



THE NATIONAL TRUST  
*for Places of Historic Interest or Natural Beauty*

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Our ref MS/Wellow Project

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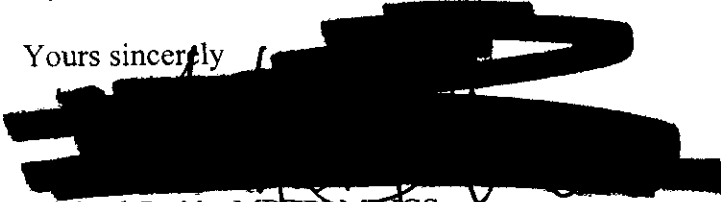
Dear Mr Ashcroft

**Planning Application for Six Wind Turbines at Wellow**

Thank you for consulting the National Trust with regard to the planning application for wind turbines at Wellow. I attach a copy of our representations. In these representations we conclude that the National Trust is duty bound to object to this planning application, as the proposal will have an unacceptable visual impact on the AONB nationally designated landscape. We have noted that the Planning Inspector in the recently dismissed appeal at Whinash applied the test in section 85 of the CROW Act when considering an application outside (but close to) the boundary of a nationally designated landscape (in that case two National Parks). We consider that that statutory duty should be applied in this case as well.

The National Trust would be grateful if these representations could be reported to the Planning Committee meeting in September. We have produced a summary of our representations, to assist in this respect.

Yours sincerely

  
Michael Stubbs MRTPI MRICS  
Land Use & Planning Adviser  
Thames and Solent Region

Copy to Property Manager, Area Manager & Regional Rural Surveyor

## **West Wight Project (Wellow) for the erection of 6 wind turbines Representations on behalf of the National Trust.**

### **1.0 Background to Our Interest**

1.1 The National Trust is a charity principally concerned with access and conservation. It is entirely independent of Government and the core purpose of the National Trust includes the preservation and protection of coast and countryside. In our national advocacy work we frequently draw attention to the value of open space and conservation of heritage and landscape as a fundamental component of 'liveability' or quality of life. On the Isle of Wight the National Trust is the single largest owner of land within the Island's Area of Outstanding Natural Beauty. The West Wight project application site sits to the immediate north of National Trust land at Tennyson Down/Compton Down, which itself forms part of a corridor of Trust ownership included within the AONB/Heritage Coast landscape to the west and north of the Island, which forms an outstanding landscape of national importance. The AONB itself is formed by 5 parcels of high quality landscape.

1.2 In submitting these representations the National Trust has reviewed the comprehensive Environmental Statement submitted with the planning application, the Unitary Development Plan, AONB Management Plan and National Planning Policy in PPS7 and PPS 22. We have also considered emerging policy from the Regional Assembly and Regional Planning Guidance dealing with renewable and energy efficiency issues.

1.3 These representations have been prepared by officers of the National Trust and have been reported to and considered by the Thames and Solent Regional Committee, who represent the membership of the organisation. The applicants have included comprehensive details of impact in their Environment Statement and have taken on board pre-application comments submitted by the National Trust regarding a photomontage/Zones of Visual Impact (ZVIs). To assist the Planning Authority, the National Trust has concluded that the **principal issue** of interest, in this application, is the **visual impact** of the turbines on AONB/Trust land in proximity of the application site. National Trust land most affected by the application being at Tennyson Down/Compton Down and at Newtown National Nature Reserve. We accept that a

judgement has to be made based upon an assessment of visual impact, which itself has to be balanced against the benefits of renewable energy and climate change mitigation. Wind turbines are, self evidently, industrial structures in the landscape which are of acknowledged importance in contributing to the production of renewable energy.

## **2.0 National Trust Policy on Energy**

2.1 The National Trust has published an energy policy and this supports targets to reduce greenhouse gas emissions to 2010 and beyond. We accept that by 2050 our national level of carbon emissions requires dramatic cutbacks of up to 70% (over 1990 levels) to prevent irreversible climate change. We accept that this will come by a variety of measures, including behavioural change but also focussed upon renewable sources, increasing capacity for combined heat and power and the reduction of energy consumption. We argue that this must be achieved while also protecting some of our most cherished landscapes and countryside. In a MORI opinion poll of visitors taken at 10 of our sites (during August Bank Holiday in 2004), 81% of visitors (a poll of 2,031 people) considered a visit to the countryside as important (or crucial) to their quality of life. The decision to approve or reject planning proposals for a windfarm must be a **balance between land use issues and climate change considerations**. These decisions are not easy and can be finely balanced. Judgement and subjective analysis can be involved, although a good deal of planning policy now assists the decision-maker. We seek to rely on that policy when coming to our conclusion.

2.2 National Trust energy policy is based upon a presumption in favour of renewable energy developments but a presumption against where “*energy developments would cause significant visual and ecological intrusion into the most highly valued places, such as National Parks, Areas of Outstanding Natural beauty, Sites of Special Scientific Interest and National Trust inalienable properties*”. Visual impact must be assessed against (A) The intrusiveness of the development itself, which requires consideration of (i) General Visibility and distance from popular public access land or viewpoints. (ii) The character of the landscape around the site. (iii) The number, height, colour, massing and orientation of turbines. (iv) The number of blades.

(B) The sensitivity of the land from which it is visible. National Trust policy guidance states that *“Views from wilder landscapes will be much more sensitive to potential loss of character than views from more developed or man-managed locations. Where land is nationally designated such as National Park, AONB or World Heritage Site, the ‘industrial’ nature of the windfarm within - or in immediate vicinity of - these landscapes would be more likely to be damaging. Sites within 10 km of these designations may be best avoided and indicative regional plans for renewable energy could usefully take this approach. However a ‘zone of visual influence’ which can take into account intervening variations in topography, may be preferable to using a blanket 10km radius”*.

2.3 The current proposal would **fail to satisfy** this policy stance on the basis that Tennyson/Compton Downs are held ‘inalienably’ (that is to say in perpetuity for the benefit of the nation) and that these proposals fall well within the 10km threshold.

### **3.0 National and Local Planning Policy**

3.1 In preparing our representations we have also looked at policy in the Isle of Wight **Unitary Development Plan (2001)** and in particular policies C1 (Protection of Landscape Character), C2 (AONB Policy) and C4 (Heritage Coast). No particular policy makes an explicit reference to the ‘setting’ of an AONB landscape, however, Policy C2 accepts that within the AONB planning applications will only be approved where they do not have a detrimental impact on the landscape. The reasoned justification for this policy (in lower case text) accepts that the Island AONB is *“unusually fragmented”*. The **AONB Management Plan 2004-2009** policy on Landscape Character (LC3) deals with the importance of conserving and enhancing landscape character, reflecting the duty established by section 85 of the Countryside and Rights of Way Act when governing the duties of a public body determining a planning application in an AONB. ‘Landscape’ is helpfully defined in the Management Plan (following work by the Countryside Agency) in that *“landscape encompasses everything – ‘natural’ and human – that makes an area distinctive: geology, climate, soil, plants, animals, communities, archaeology, building and the people who live in it, past and present and the perception of those who visit it”*. A specific policy in the Management Plan deals with wind turbines and seeks a balanced

approach, advocating that “*large commercial wind energy developments within AONBs or in locations outside the AONB which affect people’s enjoyment of the AONB are likely to be incompatible with the objectives of the designation and should therefore be resisted*”. **Planning Policy Statement 22** (paragraph 11) accepts that wind turbines will be granted if the “*objectives of the designation will not be compromised*”. **The Companion Guide to PPS 22** (2004) gives emphasis to the need for landscape character assessment is assessing impact. Paragraph 6 of this guide quotes from the House of Lords Science and Technology Committee report which stated that “*a dramatic change in the rate of introduction of renewable generating capacity will be required if the Government are to come anywhere near their target for 2010*”. **Planning Policy Statement 7** on Sustainable Development in Rural Areas gives considerable weight to the need to protect nationally designated landscapes (such as AONBs) but (as with PPS22) no mention is made of setting of those landscapes or development on the boundaries. Planning Policy Statements represent national planning policy and material considerations. Section 38 of the 2004 Act gives greater weight to the provisions of the Development Plan.

**3.2 The South East Plan** (albeit a draft document subject to an Examination-in-Public and approval by the Secretary of State) contains a policy at C2 which states that “*priority should be given to conservation and enhancement of natural beauty in the regions AONB and planning decisions should have regard to their setting*”. This policy is still to be approved, however. **The South East of England Regional Assembly Proposed Alterations to Regional Planning Guidance** (Energy Efficiency and Renewable Energy) and **Regional Planning Guidance 9** (2004) set a number of targets for renewable energy in the region to **5.5%** generating capacity by 2010 and Hampshire/Isle of Wight producing 115 MW supply. The guidance accepts that to date the SE region has a poor level of renewable energy development (paragraph 10.50) and that the best potential exist for wind development/photovoltaic provision is in Kent, Hampshire, Isle of Wight and part of the Thames Valley (paragraph 10.64). Potential exists for **3 wind energy clusters and 4 single large turbines per county area** over the next 20 years plus one larger scale wind farm (paragraph 10.70), while the guidance accepts that wind turbines should be located and designed to avoid conflict with landscape and wildlife conservation (paragraph 10:73).

#### 4.0 National Trust Submissions

4.1 We submit that the visual impact of the proposed 5 turbines in this particular location would be harmful to the landscape character and visitor appreciation of the AONB at Tennyson Down/Compton Down and to a lesser extent from Newtown National Nature Reserve. We consider that this application would conflict with provisions of Policies C1, C2 and C3 of the Development Plan. The key question must be whether the climate change benefits are sufficient to outweigh this objection as based on UDP policy. We set out below our detailed points derived from reading the accompanying Environmental Statement, in which we conclude that these climate change benefits do not outweigh the policy objection. We conclude, therefore, that planning permission should be refused. The applicants themselves accept that this application would have a significantly adverse impact on landscape character, in what we contend is a very special place within the Island AONB.

Appendix D Landscape/Visual Effects	Observations/Comments
National Trust Paragraph 1.2 acknowledges the proximity of Compton Down to the site.	National Trust land is clearly affected and we accept the point made in paragraph 13 that ' <i>evaluation of magnitude is a matter of professional judgement</i> '. We submit that considerable weight must be given to the AONB Management Plan which aspires to give the AONB a ' <i>strong identity and sense of place</i> '. We submit that the identity of the AONB includes countryside within its hinterland.
Viewpoint analysis (pages 4 and 7) give the Tennyson Trail a ' <i>high sensitivity</i> ' and Newtown NNR a ' <i>High/Medium sensitivity</i> '. The proximity to the Tennyson Trail is close at between 1.5km to 2km at the nearest point.	We accept that these figures are correct. We would like to give some emphasis to the point that this landscape is appreciated within a 360 degree panorama. When you walk the Tennyson Trail (across the golf course and beyond)

	<p>you appreciated both coastal and inland views as one panorama. Page 88 of the Environmental Statement accepts this point. We submit that any assessment of impact must take account of the panorama that includes Heritage Coast/AONB and its hinterland.</p>
<p>To quote from the Environmental Statement, “<i>views are a key characteristic of the Downlands and the landscape character and viewpoint analysis have indicated that the turbines significantly change the views from Tennyson Down and Compton Down. However the distance to the turbines will be such that it is only in the case of the latter (Compton Down) that the turbines will become a defining characteristic of views such that they will significantly change the character of the Downland landscape</i>”</p>	<p>The National Trust acknowledges that this assessment deals with the sensitivity of the surrounding AONB landscape. In both Tennyson and Compton Down the existing views will be significantly changed and this appears as ‘common ground’ between the parties. The applicants planning statement at its paragraph 4.17 appear to misunderstand the Environmental Statement when it states ‘<i>the development would have no significant adverse impacts upon landscape including adjoining AONB</i>’.</p>
<p>Submitted Viewpoints in the Appendix A1.1 Viewpoint 4: Tennyson Trail on Compton Down Golf Course (figure 8.8) is seen as a ‘<i>panoramic view</i>’ from which the turbine would be between 1.9km and 2.7km distance.</p>	<p>The Environmental Statement accepts the impact would result in a ‘<i>substantial</i>’ magnitude of change to land outside the AONB. We submit that it must be common ground between all parties to this application that it will have a major impact on landscape character.</p>
<p>A1.1 Viewpoint 7: Newtown Nature Reserve.</p>	<p>A ‘<i>moderate</i>’ magnitude of change, which is taken to mean a significant amount of change. The photomontages show this. We submit that the impact on the Nature Reserve, while less immediate</p>

	than Tennyson/Compton Down, is clearly noticeable.
<b>Environment Statement: Non Technical Summary.</b>	We refer to guidance in the RPG to the effect that small scale projects are best suited to AONBs. We submit that this must include adjoining land.
<b>Applicant's Planning Statement</b>	The planning statement additionally needs to deal with the draft AONB planning policy in the South East Plan (accepting it is still an emerging policy) and also needs to set out the duty in s85 of the CROW Act dealing with the duty to conserve and enhance the landscape character of an AONB when making a planning decision.

## 5.0 Conclusions

5.1 The National Trust accepts the points put forward by the applicant, to the effect that this project will make a contribution to the production of renewable sources of electricity to meet around 8% of the regional target for Hampshire and the Isle of Wight in one development. The decision to grant or refuse this planning application will ultimately rest on an assessment of the visual and other impacts on what is a special place, with weight given to the climate change benefits. The National Trust is swayed by the fact that this proposal is deemed to have a "*significantly adverse*" impact on the landscape, a matter that must be common ground between applicant and third parties to this planning application.

5.2 The National Trust considers the application to be contrary to the provisions of the Development Plan and that the associated climate change benefits do not outweigh this harm. The serious impact on the AONB/Heritage Coast (within which National Trust land is located) does not preserve or protect this landscape. To grant such a significant industrial structure within such close proximity of an AONB boundary



(and thus clearly visible from within) would set an undesirable precedent for which we contend there is a justifiable fear. While every site must be considered on its individual merits, the Island AONB landscape quality would be seriously eroded by the siting of such structures within or close to the boundaries of what is a nationally important landscape. To grant this application here would make it very difficult for the planning authority to refuse other schemes in such close proximity to an AONB boundary.

5.3 We note that in the Whinash Wind Farm Inquiry (reported Feb 2006), the Planning Inspector dealt with '**The Planning Balance**' between climate change issues and environmental impact. With great weight attached to the need to tackle climate change the Inspector dealt with impact, concluding that "*the need to take account of environmental impacts in terms of landscape and visual effects which will vary on a case by case basis according to the type of development, its location and landscape setting*". Against this 'Planning Balance' it was concluded that "*the presence of a wind farm, of this scale and extent, would fail to conserve or enhance the natural beauty of both National Parks*" (paragraph 15.19 of decision). Thus, the Inspector applied the test under section 85 of the CROW Act to a site **outside** nationally designated landscapes at 220 metres (at the closest point) to the Lake District National Park boundary and 3.75 km (at the closest point) to the Yorkshire Dales National Park boundary (paragraph 1.13 of decision). This application was for 27 turbines but established a useful methodology in which the setting of a nationally designated landscape must be taken into account and even when attributing great weight to climate change implications, it is still perfectly reasonable and appropriate for a Planning Inspector to conclude that ... "*I have reached the conclusion that the harm to this particular landscape outweighs the benefits of securing renewable energy at Whinash*" (paragraph 15.68)

5.4 Our proposed representations on this application accept that, as a society, we cannot and must not ignore the importance of climate change. Yet, our approach must be a balanced one and based upon protection of special places such as exists within the Island's AONB and its hinterland. The National Trust's own 'Statement of Significance' for this property identifies the sweeping coastal landscape of the West Wight as one of the several "*great treasures*" of Trust ownership on the Island.

Section 85 of the Countryside and Rights of Way Act requires that public bodies (such as planning authorities) act to '*conserve and enhance*' the landscape quality of AONBs.

5.4 As the current proposal is submitted we feel duty bound to object on the basis that it harms the enjoyment of National Trust land which is of national importance and recognised as such by virtue of its inalienable and AONB/Heritage Coast status. This proposal is considered to run contrary to that part of our core purpose involving the preservation and protection of coastline and countryside and is contrary to the provisions of the Development Plan.

5.5 The National Trust would respectfully submit that planning permission should be refused for this planning application.

**Submissions prepared by Tony Tutton, Property Manager Isle of Wight Properties and Michael Stubbs Land Use & Planning Adviser Thames and Solent Region. These representations were considered by the Regional Management Team on 3<sup>rd</sup> July 2006 and Regional Committee 21<sup>st</sup> July 2006.**