjoying the recreational opportunities which exist across the landscape. Accordingly, I would consider that, *if* judged adverse from the recreational user's perspective, the proposed wind farm would be acceptably adverse.

6.25. Finally, with respect to residential (visual) amenity *and* recreational amenity combined – i.e. the perception of living within and moving around within an environment in which significant visual and landscape effects would arise: I accept that a proportion of residents will feel that they will be disadvantaged in terms of the pleasantness which they have enjoyed hitherto and which they may have subconsciously sequestered for their private enjoyment in the local context. But a significant, adverse effect with respect to a specific individual's private amenity whether indoors or outdoors relative to a particular direction is not the same as unacceptable harm to private amenity in general, far less unacceptable harm to public amenity. If the wind farm is consented and constructed, the Spring Farm Ridge area will be different but it will continue to be a pleasant environment in which to live and take recreation.

6.26. Views from sections of rights of way passing by and also from open sections of parts of the main and minor roads in the locality would be significantly affected but it could not be said that this would apply to the experience overall when moving around the wider area. Changes in direction coupled, in places, with the screening effects of adjacent topography, vegetation and structures and the built form of and within settlements, allied to the fact that walkers, riders, cyclists and motorists/passengers do not simply fix their gaze in one direction at all times, suggest that such significant effects as may be felt would not necessarily be so when considered in relation to the overall journey or the recreational experience.

6.27. I conclude therefore that although adjudged significant and adverse from place to place by a proportion of the public, the changes arising would not be unacceptable in terms of the overall passage through the landscape or the enjoyment of recreational amenity across the landscape.

7. CUMULATIVE CONSIDERATIONS

Introduction

7.1. I note that the Local Planning Authority does not allege any harm deriving from cumulative effects. Cumulative impact assessment has been set out in the ES at Section 7.7.12. I have interrogated the cumulative ZTV's along with the cumulative visualisations and the detailed assessment in Appendix B of ES Volume 4. There is no reason to disagree with the overall conclusion which I set out below. Notwithstanding there are other schemes which have been consented or proposed since the submission of the ES/FEI within 15 km of the Spring Farm Ridge site (see JSA Proof Appendix 13) because of their limited scale, they do not alter the conclusions reached previously and the Council is of the same opinion (see the Statement of Common Ground).

Cumulative Landscape and Visual Impact Assessment

7.2. *'There would be no significant cumulative landscape effects predicted and Spring Farm Ridge is located within the Undulating Claylands landscape character area and there are no other existing, consented or proposed schemes within this landscape character area. There are two existing/consented single turbine schemes within the wider regional landscape (Northamptonshire Uplands). Given the separation distances between Spring Farm Ridge and the baseline schemes and proposed wind farm developments (14 km to 15 km) it is considered the potential for significant cumulative effects on residential amenity would be unlikely. The potential significance of cumulative visual effects experienced by those travelling on the road network and footpaths would be limited due to intervening distance to other cumulative developments and level of vegetation within intervening farmland. The full assessment of cumulative effects is contained within Appendix B.'* (ES 7.7.12)

7.3. I have given consideration to the SNH approach (see table below) with various types of potential cumulative effect. Cumulative visual effects can arise in three reasonably distinct ways.

7.4. First there is the effect of an extension of an existing development or the positioning of a new development such that it would give rise to an extended and/or intensified Impression of the original wind farm in the landscape as seen from fixed or transitory locations. This would not occur at Spring Farm Ridge. This type of cumulative effect is referred to in SNH literature within the 'static combined' category (see below).

7.5. Second, cumulative visual effects can arise through an increase in the perceptions of wind farm development as seen from fixed points from which more than one wind farm would now be seen in different parts of the landscape. Sometimes this is disaggregated between situations in which the viewer holds her or his head still or moves it (in SNH terms: 'static in combination' and 'static in succession'). This latter point may be a somewhat unnecessary distinction given the tendency for viewers to look around the landscape, notably where panoramas are available. However, this *might* occur in the Spring Farm Ridge

case but the distances between the proposed wind farm and other cumulative possibilities are too great for a significant cumulative visual effect to arise.

7.6. Third, an increase in the incidence of sequential perceptions of different turbines can occur through the recurrence of images and impressions arising from developments which are located at various points in the landscape and which are encountered when moving through it (In SNH terms: 'static sequential'). This would occur in the Spring Farm Ridge case perhaps when only travelling over long distances across the landscape. However, given the distances between existing and proposed wind farm development, the addition of Spring Farm Ridge would not result in any significant effect greater than the scheme as assessed in its own right.

7.7. SNH's approach is summarised below.

TABLE 7.1: CUMULATIVE VISUAL ASSESSMENT

GENERIC	SPECIFIC	CHARACTERISTICS
COMBINED Occurs where the observer is able to see two or more developments from one viewpoint.	In Combination	Where several wind farms are or would be within the observer's arc of vision at the same time.
	In Succession	Where the observer has to turn her/his head to see the various wind farms – actual and visualised.
SEQUENTIAL Occurs when the observer has to move to another viewpoint to see different developments. Sequential effects should be assessed for travel along regularly-used routes like major roads or popular paths.	Frequently Sequential	<i>Frequently sequential</i> means the features appear regularly and with short time lapses between, depending on speed of travel and distance between the viewpoints.
	Occasionally Sequential	<i>Occasionally sequential</i> means long time lapses between appearances would occur because the observer is moving very slowly and / or there are large distances between the viewpoints.)

Cumulative Landscape Character Considerations

7.8. Cumulative landscape effects would occur when the presence of additional wind farm development would be sufficient to extend the geographical limits of existing character effects (e.g. when a wind farm is extended) or when the added presence of non-contiguous wind farm development would be sufficient to combine local characterising effects into a more substantial and continuous landscape subtype or to transform/re-define the local landscape character area.

7.9. In all the relevant cases indicated in the ES (Vol 4 Appendix B) and additionally identified in **JSA Proof Appendix 13** each (whether constructed, consented or

applied for) would give rise to its own range of significant theoretical visual and landscape effects.

- 7.10. Given their locations and bearing in mind their distance from Spring Farm Ridge, it is considered that the existing operational, consented and proposed wind energy developments are too distant or too separate as a result of existing operational schemes to be relevant in landscape character terms. There would be no possibility that there would be any characterising merging of effect or any sense of proliferation across the landscape.

Conclusion

- 7.11. As a result of introducing the Spring Farm Ridge Wind Farm into the landscape between Helmdon and Greatworth, no significant cumulative visual and landscape effects would arise. This conclusion applies also to residential and recreational amenity locally and across the wider countryside.
- 7.12. The relevant consideration remains the potential effect of the proposed development in its own right.

8. LOCAL PLANNING AUTHORITY AND THIRD PARTY CONCERNS

Local Planning Authority Concerns - Response

- 8.1. There are three main sources of information from which the LPA's concerns can be gleaned. They are the Officer's report to Committee, the Reasons for Refusal and the Statement of Case.
- 8.2. Concerning the Officer's Report to Committee, I draw attention to the following. The references to the Land Use Consultant's Report regarding the landscape and visual impact assessment (Core Doc 8.17) appear to suggest that there were 'uncertainties' deriving from the LUC desk study which were clarified and refined down following the consultant's site visit. The overall opinion and what appear to be residual concerns were set out in para 10.38 and 10.39 of the report to committee. They are set out below together with comments.
- 8.3. *'The consultant's site visit included a review of the landscape and visual effects on site, the local landscape and some wider landscape and landscape designations. The findings revealed that in general the LVIA contains accurate information on landscape character and visual effects and makes appropriate judgements. It clearly identifies that the proposal will result in significant landscape and visual effects in close proximity (within 4km) to the site.'*
Comment: This statement effectively endorses the principal descriptions and judgements set out in the ES.
- 8.4. 'However, the site visit also raised a number of key concerns regarding the LVIA:
- *An underestimate of the sensitivity of the character of the site itself (which is subtly different to the character area) – comprising an intervening valley of pasture and more complex land cover creating an enclosed, tranquil character.* **Comment:** There is partial agreement on this but the site cannot be divorced from its surrounding context. It is partially enclosed, there is a measure of 'intimacy' but not especially so – notably on the elevated section where 4 of the 5 turbines would be positioned. Notwithstanding, the site (virtually any site as noted previously) will inevitably be 'sensitive' to the proposed development. As stated previously however, there is nothing however which is so special or so unique about the character of the site that it should be treated in a special way.
 - *A need for clearer consideration of impacts on the rights of way and users of rights of way that cross the site itself (Byway open to all traffic and footpath) and are within 200m of the proposed turbines.* **Comment:** This has been addressed earlier. Walkers on some of the public rights of way – notably in the landscape between Helmdon and Greatworth, will fall within the wind farm landscape and be subject to the dominant effect of some turbines. Some may consider this a disturbing prospect whilst others may well be exhilarated by the prospect of walking in close proximity to the turbines. There is no hard and fast rule as to how members of the public will react to the presence of a wind farm in these terms. All that can be said is that some will welcome the opportunity to walk in close proximity, others will not. However, it should also be noted that wind farm development has been consented in a number of places with the result that public rights of

way pass through the wind farm and/or in close proximity for example Wharrels Hill, Earls Hall, Bradwell, Carsington, Scout Moor.

- *A need to include local viewpoints to reflect the above (the valley landscape from Stuchbury and from the rights of way on site).* **Comment:** It is considered that the representative viewpoints provide sufficient information for judgements to be made and that a further montage or montages is/are not necessary.
- *A thorough analysis of the effects of the proposed development on the important designated landscape at Stowe Park (views from the North Front). It is not enough to indicate that simply because the ZTV does not cover the whole park, effects are therefore limited and the ES requires more than just analysis of effects on visitors and requires an assessment of effect on the landscape designation (either here or in the cultural heritage chapter). The National Trust has been consulted, as recommended, and its comments are reproduced at Para 8.150, above.'* **Comment:** It appears to be accepted by the consultants and the Council (para 10.38) that significant visual and landscape effects will be local rather than widespread. Stowe lies some 11 km – 12 km distant and is represented at ES Viewpoint 18 (no significant visual effect). The ability to experience the qualities and importance of this landscape would not, in my opinion, be significantly diminished as a result of the very limited visual influence of the wind turbines over a part of the landscape. Further, and much more relevant consideration in cultural heritage terms, is provided by Andrew Brown who is qualified in such matters.

8.5. The Council's Reason for Refusal which focuses upon contemporary landscape matters is not definite in the way that other Reasons for Refusal have been determined by other local planning authorities. Reason for Refusal 2 opens as follows:

'In the absence of evidence to the contrary, the Local Planning Authority cannot be satisfied that landscape and visual impact arising from the development has been satisfactorily addressed and that the proposal would not have a serious and harmful effect on the visual amenity and character of the locality.'

It continues:

'The Local Planning Authority considers that the development by reason of its scale and siting would appear prominent and incongruous in its rural setting and would have an adverse impact on the highly valued character and appearance of the countryside in what is a gently rolling, tranquil landscape. There would be a particularly adverse, significant and detrimental visual effect on the residential occupiers in the settlements of Greatworth, Helmdon, Sulgrave and Stuchbury and in close proximity to the site. The potential harm that would result is significant and adverse in extent and in this particular case outweighs the benefits of the strategic aim of meeting targets for renewable energy generation (which cannot be fully verified in the absence of detailed site specific wind-speed data from the anemometer mast). The proposal would also not be used to meet energy requirements of any specific local end user (and hence the local community would not directly benefit from the proposal), all of which is contrary to PPS1: Delivering Sustainable Development, PPS7: Sustainable Development in Rural

Areas and PPS22: Renewable Energy; Policies 1 and 3 of the East Midlands Regional Plan 2009 (RSS8); Policies G3(A) and EV29 of the South Northamptonshire Local Plan; the South Northamptonshire Wind Turbines in the Open Countryside adopted SPD and Policies S1 and S11 of the West Northamptonshire Joint Core Strategy Feb 2011.'

- 8.6. The Reason for Refusal reads in the first part as if, in contemporary landscape terms, the Council would like more information in order to consent rather than refuse the scheme. The second part of the Reason is more 'traditional'. However, in no place does it state that the effects are unacceptable with respect to any aspect of the contemporary landscape. Further, it should be noted that with respect to landscape character and residential amenity, the Council differentiates between 'adverse impact' on the former and 'particularly adverse, significant and detrimental visual effect' on the latter. I have addressed residential amenity above. However, a further comment is required in respect of the character point. The Council asserts adverse impact on the 'highly value(d) character and appearance of the countryside....' it is important to recall that the site and its immediate setting are in undesignated countryside in a local planning authority area which maintains landscape designations. I have addressed this matter earlier in Section 3 indicating that, in the hierarchy of designations, international, national, local and undesignated, the site is positioned at the lowest value level.
- 8.7. Concerning tranquillity, although I do not rely on its presence, it must be noted that the 'Tanks A Lot' site with its associated activity and such noise as may emanate from it must have a bearing. With respect to the combination of tranquillity and proximity to public rights of way, Inspector Griffiths noted in his 'Area North of Catshead Wood' decision (App/G2815/A/11/2156757 - Core Doc 6.30) *'Moreover, and notwithstanding their scale and kinetic nature, wind turbines are simple structures that can, properly designed and well-proportioned, achieve a degree of intrinsic elegance. At various times the wind turbines will be moving but not so quickly or in a fashion, that would disturb the tranquillity of the landscape to an unsettling extent.'* (para 66) The proposed development in that case was for 4 x 126.5m turbines in a landscape described in the following terms: *'The appeal site is crossed by, and lies within an area rich in, public rights of way, including the Lyveden Way and the Brigstock and Fermyn Woods countryside leafleted walk. I have no good reason to doubt that these rights of way are well used by walkers and cyclists, and, given the significant number of riding establishments in the vicinity, including some that provide opportunities for disabled people, riders and their mounts. Fermyn Country park, lies to the north-west of the appeal site and clearly attracts lots of visitors to its promoted routes, with its car park, cafe, and well appointed playground..... two of the wind turbines (T1 and T3) would lie within the topple over distance of public rights of way. Along with another of the wind turbines (T2) they would also be situated within the 200 metres exclusion zone recommended by the British Horse Society.'* (paras 69 and 70)
- 8.8. I consider that these circumstances are not dissimilar to those at Spring Farm Ridge, excluding Tanks A Lot, and I would consider that Inspector Griffiths' judgement concerning tranquillity as well as the relationship with turbine proximity to Public Rights of Way can apply equally at Spring Farm Ridge (the appeal was

granted). Inspector Rose's decision at Woolley Hill (APP/H0520/A/11/2158702 Core Doc 6.12) is also informative in this respect with regard to horse riding activity. Adding Tanks A Lot into the equation, I believe this factor must diminish the importance of tranquillity as a determining factor in this case.

- 8.9. Turning to Reason for Refusal 1, although it appears to be directed at Cultural Heritage matters, it states:

'The proposed wind turbine scheme, by virtue of its size, height and extent would adversely affect the historic environment over a wide geographical area by introducing intrusive and standardised industrial forms into what is currently an unspoilt rural landscape setting.'

- 8.10. Placing the reference to the historic environment to one side, this is in effect a re-run of the scale and extent point made in Reason for Refusal 2 and is something which might be said of any wind farm in any countryside location where none currently exist. Concerning the 'industrial' point, I consider this further in Section 9.

- 8.11. In original Reason for Refusal 5 it is stated:

'The proposed wind turbines would by reason of their height, scale and location be perceived by walkers, cyclists and horses and riders, as having an adverse effect on their outlook and safety, on what is a well used and valued public rights of way network.'

- 8.12. In simple terms, the Reason for Refusal is stating that a proportion of the public who will walk, ride and cycle in the area will consider their outlook to be adversely affected. Again there is nothing unusual in this situation and I have drawn attention to the Catshead Woods decision.

- 8.13. In contemporary landscape terms, the Local Planning Authority's concerns are related to the potentially significant landscape and visual effects of the proposal with respect to local landscape character and visual amenity for those enjoying the countryside for recreation and for residents in the area of Helmdon, Sulgrave, Greatworth and Stuchbury as well as those in closer proximity.

- 8.14. All these matters have been addressed in the ES, the FEI and where relevant expanded upon via my evidence.

Consultee and Third Party Responses and Concerns

- 8.15. I have re-read the original consultee responses as well as submissions made by third parties to this Inquiry and, in particular, HSGWAG's (Helmdon, Stuchbury and Greatworth Windfarm Action Group) Statement of Case.

- 8.16. I consider it important that Natural England not only do not object on contemporary landscape and visual grounds but also that they go further and qualify their statement. Natural England state: *'We do not consider the proposed development will result in significant adverse effects on either*

landscape character or visual amenity due to the scale, design and colour of the wind turbines. This is a key statement made by the Government's advisors on landscape matters. At the same time it is worth noting in passing that it is all very well for the Council to aver that Natural England should have regard to affording this area AONB status. This seems perverse however given the Council have never even afforded the area Special Landscape Area status. It is not a 'Special' landscape even at the District level far less the national level.

- 8.17. I interpret Natural England to be clearly stating that no unacceptable level of harm will arise from this proposal in terms of landscape character and visual amenity. My professional opinion aligns with this. The effects arising are local both in terms of landscape character and visual amenity.
- 8.18. I have re-read and given careful consideration again to many letters of objection submitted in connection with the first Inquiry as well as those submitted in connection with this Inquiry. I have not given consideration to letters of support. The letters of objection range over what are essentially the same 3 topics: effect with respect to the visual component of residential amenity; effect with respect to enjoying the rights of way in the area; effect with respect to local landscape character.
- 8.19. The same 3 topics recur in the Objector Group's documentation – material which is, in some sections, accompanied by montages – the same montages which were criticised at the previous inquiry. The opinions are passionately expressed in some instances. In others, the objections are lodged via identical or near identical letters. I do not doubt the sincerity of those objecting in a 'standard' or 'identical' letter manner.
- 8.20. Concerning the Objector Group's and others' material, I believe that the three main concerns raised have been addressed in the ES, the FEI and in my evidence.
- 8.21. I also note that concern was raised concerning the accuracy of the Appellant's montages. I note that the Objector Group may have expressed concern when comparing their images with those submitted by the appellant. For the previous Inquiry I requested Broadview to have the montage methodology checked out and the FEI montages to be 'signed off'. Second, I requested that the same methodology be applied to two of the objector montages which quite simply did not look right to me. The Stephenson Halliday versions of the Objector Group montages from the Old Windmill Sulgrave and from Helmdon Road Greatworth are included as JSA Proof Appendix 10. I have worked with Stephenson Halliday's visualisation material in the past and have not found it wanting and (again) I do not find it wanting in this case. I have given very careful attention to the FEI montages and consider them SNH compliant.

9. CONCLUSION

9.1. I do not consider that the objections raised are such that the proposed development should be rejected on contemporary landscape and visual grounds. There are some points to be made.

Local Landscape Character

9.2. Landscape character will be subject to significant effects in the local context but the landscape is not rare or unique in terms of landscape type. Furthermore, the area over which a significant character effect would be felt is limited and relatively small in extent when considered at the District/County scale. The site does not fall within any part of the landscape covered by designation at any level. I draw attention to words expressed in the Current Landscape Character Assessment for Northamptonshire with respect to the Undulating Claylands – emphasis added (see JSA Proof Appendix 3): *'On the whole the Undulating Claylands are a well maintained and managed landscape of moderate scenic quality. Local variations in condition are apparent, however, and frequently depend on the extent to which hedgerows are managed. Across the landscape type, a number have become gappy and seen the introduction of post and wire fences. A number of trees have also become stag headed. The introduction of water towers has created prominent vertical elements across the landscape along with new infrastructure elements and associated facilities, such as the M1, lighting and signage. At a county scale the landscape is generally unremarkable although occasional estate houses and associated parkland are of note and the wooded horizon of the surrounding Low Wooded Clay Ridge are distinctive from the landscape type. Despite the open and expansive character from more elevated areas of land, the landscape overall has a relatively sheltered character due to the undulating landform and intervening vegetation.'* (JSA Proof Appendix 3 p76)

9.3. At the Northamptonshire scale, this landscape type is of moderate scenic quality and generally unremarkable. This is not a special landscape. At the District scale, by and large the same comment applies. I acknowledge that there are pockets where there is a greater degree of intimacy and attractiveness but, notwithstanding, it remains pleasant rather than beautiful – an attribute which does not render a potential wind farm development location unacceptable.

9.4. I accept however that there is a degree of logic in that if landscape character is to be protected and enhanced, then that which changes it does not 'protect' it and therefore must be contrary to the intention. This is usually interpreted as 'change = adverse' and, strictly speaking, must be regarded as 'harmful'. However, I consider that if harm is deemed then it is not unacceptable harm. The wind farm would be located in a medium-large scale, open, partly exposed landscape (less exposed and more intimate lower down and more exposed at the upper levels). For the most part, the wind farm would be seen in this context under a large, sometimes over-arching sky without significantly affecting the tranquillity of the landscape. Some might argue that the wind farm would

industrialise the landscape but I do not consider that the term is usefully applied to this proposal.⁹

- 9.5. Furthermore, as guided by Mr Bell, I am aware of the National Planning Policy Framework (Core Doc 2.1) and that there is a presumption in favour of sustainable development bearing in mind the core principles set out in paragraph 17 of the Framework. I am also aware that the NPPF indicates at paragraphs 6 & 7 that the purpose of planning is to contribute to the achievement of sustainable development which is founded on three roles one of which is 'environmental': *'contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.'* In effect, the deployment of wind turbines as a means of tackling climate change is a vehicle for moving towards a more sustainable society.
- 9.6. Deploying such development brings a tension in other directions since landscape character and visual amenity will be affected and a proportion of society will inevitably regard this as eroding the sustainability of their way of life – essentially through the effect of change with respect to visual amenity. The tension between the two is ultimately a matter for the 'planning balance' and Mr Bell. Further guidance is provided in NPPF paragraph 109: *'The planning system should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes....'*
- 9.7. As previously indicated, concerning the desire to protect and enhance 'valued landscapes', paras 113 – 115 set out what helps us to secure a clear understanding of what is meant and how levels of protection should be commensurate with the hierarchy of designation. It is reasonable to conclude that the Spring Farm Ridge environment, however highly valued informally in the vicinity, would not fit within the NPPF classification of a highly valued landscape.

L VIA/FEI Visualisations: GLVIA and SNH Compliance

- 9.8. I have noted the comments made following the LUC Site Visit on behalf of the Council. I have commented on what I understand to be the main post-site visit points. I have also read the Objector Group's comments regarding the visualisations contained in the ES (and now updated in the FEI). I consider the

⁹ The refutation of the 'industrial' argument is achieved by quoting the Inspector who determined the Tedder Hill Wind Farm appeal (Core Doc 6.31). The Tedder Hill Wind Farm Proposal was for 3 turbines x 111m to blade tip in an open, farmed landscape with local circumstances that included nearby villages, individual houses, roads passing by and both footpaths and bridleways in close proximity. The Inspector stated at paragraph 28 of his decision: *'Points were also made about the industrial nature of wind turbines and their consequent incongruity in a countryside setting. I do not share that view. In my experience, once installed, wind turbines harvest the power of the wind in isolation. This is not a typical industrial process because the natural resource (the wind) is not delivered to the site, and the finished product (power) is transported away not by vehicles but by cabling that can be largely hidden underground. There is little or no human activity involved in the everyday operation of the site. In that overall context, the operation of wind turbines does not appear to me to be industrial in nature and it is not, therefore, inherently incongruous in a countryside setting.'*

visualisations are SNH compliant. I also re-read the CPRE representative's suggestion to the previous Inquiry that the Appellant's views have in some cases been manipulated by deliberately placing 'clutter' in the foreground. As a member of CPRE I am ashamed that the suggestion has been made.

- 9.9. In other respects I refer back to the LUC observation quoted earlier: *'The findings revealed that in general the LVIA contains accurate information on landscape character and visual effects and makes appropriate judgements.'* I am not aware that any Regulation 19 request was made for further information. I consider the ES/FEI to be GLVIA and SNH compliant.

Is there anything over and above what might 'normally' be expected with wind farm development in the countryside which could serve as a 'show stopper'?

- 9.10. I have asked myself the above question. I have paid attention to recreational amenity enjoyed within the contemporary landscape. I am aware that the Council and others have expressed concerns with regard to cultural heritage matters – the remit of Andrew Brown.

- 9.11. I have walked parts of a number of the public rights of way in the area – not just those on site. I agree that there will be significant visual effects arising and that some walkers will pass within what I have termed the wind farm landscape where the turbines will be dominant. I also agree that some may find the experience disturbing over those sections of the public rights of way where they would be in close proximity to the turbines whilst others will find the experience exhilarating.

- 9.12. What I do not believe is that the effect with respect to local recreational amenity between Greatworth, Sulgrave and Helmdon should be determinative.

- 9.13. The virtually inevitable effects with respect to visual amenity and landscape character arising from modern commercial wind turbines (that is that there will inevitably be *significant* visual and landscape effects arising) was implicitly written into the now rescinded PPS 22 (para 20) and its Companion Guide (now replaced) and was doubtless taken into account in all previous consents where commercial scale wind farms have been considered in the countryside. However, landscape professionals need reminding from time to time that landscape and visual effects are only one consideration to be taken into account in assessing planning applications - with my evidence feeding into Mr. Bell's considerations when dealing with the planning balance.

- 9.14. It must be appreciated however that, notwithstanding landscape and visual effects may be deemed significant and even harmful, it is accepted that they do not have to be rendered harmless to be acceptable – a position endorsed by Natural England.

- 9.15. In both my assessment of the proposed development in individual and cumulative terms and in setting out my evidence, I have approached the matter dispassionately and as objectively as possible i.e. applying professionally informed subjectivity alongside those matters which can be addressed objectively.

- 9.16. When and where seen, I consider that the proposed Spring Farm Ridge wind farm would be read as consistent with the spirit of an open, wind-swept, reasonably exposed, medium-large scale, reasonably simple farmed landscape under what appears to be, in many places, a large sky.
- 9.17. This landscape possesses the principal contemporary landscape attributes which lend it the ability to be more accommodating than less accommodating to wind farm development without unacceptable large-scale change to character at both the District and broader scale. The turbines would appear as a controlled, reasonably balanced, stable grouping which would be congruent with the landscape and not insensitive in terms of proximity to residential properties.
- 9.18. The spacing between the turbines would be such as to give rise to a reasonably rhythmic and coherent pattern rather than a disjointed, fragmented pattern on the one hand or an overly constrained clashing image on the other. Although theoretically dominant when close by (up to c800m) and prominent farther afield up to c2 km+ or thereabouts, they would not look out of place.
- 9.19. Locally significant effects (defined as the general limit where the wind farm would give rise to a localised landscape sub-type) would theoretically occur within the range of up to c1.5 km – 2.5 km from the turbines.
- 9.20. Although strongly influenced by it, the wider local landscape would not be transformed by the Spring Farm Ridge wind farm. Its broader underlying baseline character would not be compromised. As such, it is considered that the landscape at the broader scale is sufficiently robust to be able to accommodate the proposed scheme without unacceptable adverse effect.
- 9.21. With the Spring Farm Ridge proposal, there would be a partial, localised change in the composition of the landscape and, with it, a modification (in some cases a substantial modification) in some of the views obtained from roads, tracks, public rights of way and a number of residential properties when viewing in the direction of the wind farm. Whilst a section of the public would consider this adverse, I believe that the change would not be incompatible with the contemporary context and not unacceptably harmful in amenity terms.
- 9.22. For those adversely disposed to the proposed wind farm, the scheme will be regarded as altering the attributes of a part of the landscape through the addition of elements which some regard as unwelcome industrial intrusions which, in another context, were referred to as 'monstrous metallic megafauna'. As such, they will consider there to be a significant adverse effect upon landscape character and local amenity with local landscape value and quality being unacceptably compromised.
- 9.23. Concerning the Spring Farm Ridge scheme, no especially valued element, pattern or combination of patterns within the contemporary landscape would be unacceptably and irrevocably/ indefinitely harmed.
- 9.24. I have given careful consideration to the potential effect of the proposal with respect to recreational amenity and the enjoyment of views in the local and

wider landscape. I have come to the conclusion that, whether passing through the local and/or wider environment or enjoying local facilities, the visual effects of the wind farm would not unacceptably compromise the experience and enjoyment of the landscape and the recreation it provides.

9.25. I have given considerable thought to residents who enjoy their homes and gardens and who leave their property to go about their daily business. In so doing, they pass through a range of landscape contexts, whether by car, bus, cycle or when using local rights of way. Adopting the adverse stance, I cannot come to the conclusion that the proposal should not be part of that broader experience of the environment that residents and visitors, who may pass through the area, would encounter.

9.26. So far as I have been able, I have considered a broad range of residential locations. But I cannot come to the conclusion that from any of them - including the closest to the proposed turbines - that such visual and landscape harm, if that is what is deemed to arise, would prove unacceptable in terms of living conditions whether in respect of the enjoyment of residential amenity and/or local recreational amenity (the latter being enjoyed by both residents and visitors – see above) as a result of the deployment of the turbines.

9.27. The proposal would result in an alteration to the environment whose attributes could quickly be substantially recovered through rapid decommissioning and site restoration. Judgements concerning significant effects should be tempered in that light. Whilst influential for their lifetime or for any period that they may be in operation, visual and landscape effects arising from the proposed wind farms, whether regarded as adverse or positive, can be reversed. The landscape would not be destroyed or be subject to significant effects of indefinite duration.

9.28. I draw my evidence to a close referring to Natural England's position as I understand it. There is a clear implication that renewable energy proposals in non-designated landscapes, and in their settings, (such as at Spring Farm Ridge) can meet a lower standard than proposals in designated landscapes. (*'Natural England Position Statement: Renewable Energy and Protected Landscapes (Areas of Outstanding Natural Beauty and National Parks); May 2010 now archived (Core Doc 8.11)*).

9.29. *'Climate Change represents the most serious long-term threat to the natural environment and that there is an urgent need to reduce greenhouse gas emissions if we are to avoid potentially catastrophic impacts on the natural environment....'* (Core Doc 7.29 - Natural England's Position on Wind Energy p1 now archived) Notwithstanding all landscapes matter, *'There is a consequent need to support low carbon energy developments in appropriate locations to reduce the risk to the natural environment from climate change.'* (Core Doc 7.29 Natural England's Policy on Wind Energy p1 now archived)

9.30. Wind energy developments should be *'appropriately designed and sited'*, and *'should be of an appropriate height, form and scale and should be guided towards locations that avoid unacceptable impacts on the natural environment.'*

(Core Doc 7.29 Natural England Policy Statement on Wind Energy p2, 3rd bullet emphasis added now archived.)

9.31. Natural England do not object to this proposal on landscape and/or visual amenity grounds.

9.32. Change in views obtainable is not determinative. Change in landscape character is not determinative. Harm to visual amenity is not determinative. Harm to landscape character is not determinative. Significant does not equate to adverse. Adverse does not equate to unacceptable. Even significantly adverse (when considered solely within the visual and landscape 'silo') may not be so when considered in the round and when placed in the broader planning balance.

9.33. I believe that the proposed wind farm, if consented and constructed, will be welcomed and perceived positively by a substantial proportion of those who encounter it. However, I recognise that a section of the public will perceive harm, a high proportion of whom is likely to live locally and who will experience the wind farm on a daily basis and who will consider their private residential amenity to be substantially impaired rendering their properties less pleasant places in which to live.

9.34. I do not believe that such local landscape character change as would occur would be unacceptably harmful to the broader perception of character bearing in mind the localised nature of the significant change and the scope to assimilate wind energy development deriving from the scale of the landscape; its open, wind-swept, relatively exposed atmosphere; and the skies under which it would sit and bearing in mind the other attributes which I have addressed previously in Table 3.1.

9.35. There is no question whether highly localised significant effects would arise but, with respect to perceptions of landscape character and visual amenity at the local level, I do not consider such effects to be unacceptable and therefore determinative. I therefore return to my conclusion which is that I believe that in landscape and visual terms planning permission can be safely granted for the Spring Farm Ridge proposal.

Inspector Fieldhouse's Decision

9.36. I recognise that this Inquiry is the result of a High Court Challenge which has to do with determining the appeal in accordance with the Development Plan unless material conditions indicate otherwise. I cannot helpfully comment on emissions benefits or the planning balance. However I can state plainly that, in her decision, I consider Inspector Fieldhouse to have identified and considered in detail all relevant landscape and visual amenity matters – from landscape character and recreational amenity at the broad scale down to the field by field level; and from the residential amenity perspective visiting and giving detailed consideration to all those properties to which she was invited as well as appraising others in close proximity which were drawn to her attention. It was clear that she had visited ES viewpoints unaccompanied as well as

accompanied as well as objector viewpoints. I do not believe that anything of relevance to the decision was missed.

STATEMENT

I understand my duties to the inquiry as an expert witness, and I have complied with those duties. I believe that the facts stated in this Proof of Evidence are true, and that the opinions and judgements expressed in it are correct.

A handwritten signature in black ink, appearing to be 'J. A. Han' or similar, written in a cursive style.

Signed.....

Date 29th August 2013