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BEL/JS/16

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

REBUTTAL PROOF OF EVIDENCE

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ON BEHALF OF BROADVIEW ENERGY DEVELOPMENTS LTD

PINS REFERENCE: APP/Z2830/A/11/2165035

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SWEET SPOT T2
SWEET SPOT T4
LOUNGE T2
LOUNGE T4

1. INTRODUCTION

1.1. There are three aspects of the evidence submitted by the Council and HSGWAG which I believe merit a response. There are other points which are better addressed in oral evidence.

2. LANDSCAPE SENSITIVITY AND THE IMPORTANCE OF THE LOCAL ENVIRONMENT

2.1. When reading Ms Ahern's evidence, there is an impression given in various places that the authors of the ES/SEI and the material contained in evidence to the previous Inquiry somehow 'missed' or failed to recognise the 'sensitivity' of the local landscape when considering the potential landscape effects of the proposed development. At the same time, at paragraph 1.5, there is a similar sense (as I have read it) that there is now an enhanced level of importance to be ascribed to 'the local context'. However, what is stated is that there is a "*...need to ensure that protecting the local environment is properly considered alongside the broader issues of protecting the global environment.*" The point is that to ensure that the local environment is properly considered. It has been. It was at the previous Inquiry and will be at this Inquiry.

2.2. Bringing these two threads together, I set out the following.

2.3. Concerning local landscape sensitivity: this is a matter which has clearly been addressed in my evidence to this Inquiry (Section 4 – see Table 4.1) as it was at the previous Inquiry.

2.4. If we take the definition of sensitivity from GLVIA 3 – the current guidance – it is "*A term applied to specific receptors, combining judgments of the susceptibility of the receptor to the specific type of change or development proposed and the value related to that receptor.*"

2.5. To be absolutely explicit, the *local* landscape will be highly susceptible to character change as a result of the introduction of the proposed wind farm and, at the same time, the local landscape is highly valued by the local community (as it is virtually everywhere there are people living in the countryside). As such, landscape sensitivity is high – something which is not unusual where commercial scale wind energy development has been proposed in rural England and where none has previously existed.

2.6. However, when we step back from the local community context and consider it at a broader scale, the diagrams on pages 5 and 6 of the Renewable Energy Adopted SPD (Core Doc 4.10) are of assistance. They confirm that, at any scale above the local community context, the host landscape is not 'special' in landscape planning terms. It is not highly valued at the sub-District and District levels. The site and its local context are undesignated in a local planning authority area where local designations are maintained and taken into account. As such, when the scale increases to the sub-District level – i.e. across parts of the Tove catchment area, the landscape has to be regarded as less sensitive.

2.7. The debate therefore appears to be no more wide ranging than within the local community context whose sensitivity has clearly not been missed in terms of the environmental information and evidence submitted to the Inquiry.

3. THEORETICAL AND "ON THE GROUND" SIGNIFICANCE OF LANDSCAPE CHARACTER EFFECTS

3.1. There is also a thread of criticism evident in both Ms Ahern's and Ms Farmer's evidence that the information concerning the extent of significant landscape effects remains theoretical as opposed to "on-the-ground". This is not so. The "on-the-ground" extent was set out in my evidence to the previous Inquiry (of which Ms Ahern was plainly aware and it seems inconceivable that Ms Farmer has not been supplied with my evidence to the previous Inquiry) and is set out again in my evidence to this Inquiry (Section 4 drawing a conclusion at paragraph 4.27).

3.2. As I understand Ms Farmer's evidence, she broadly agrees with my assessment of the extent of significant landscape effects to the east, south and west but there is a divergence when considering the matter from the north (see HSGWAG/AF/1.1. paragraph 39).

4. HSGWAG VISUALISATIONS

4.1. Both Ms Ahern and Ms Farmer refer to the HSGWAG visualisations which form document HSGWAG/AF/1.2 (Ms Farmer Appendix A).

4.2. I note that the positioning of the turbines has been improved compared to the set of visualisations which were submitted by HSGWAG to the previous Inquiry. This in no way alters my judgements concerning magnitude and significance offered to the previous Inquiry. I accept that the current set represents an improvement in turbine positioning but there are two points to make.

4.3. First, as evidenced in Objector View 2, the wind farm has been repositioned and places turbine 4 to the left of the church tower as was argued by me at the last Inquiry (see JSA Proof Appendix 12 – BEL/JS/14). There is still a degree of discrepancy but it would be foolish to waste time arguing the point since, by moving to the west on the public right of way, albeit at a greater distance, it would be possible to align T4 with the tower. But, equally, it must be recognised that there are many places from which the church tower and a turbine would not be aligned (see for example HSGWAG View 1). The point is simply that it will certainly be possible to find locations from which an alignment of turbine and tower would be possible but there will be many from which lines of sight to the church tower will not include a turbine positioned in close proximity as indicated in View 2.

4.4. The second point is that such discrepancies in positioning are relatively unimportant in many cases since the general 'feel' for the wind farm's position and scale can be established and judgements made as to magnitude, degree of effect and significance. However, in closer views, this is not so certain. I am a little uncertain about the positioning of the turbines and the location of the viewpoint as defined by grid references for View 4. However, even if I were to

take time and effort to reposition the turbines (perhaps T3), I am sure that I would be asked "Assuming that were the case, would it not be possible to find some position in the garden from which the upper parts of T2 (to the right) and T4 (to the left) would be visible?" And I think the answer would be, in all probability, 'Yes" (see the "sweet spot" illustration attached. But the more important points however are these:

4.5. Question: Would such a possibility convert this property into one which would come to be widely regarded as an unattractive place in which to live? Answer "No."

4.6. Question: "the distance to the nearest turbine is 796m. Is the nearest turbine visible in the montage? Answer: "No. The nearest turbine is T5 which is screened out by built form. T4 is 1117m distant and T2 is 950m distant".

4.7. Question: "Is the viewpoint location in front of the south-facing lounge and therefore from which the two illustrated turbines would be visible?" Answer: "No". The lounge is farther to the left of the observer by which time T4 would be screened by built form and T2 would pass behind the treescape. T3 however would apparently move leftwards and would be visible in part at 914m.

4.8. None of this would convert the property into one which would come to be widely regarded as an unattractive place in which to live when viewed objectively.

5. SUPPLEMENTARY VISUALISATIONS

5.1. I note that Ms Farmer's Appendix A includes a number of supplementary visualisations for 6 locations. I confirm that, from desk inspection and based on experience, I would likely assess the visual effect from Viewpoints 2 – 6 as being significant but from Viewpoint 1, not significant. However, further evidence will be given at the Inquiry after I have had the opportunity to visit/revisit these locations.

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72 m
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Google earth
Imagery Date: 5/24/2009 52°05'31.56" N 1°10'16.03" W elev 158 m eye alt 461 m

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