

ThWART APPENDIX 1B

FURTHER OBJECTION CONCERNING LISTED BUILDINGS
IN RELATION TO
AN APPLICATION BY WEST WIGHT WIND FARM LTD
TO
ERECT SIX WIND TURBINES
ON
LAND SOUTH OF WELLOW, ISLE OF WIGHT
ON BEHALF OF
THE WIGHT AGAINST RURAL TURBINES
BY
ROBIN BRYER BA(Hons)Dunelm,MRTPI

1. In my initial objection, I quoted from the recent appeal at Guestwick where affect upon the setting of listed buildings played an important part in its dismissal. I appended the first page of the decision, together with the concluding pages. I now append the decision in its entirety (appendix 1), together with the applicant's listed building plan (appendix 2) and photographs of the listed buildings which would appear to be most affected (appendix 3). I have added to appendix 2 three very important listed buildings which were omitted from it, namely Kings Manor, Yarmouth Castle and Yarmouth Church. The photographs in appendix 3 are numbered in the order in which I refer to them, with the relevant building's appendix 2 number in brackets.

2. Turning first to appendix 1, while every case needs to be decided on its own merits (or lack of them) comparison is none the less instructive. We learn that the Guestwick scheme would have been for six turbines, as here, though a little taller (125-135 metres). The landscape around Guestwick is gently undulating, as here. The site is not designated as being of landscape importance and lacks hedgerows, unlike the surrounding landscape, again as here. There are 25 listed buildings within 2.5 kilometres and 41 just beyond, 66 in total, as compared with 81 recorded within 3 kilometres in this case (see appendix 1 paragraphs 13-14 and appendix 2.)

3. Before considering the setting of individual buildings, the inspector quotes from paragraph 15 of PPS7 which urges planning authorities to ensure that the quality of the wider countryside is protected and, where possible, enhanced – and he emphasises the words “protected” and “enhanced”. He then quotes Section 66(1) of the 1990 Act, emphasising the need to have special regard to the desirability of preserving listed buildings and their settings. Next he notes that paragraphs 2.16-17 of PPG15 advise that the term “setting” should not be interpreted too narrowly. He could have added that it states that “a proposed high or bulky building might also affect the setting of a listed building some distance away, or alter views of a historic skyline” though he does say that giving a wide interpretation of setting “is of particular relevance in relation to structures of the very substantial height and local prominence” as in the case before him. He concludes (paragraph 16) that while the landscape around the site is not of such scenic beauty that it is of national importance in itself “it does provide the tablecloth on which a

number of listed buildings stand, and it is the setting of these which is of national importance. To that extent, I regard landscape and setting as indistinguishable from each other"- and how much more so at Wellow where landscape of national importance is close by and there is a still greater number of listed buildings in the vicinity.

4. Having established the basis for his analysis he observes (in paragraph 18) that viewed from Guestwick village "the turbines would ... be very considerably taller than any nearby existing feature and characterised especially by the movement of the rotating blades. The typically rural quality of countryside here would ... be neither protected or enhanced by such sizeable and extensive upstanding development"- in this case, for Guestwick, read Wellow.

5. In paragraph 19 he notes that the tower of St Peter's Church is a landmark of some prominence but the turbines would exceed the height of the tower by a very considerable margin and would "overwhelm the size of this Listed Building the setting of which, under any analysis, would not be preserved"- and so one might equally observe of the view of Yarmouth Church from the ferry were the turbines at Wellow to be built, challenging its dominance as the tallest building hereabouts.

6. Writing of Foulsham Church, he observes in paragraph 20 that "the proposed turbines would effectively supplant the church tower as the main visual focus and transform the appearance of the landscape over a wide area from one of uninterrupted rurality to one in which the influence of modern technology would be perceived as the overwhelmingly dominant feature". It would not, he concludes, protect or enhance the intrinsic visual qualities of this area of countryside or preserve the setting of the Listed church in the local landscape- and one would surely conclude the same with New Church here were one to emerge from it to see the turbines framed by its porch (photo 19)

7. Writing of Cooper's Farmhouse (paragraph 24), he notes that one of the turbines would be seen standing directly behind it and others just one side of it, particularly as seen from a public footpath, so that its setting would not be preserved- in this case for Cooper's read Churchill's Farm (photo 24)

8. Wood Dalling Hall, he notes at paragraph 28, is currently visible from almost all directions within the surrounding landscape, against a backdrop of open agricultural land - so here with Tapnell Farm, Prospect Cottage and (again) Churchill's Farm (photos 21, 22 & 24). He notes that the appellant suggests that the Hall and the turbines would be so obviously in contrast with each other in terms of scale and character that they would offset rather than compete with each other visually (and it is the obvious counter-argument here) but he does not agree, concluding that the Hall's setting would be seriously harmed- and so one must similarly conclude in the case of the very rural buildings just cited, in their very rural settings.

9. Obviously, one cannot say if, for example, Cooper's Farmhouse in the Guestwick case is worthier of preservation or more greatly at risk than Churchill's Farm here. But it does not matter. This is not a beauty contest. However, the principle is the same and of both, and

their like, one can observe that their setting is a major part of their charm. A strong and grand urban building like St Paul's can hold its own against large, modern and contrasting development. These modest examples of rural vernacular cannot. Nor can one judge impact by numbers alone. The 81 listed buildings here do not necessarily outweigh the lesser number at Guestwick. Nor can they all be affected, even though, standing on the downs one would probably see the great majority of them in one panorama, on the turn of one's heel, with the six turbines in the foreground, dwarfing not just them but the downs themselves. But one can attempt to assess the impact on those most at risk—something the applicant has not done, for all the historical information given. Such an attempt I now make:

10. The eastern outlook from King's Manor, across the River Yar, would be dominated by the turbines at its centre (photo 1), dispelling its timeless quality. Its setting would not be preserved.

11. The Mill at Yarmouth (photo 2) would have its waterside foreground and downland backdrop completely dominated by the turbines in a way which would not be dispelled by the concept that there is a harmony arising from the juxtaposition of two methods of harnessing natural energy. Its setting would not be preserved.

12. Thorley Manor might not suffer too greatly in its immediate vicinity, thanks to planting around it, but from public vantage points (photo 3) seen juxtaposed with the turbines, it would cease to give that sense of quiet authority, which it has for centuries, over this corner of the Island, so dwarfed would it be. Its setting would not be preserved.

13. Ningwood Manor (photo 4) would not have views of, nor be seen in views with the turbines, but they would be visible on the approaches to it and, in the middle ground, from its garden (photo 5). Much the same can be said of Ningwood Farm (photo 6) and Elm Dene (photo 7)—given retention of intervening planting—so to that degree their settings would be compromised.

14. You come to Rossiter Vineyard (photo 8) along the Wellow road, or across it from the footpath to the south (photo 9) where eastward the turbines would dominate the scene. Its setting would not be preserved.

15. Brook Cottage (photo 10) is within an enclosed village group and would suffer only indirectly, since it would no longer be approached through unspoilt countryside.

16. The same could not be said of Sixpenny Cottage and South View (photo 11) because the turbines would rise immediately behind them, towering over them. The “south view” of the name would be changed indeed. Their settings would not be preserved.

17. Wellow Farm, the only unlisted building discussed here, surely deserves to be listed (photo 12), but perhaps not if its time hallowed association with the land it overlooks was to be disrupted by six turbines built upon it as proposed. The romantic notion that the farm was just harvesting another type of crop would not be mitigation enough.

18. June Cottage (photo 13) and Lilac Cottage (photo 14) would appear unaltered in the context of their own gardens, but looking out from their gates or down the road, in the case of the latter (photo 15), the turbines would be an undeniable presence. To that extent, their setting would be compromised.

20. New Church (photo 16) is small and has a bell turret rather than a tower. It does not play a focal part in the landscape, unlike Yarmouth Church and the churches in the Guestwick case, so to that extent the turbines would not challenge its function, but they would be fully visible from its lych gate – the balloon in photograph 17 indicates their height, tethered at a point just to the west of them. Its setting, therefore, would not be preserved. However that of The Old Rectory (photo 18) would not be directly compromised, since it would be screened from them.

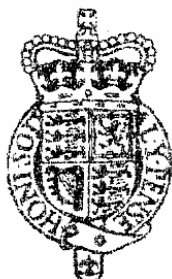
21. With Tapnell Farm, Prospect Cottage and Churchill's Farm (photos 19–22) one comes to an entirely different category. These are pockets of isolated habitation in the midst of a great swathe of farmland. The whole balance of this landscape and their association with it would be destroyed by the six proposed turbines. The idea that they would offset rather than compete with these two farmsteads and a cottage, being so clearly different in scale cannot prevail here any more than the inspector allowed it to in the Guestwick case. These giants would be seen both from these listed buildings and in relation to them. In this open and largely (at present) empty landscape there is nowhere to hide. Nor should there be for it is its very open-ness which is its charm, as is the relative isolation of these buildings. The landscape would be neither preserved nor, save in the eyes of a technocrat, enhanced as PPS7 requests. The setting of these Listed Buildings, more important still, would not be preserved.

22. Back down at Dodpits (photo 23) one could forget the turbines when in its north-facing garden, but even here the removal of the cypressus screen which flanks the property, which might otherwise be desirable, would open up views of them, and to that extent its setting would be compromised.

23. Looking back from the Lymington Ferry at the "Toytown" of Yarmouth and its backdrop of the downs, the setting for both its church and castle, the turbines would be totally out of scale with this miniature land-, town- and sea-scape. This is final confirmation, in my opinion, that the setting of the listed buildings within them would not be preserved, as photos 24a/b surely make clear.

24. The inspector in the Guestwick case fairly noted that PPS7 and paragraph 66(1) of the Act indicate that protection or enhancement of the countryside and preservation of the settings of Listed Buildings are not, in themselves, intended to be determinative but do contribute to the issues which paragraph 16 of PPS7 addresses (his paragraph 17). None the less here, as at Guestwick, this is a major issue to be added to the debit side of the account and I urge that it be seen as such, having thus explored further that which I identified in my initial objection. Certainly harm to the setting of listed buildings needs to be given as one of the reasons for refusal.

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Appeal Decision

Inquiry held on 10-13 January and 6 March 2006

Site visit made on 7 March 2006

by David Lavender MRTPI

an Inspector appointed by the First Secretary of State

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Date:

21 APR 2006

Appeal Ref: APP/K2610/A/05/1180/85

Farmland adjacent to Skitfield Road, Guestwick, Norwich

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is by Enertrag (UK) Ltd against the decision of Broadland District Council.
- The application Ref 20041819, dated 15 November 2004, was refused by notice dated 31 March 2005.
- The development proposed is the construction of a wind farm.

Summary of Decision: The appeal is dismissed.

Procedural matters

1. An Environmental Statement was prepared by the appellant when the application was submitted. I am content that this was produced in accordance with the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999 (as amended). In the light of evidence presented during the course of the Inquiry, it became apparent that additional Environmental Information would be necessary to enable me to properly consider the proposal. Firstly, Clause 4 of Part II to Schedule 4 of the Regulations requires reference to the main alternatives considered, and I requested supplementary information in this regard relative to nearby previously developed land referred to by objectors. Secondly, in order to exercise my duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and in accordance with paragraph 4.14 of PPG15, I requested information with regard to the effect of the proposals on the settings of nearby Listed Buildings and Conservation Areas. With the agreement of the parties, I adjourned the Inquiry to allow sufficient time for this additional information to be compiled and circulated, a process that was completed in time for the Inquiry to resume on 6 March 2006. I have taken account of both the Environmental Statement and this additional Environmental Information, together with the views of statutory consultees and others who have referred to it, in determining this appeal.
2. At the Inquiry an application for costs was made by Enertrag (UK) Ltd against Broadland District Council. That application is the subject of a separate decision.

The site and proposal

3. The site lies deep in rural Norfolk, about 25 km to the north west of the centre of Norwich and some 4 km distant from the A1067 Norwich to Fakenham Road. It consists of parts of an area of open farmland, 1.6 ha in overall extent, between the settlements of Guestwick (to the east), Foulsham (to the south west) and Hindolveston (to the north west). A pattern of six wind turbines is proposed, positioned to either side of Skitfield Road. As originally proposed, each turbine would have had a hub height of not more than 85 m and blade length

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of not more than 40 m, giving a maximum height to blade tip of 125 m. However, during the course of discussion on planning conditions at the Inquiry, the Appellant advised that the length of turbine blade now normally supplied is 45 m, giving a maximum blade tip height of 130 m. I have taken the increased blade length into account, but it does not affect my findings on the proposal. The total maximum output from the turbines would be 12MW, which is said to be sufficient to supply the electricity needs of 8,000 homes. Apart from access tracks and security fencing and gates, the application plans show no other upstanding development being proposed on the site. Connection to the National Grid would be by underground cabling. The turbines would have an operational life of 25 years, after which it is intended that the site would be decommissioned.

4. Three alternative access routes to the site were considered in the Environmental Statement but only one (Route 1 in the Environmental Statement, with modifications) was promoted during the Inquiry. A significant part of this chosen route lies outside the Council's administrative area. Nonetheless all parties to the Inquiry, including the Appellant, made submissions on the suitability or otherwise of this proposed access route in its entirety (to the exclusion of the others), and I accordingly refer to the whole of this route in my consideration of the proposal.

Planning policies

5. Relevant National planning advice relating to renewable energy projects is contained in Planning Policy Statement 22 "*Renewable Energy*" (PPS22) and its companion guide, which were published in 2004 contemporaneously with the Council's consideration of the application. Among other things, PPS22 says that increased development of renewable energy resources is vital to facilitating delivery of the Government's international commitments on climate change. These include a target of generating 10% of UK electricity from renewable resources by 2010, which is supplemented by an aspiration to double that figure to 20% by 2020. It advances a plan-led approach to such developments, whether through site specific allocations or the formulation of criteria-based policies to guide the consideration of planning applications. While affirming that the wider environmental and economic benefits of proposals are material considerations that should be given significant weight, it cautions that other environmental, economic and social impacts must also be satisfactorily addressed. The companion guide highlights a range of detailed factors to be considered in relation to all forms of renewable energy generation and includes a section giving specific advice on concerns typically raised in connection with wind energy projects.
6. In consequence of Section 1(5) of the Planning and Compensation Act 2004 and the related Commencement Order (SI 2004/2206), the statutory development plan for the area includes Regional Planning Guidance for East Anglia (RPG6), the Norfolk Structure Plan 1999 (SP) and the Broadland District Local Plan 2006 (LP). RPG6 says that the national renewable energy target should not be seen as a constraining upper limit, but also contains policy to protect important aspects of the countryside. This approach is broadly reflected in SP policy RC.9, which encourages renewable energy projects to locate where they would not have significant adverse environmental impact, with a range of further SP policies lending more specific protection to distinct features of Norfolk's countryside (ENV.1, ENV.4). LP policy CS9 adopts a welcoming stance to renewable energy projects, subject to their impact on the locality, with policy ENV1 being concerned with protecting the character and

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appearance of the countryside and ENV13 being specifically concerned with the protection of the setting of Listed Buildings.

7. Both RPG6 and the LP are in the process of review, the former as Regional Spatial Strategy for the East of England (draft RSS14), also called the East of England Draft Plan. The current LP review pre-dates draft RSS14 and no significant changes are proposed in its relevant policies beyond re-numbering (CS7, ENV1 and ENV14). Draft RSS14 was, at the time of the Inquiry, subject of an on-going Examination in Public. Policy ENV.8 of draft RSS14, in the form presented in evidence to the Inquiry says, among other things, that "to help the region move towards energy self-sufficiency, and meet and improve on its renewable energy targets set out in table 9.2, local development documents will contain policies for promoting and encouraging energy efficiency and renewable energy". Both draft RSS14 and the LP review are material considerations in this appeal.

The main issues

8. From the foregoing, the evidence and submissions at the Inquiry, the written representations and my inspection of the site and its surroundings, I consider that there are five main issues raised by the proposed development. These are:
 - the need for wind energy generation from the site, having regard to national and regional targets;
 - the effect of the proposed turbines on the character and appearance of the area;
 - the impact of the proposed access arrangements on the use of the local road network and the quality of the local environment, especially during the construction phase;
 - the implications for the operation of Norwich International Airport;
 - the consequences for local residents in terms of the effect on their living conditions and their wider enjoyment of the countryside arising from turbine noise, shadow flicker, and safety concerns.

Inspector's reasoning

Issue 1: Wind energy generation targets

9. A paper titled "Renewable Energy Supplement" (matter 5C) has been produced by the East of England Regional Assembly (EERA) for the RSS14 Examination in Public (EIP). One of the purposes of this paper is to inform debate on the renewable energy targets for inclusion in the table 9.2 referred to in policy ENV.8. From what would appear to be an approximate regional disaggregation of the respective 10% and 20% national targets referred to in PPS22 and its apportionment between the different technologies, the paper urges inclusion of targets for installed capacity for on-shore wind generation within the region of 647MW by 2010 and 1218MW by 2020. It remarks, however, that existing installed capacity as at September 2005 was only 44 MW before stating that there is a significant bank of permitted schemes amounting to some 100MW and, with other schemes gaining momentum, it is expected that installed capacity would reach 130 MW by 2007. Nonetheless, the paper (modified by a report to the EIP round table on sustainable development) affirms that an optimistic estimate would be that only a further 60 MW per annum would come on line in 2008-2010 (which the Appellant says assumes that all wind energy applications received

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planning permission). That would give a total of just 330 MW by 2010. To achieve the 2020 target would require provision to increase to some 88MW per annum post 2010. Continued annual growth in capacity on that scale is likely to become increasingly difficult as the most economically attractive and least environmentally constrained sites are used up, while maintaining the level of growth required is also likely to be particularly important now that the past contribution to renewable energy supplies from land fill gas appears already to have peaked. Against that background, the contribution of about 12 MW from sites like Guestwick has significance both in gearing up to the target figures and in being indicative of the scale and number of projects likely to be required if they are to be met.

10. It is not, however, the case that Government targets for renewable energy generation are to be translated directly into regional targets in this way, nor is there any implication that they must be met at all costs. Rather, PPS22 says that the regional target should be based on an assessment of potential taking into account regional environmental, economic and social impacts before being disaggregated, if appropriate, into sub-regional targets. That is precisely the further work that EURA recommends in the Renewable Energy Supplement be undertaken for the post 2010 period in the form of a partial review of of RSS14. That review would also look again at apportionment between the various technologies.
11. Furthermore, in the period to 2010, it is clear from the wording of draft RSS14 policy ENV.8 that the 647 MW target is not intended to be employed directly in the determination of individual planning applications. Rather, its primary purpose is to guide the preparation of policies in Local Development Frameworks. For these reasons, I perceive the recommended target for 2010, which by all accounts seems to be far in excess of what is actually likely to be achieved, as little more than a re-affirmation of the extant RPG6 policy approach. In effect, it seems to me that it is indicating that in the interim period between RPG6 and the outcome of the proposed further work on the 2020 target in RSS14, there should be no constraining upper limit in local policy formulation (or the determination of applications), as may be the case if the more realistic target of 330 MW of installed capacity were to be adopted.
12. While the need to develop sites for on-shore wind energy generation is thus manifest and pressing, actual provision is currently broadly in line with regional expectations and although additional contributions would be welcome a plan led policy regime is being formulated with a view to National targets being met by 2020. At this stage in the formulation of RSS14, compliance with national and regional targets is not, therefore, in my judgement a factor of such compelling force by itself as to override, without further question, all other planning considerations.

Issue 2: Character and appearance

13. The landscape of this part of Norfolk is characterised by a gently undulating land form overlain with a pattern of varying sized and irregularly shaped fields separated by hedgerows and woodlands, including a sizeable area of ancient woodland at Hindolveston Wood. All are interwoven with a network of narrow and winding rural lanes, many of which are sunken or are themselves set between hedgerows often interspersed with single mature trees. The settlements are generally small, even in the context of villages, and have been the subject of only modest growth over the last century. Within and beyond the settlements there is a large number of Listed Buildings. For the most part, the churches are the tallest buildings to be seen but these have towers rather than spires and thus only

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marginally exceed the tree line in distant views. While much of the wider surrounding area is recognised for its quality by various extensive local landscape designations (within Broadland District currently termed "Areas of Important Landscape Quality" and protected by LP policy ENV7) the area in which the appeal site is situated is not. I understand that this is mainly because of the presence here of a former war-time airfield at Foulsham and the relatively greater loss of traditional hedgerows that has occurred in this particular locality, but landscape character is otherwise similar throughout. In essence, therefore, and despite not itself having any formal designation, this is an attractive and solidly traditional rural landscape, which has a close physical and visual relationship to wider surrounding areas in Broadland and the neighbouring Councils' areas that have been locally acknowledged for their inherently attractive character.

14. The proposed turbines would stand on an elevated plateau, which the Council says is one of the highest areas of land within the District. They would be almost the tallest of the turbines envisaged in Figure 1 of the Wind Annex to the PPS22 Companion Guidance and, as grouped, would also be among the largest clusters of such turbines anywhere in the Country. Nonetheless, according to the Zone of Visual Influence (ZVI) study, their visual impact would reduce considerably beyond the 10 km range because of the undulating land form and the extent and arrangement of existing blocks of vegetation. It is therefore evident that the major visual impact would be in the 0-5 km range, where distance and contours can provide little or no effective screening. This is reflected in the choice of representative viewpoints agreed between the Council and the Appellant for more detailed analysis in accordance with the Landscape Institute's Guidelines for Landscape and Visual Impact Assessment. All but two of the seven viewpoints thus selected fall within the 5 km radius. Notably, there are 123 Listed buildings within this 5 km radius of the site, 25 of which fall within a 2.5 km radius and 41 of which, including 28 within the Foulsham Conservation Area, lie just outside the 2.5 km radius.
15. There is dispute between the parties over whether the effect of the proposed turbines, when seen from the representative viewpoints, would be major, moderate or minor and also over whether the appraisal should take account of subjective judgement in determining whether or not the impact would be adverse. However, while acknowledging the different professional opinions expressed on these matters, my own analysis does not require such judgements to be made. Instead, I draw on the advice in paragraph 15 of Planning Policy Statement 7 "*Sustainable Development in Rural Areas*" (PPS7) which urges planning authorities to ensure that the quality and character of the wider countryside is *protected* and, where possible, *enhanced*. I also have regard to my statutory duty under Section 66(1) of the 1990 Act. This was expressed in a number of ways during the Inquiry as well as in the additional Environmental Information that I requested. For the avoidance of doubt, I therefore set it out verbatim here, as follows:

"In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority or, as the case may be, the Secretary of State, *shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*".

16. In the light of this statutory requirement, I have considered carefully the advice in paragraphs 2.16 and 2.17 of PPG15, concerning the scope of the setting of Listed Buildings.

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While dealing mainly with protecting specific features of interest, the formal grounds of such buildings, or their setting in a particular street, it advises that the term "setting" should not be interpreted too narrowly. This, to my mind, is of particular relevance in relation to structures of the very substantial height and local prominence proposed in this case. Thus, while the landscape around Guestwick is neither statutorily designated nor of such scenic beauty that it is of national importance in itself, it does provide the tablecloth on which a number of Listed Buildings stand, and it is the protection of the setting of these that is a matter of national importance. To that extent, I regard landscape and setting as indistinguishable from each other.

17. Nonetheless, it is apparent from PPS7 and paragraph 66(1) of the Act that protection or enhancement of the countryside and preservation of the settings of Listed Buildings are not, in themselves, intended to be determinative. Rather, as my framing of the main issues indicates, they are factors to which regard, or special regard, must be paid in the overall planning balance. The balancing exercise is one that I undertake in the light of paragraph 16 of PPS7 when reaching my overall conclusions on all of the main issues. Against this background, and following from my site inspection, my findings on countryside protection and enhancement, and on the settings of Listed Buildings within the framework of the representative viewpoints, are as follows:
18. *Viewpoint 1 (Guestwick)*: This is the westward view from the millennium green in Guestwick. It is taken from a play area and public garden set out with grass, planting frames and benches on the western edge of the settlement. It is enclosed to the south by the backs of houses in Guestwick, while to the east is St Peter's Church (Grade I Listed) and to the north is some greenery bordering Church Lane. As such, the main open outlook is due west across open countryside directly towards and beyond the turbine site. The proposed turbines would span most of this outlook, all in view and standing about 1.25 km away above a relatively bald horizon marked by only a thin scattering of mature trees. The turbines would clearly dominate this sweep of the local landscape, which (as it is intended to be) I take as representative of views in general from this side of Guestwick village, including from the Hindolveston Road running north-south only about 500 m to the east of the nearest turbines. The turbines would, in this closeby westerly outlook, be very considerably taller than any nearby existing feature and characterised especially by the movement of the rotating blades. The typically rural quality of countryside here would, in my judgement, be neither protected nor enhanced by such sizeable and extensive upstanding development.
19. Although not registering in the photographs of this viewpoint, the outlook in the reverse direction, eastwards from the turbine site back towards Guestwick and also from places further to the east where Guestwick is seen in the foreground of the turbine site, are also of significance. In these views much of Guestwick is obscured by trees and greenery within and around the settlement but the tower of St Peter's Church is a landmark of some prominence, being visible during the winter months set among the trees and, at all times of the year, rising slightly above the tree line. Its presence here adds an historic perspective to the landscape as a small country church in an attractive and typically rural setting that, I have no doubt, has remained largely unaltered for some centuries. From the existing pumping station, around which the turbines would be set, and from land to the north, south and west, the church and its setting would be seen with the turbines standing in a line squarely across the foreground and exceeding the height of the tower by a very considerable

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margin. Indeed, the present visual eminence of this church is a distinctive feature of the landscape for almost a complete 360° around Guestwick itself, in which the presence of the proposed turbines variously in front, behind or to one side or the other of the tower (and the settlement as a whole) would become by far the most dominant feature. The combined scale of the turbine development, together with their form, height and movement would, in my estimation, overwhelm the size of this Listed Building the setting of which, under any analysis, would not be preserved.

20. *Viewpoint 2 (A1067)*: This view is a typical panorama of a wide area of countryside around the turbine site taken from a relatively elevated position along the A1067 and looking northwards towards the proposed turbines from a distance of about 4.5 km. Within this panorama, all of the features that lend quality to the character of the local landscape are visible in a single horizontal sweep, embracing extensive parts of the countryside covered by local landscape designations in Broadland and the neighbouring Districts. Among the undulating land form, woodlands and typically rural pattern of fields and hedgerows, there is at present no conspicuous sign of built development other than the tower of the Church of Holy Innocents in Foulsham. This church is a Grade I Listed Building and the largest church for some distance around. In the particular viewpoint concerned, the church tower is the only built structure projecting above the horizon. All of the proposed turbines would be seen directly behind this, arranged in a line for some distance to either side of the tower, and at a significantly greater height. The perspective would change with movement along the A1067, but for a considerable length of the route between Foxley and Guist (some 5 km or more) the complete line of turbines would be seen in this northerly outlook on or close to the horizon variously to either side of the church tower, with no other features of anything near comparable scale to provide a suitable frame of reference. As such, the proposed turbines would effectively supplant the church tower as the main visual focus and transform the appearance of the landscape over a wide area from one of uninterrupted rurality to one in which the influence of modern technology would be perceived as the overwhelmingly dominant feature. This would not, in my opinion, protect or enhance the intrinsic visual qualities of this area of countryside or preserve the setting of the Listed church in the local landscape.
21. *Viewpoint 3 (Hindolveston)*: This view is of the turbine site from Foulstam Road southwards over Hindolveston Wood, at a distance of about 1.5 km. While local people express concern about the effect of the turbines on the setting of the ancient woodland here, there is no statutory provision similar to that for Listed Buildings requiring the setting of woodland to be preserved for aesthetic reasons. Indeed, from outside this particular area of woodland itself, there is little to distinguish it from any other area of woodland, and its main contribution to the local landscape is its overall greenery and size. On the one hand these features lend to the attractiveness of the countryside but on the other they provide a degree of screening.
22. From the particular viewpoint identified, the lower parts of the turbine towers would be masked by the woodland but the full sweep of all of the turbine blades would be visible above it. They would be seen with a scattering of single hedgerow trees in the foreground which, because of their relative proximity to the viewpoint, would have a similar or taller perspective. The immediate view is free of built development and it seems to me that from here the turbines could be regarded as suitably representative of harnessing natural elements

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to beneficial purpose, without causing demonstrable harm to any particular quality of the rural landscape that warrants protection or enhancement.

23. There is a sizeable clustering of Listed Buildings within Hindolveston itself, a short distance to north and east of viewpoint 3. However, while there may be views of the turbines rising above the wood from buildings within the village, the outlook would be towards the turbines alone, with the buildings behind the viewer. The setting of the Listed Buildings would, in themselves, also be unaffected in eye level views from the turbine site back towards the village because of the intervening woodland. As I saw at my site inspection there would be little if any visibility of the turbines from land to the north over the village and on towards the turbine site. The settings of Listed Buildings within the village would, I consider, thus be preserved.
24. *Viewpoint 4 (Thermelthorpe):* This viewpoint provides an outlook towards the turbines from the south east, at a distance of about 3 km. The countryside here is fairly flat but the view is contained by some areas of woodland, other vegetation, and embankments bordering the village. Important to this view however is that it includes a public footpath which follows the north-south alignment of a now dismantled railway line. From my inspection, this seemed to be an attractive and well used local amenity. The turbines would be seen on the near horizon, where they would rise above the foreground tree line. Nonetheless, the rotation of the blades may add interest to the view from the footpath and would not, in my estimation, impact significantly on any particular natural quality of the landscape here that should be protected or enhanced. However, the outlook from this viewpoint also embraces the Church of St Andrew (closeby and just to the left of the photographic illustration in the Environmental statement), which is Listed Grade II* together with (above a section of embankment) part of the roof and the substantial chimney stack of Cooper's Farmhouse, which is Listed Grade II. One of the turbines would be seen standing directly behind Cooper's Farmhouse and the others just one side of it. The setting of this Listed Building, to the extent that is visible from the footpath (and from the vicinity of the embankment where it is more completely visible with other Listed Buildings) would not, I consider, be preserved. Moreover, while the height of the turbines would not compete with the church tower (because the church is much closer), the rotation of the turbine blades would distract any endeavour to appreciate the church in its otherwise relatively solitary and typically rural surrounds. To that limited extent, the setting of this Listed Building would also not, in my judgement, be preserved.
25. *Viewpoints 5 and 6 (Reepham and Corpusty):* From both of these viewpoints, at distances in excess of 6 km, the turbines would be largely masked by skyline vegetation and contours, so they would not be a significant feature in the countryside or in the setting of Listed Buildings.
26. *Viewpoint 7 (Foulsham):* This viewpoint is representative of the outlook towards the site from the northern outskirts of Foulsham, where the proposed turbines would be about 2 km distant. A public footpath crosses the fields here, but this had been ploughed at the time of my inspection so I was unable to assess its degree of usage. From this point, however, the turbines would stand on the horizon with towers and blades of all six visible and only partially masked by a thin scattering of skyline trees. The landscape here is not of distinctive quality and there are no features in the northerly view of the countryside that warrant particular protection or enhancement. More significant, to my mind, are views

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from further to the south and views in the reverse direction, from the site back towards Foulsham. These embrace views into and out of the Foulsham Conservation Area and the setting of the Church of the Holy Innocents, together with other nearby Listed Buildings on the northern edge of the village.

27. Foulsham occupies a natural dip in the landscape but from the appeal site and to the north of it, the tower of the church is plainly visible and would be dominated by the turbines in the foreground. Although the Council suggests that there would also be glimpses of the turbines behind the church in the view from Foulsham's Market Square back towards the site, I have no evidence to demonstrate convincingly whether this would or would not in fact be the case. For this reason I draw no firm conclusion as to whether views out of the Conservation Area here would be preserved or enhanced. At my site inspection I did however note that from Bintree Lane, a short distance to the south of Foulsham, the turbines would be seen as a prominent feature in the background to the Church at much closer range than in viewpoint 2. This reinforces my finding with regard to that viewpoint, that the setting of the Church would not be preserved.
28. *Other viewpoints:* While the above appraisal adheres closely to the viewpoints agreed between the Council and the Appellant, that is not to say that there are no others of equal or greater significance. For example, Wood Dalling Hall, a Grade II* Listed Building, lies in an isolated position about 1.5 km further to the east of the proposed windfarm than Guestwick. It is currently visible from almost all directions within the surrounding landscape, against a backdrop of open agricultural land. The Appellant acknowledges that the visual character of the approach to the Hall from the east would change significantly in consequence of the proposal. While the Appellant suggests that the Hall and turbines would be so obviously in contrast with each other in terms of scale and character that they would offset rather than compete with each other visually, the setting of the Hall seen along its lengthy, access drive would plainly not be preserved. Indeed, with the turbines representing a backdrop to the main approach to the Hall, its setting would, in my judgement, be seriously harmed. Moreover, from close to the easternmost end of the drive and along the route from there to Thurning and back to Guestwick, I saw that there are some particularly fine and elevated views across the local countryside in which the Wood Dalling Church (St Andrew's), Wood Dalling Hall, Guestwick Church (St Peter's) and the ruined church tower at Hindolveston (St George's) can be seen in various combinations stretching over a considerable distance almost in a straight line with little but open fields and clusters of trees between. All of the church towers are Listed Grade I. The proposed turbines would stand directly between the last two on a transverse axis, a relationship that would much diminish the integrity of this attractively arcadian scene.
29. During my site inspection, I saw that there are some relatively close as well as distant locations where the wind turbines would be easily absorbed into the landscape. These contrast with the specific viewpoints to which I have referred and wider areas where structures of the scale and type proposed would greatly disrupt the visual harmony of the rural scene and impinge upon the settings of Listed Buildings. Within a 5 km circumference, however, the latter overwhelmingly outnumber the former and the overall impact on the character and appearance of this area of countryside would I consider, in the context of PPS7 and Section 66(1) of the 1990 Act, be both significant and adverse.

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Issue 3: Impact of proposed access arrangements

30. The access route from the A1067 discussed at the Inquiry (referred to in the Highway Authority's evidence as "the alternative abnormal load route") would take the B1110 route northwards in the vicinity of Grist. This section of the route is two way operational and mainly straight. After turning east along Fulmodeston Road and just before entering Hindolveston, the route would turn south into Church Lane, passing by the ruined tower of St George's Church. It would then turn along the approach drive into Church Farm before crossing farmland to join Pinfild Lane/Foulsham Road southwards and then eastwards along Skitfield Road to the site itself. Other than B1110, the route would use "C" class and unclassified roads, which are generally of only single vehicle width (the narrowest sections being between 2.9 m and 4.4 m wide) and rely on passing bays or verges to accommodate two-way traffic. These sections of the route also include some tight bends. Junctions are generally at right angles and driver visibility at these and at the intervening bends is limited. For the most part, the carriageways are lined with narrow verges, hedges, embankments or ditches and sometimes closely bordered by trees. The national 60 mph speed limit applies for virtually the entire route, but actual traffic speeds are much reduced in all but the straightest of sections by the prevailing highway configuration. Considerable road works would plainly be necessary over the lengthy distance concerned (4 km) to accommodate construction traffic, including the largest of the "abnormal load" vehicles (such as those used to transport the turbine blades), which would be about 54 m long.
31. The plans of the proposed access route show the extent of works necessary to secure the requisite turning radii, driver visibility, passing bays and carriageway widths. I understand there to be some sections of the proposed route where the Appellant's control over the land required to implement these works has yet to be confirmed to the Highway Authority's satisfaction. Nevertheless, if the works were to be carried out as shown, or in a similar fashion, the highways would be considerably more accommodating of vehicular traffic than they are now, even if at the expense of some potential increase in traffic speed. Provided suitable measures would be in place to manage the flow of all traffic, especially while the largest vehicles were in transit I therefore have no doubt that the safety of the local highway network would be maintained, if not improved.
32. The Appellant nonetheless anticipates that, during the 5 month construction period, there would be some 60 "abnormal load" vehicle movements along this route, 1160 "normal" heavy goods vehicle movements and 5,660 other vehicle movements. The Highway Authority considers these figures to have been under-estimated, principally because no account has been taken of the additional time (about 3 months) and vehicle movements necessary for the construction of the highway works themselves. However, the Highway Authority's argument is based primarily on the expectation that the carriageway widening, alterations and sections of new route would be of permanent construction to full engineering standards. As the Appellant points out, once the construction period is over, the only traffic movements associated with the turbines would be occasional visits by van for servicing and maintenance purposes, so the intention would be to undertake the highway works in much more temporary form, allowing the original highway pattern then to be reinstated. While I therefore accept the Appellant's figures as realistic, the relatively intensive use of this part of the rural road network for construction traffic for a significant part of one year would inevitably be a cause of much inconvenience to existing users, particularly local farmers

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- and those whose businesses are dependent upon timely deliveries to individual properties. That said, if the construction period and main times of vehicular activity were to be agreed and publicised well in advance (as could be required by planning condition) any inconvenience could, at least, be minimised.
33. Even so, the carriageway throughout would need to be widened to 5.5 m and considerably more at bends and junctions. This would need to be executed in rather more substantial fashion than simply by the tipping of tarmac, as the Appellant suggests, both to take the weight of vehicles involved and to ensure safe passage for other highway users. As the Council's annotated plans show, embankments would need to be excavated, ditches culverted and covered over, and new safety verges provided at various points along the route, which would considerably exceed the land take necessary for the carriageway widening alone. I observed during my site inspection that for much of the route the works themselves could be carried out without much difficulty, but there are also parts where overhanging greenery may need to be significantly cut back to the extent that re-growth may be compromised (at Park Farm), where verges, ditches and embankments would have to be significantly re-aligned (Pinfold Lane/Foulsham Road and Skitfield Road) and where the roots of sizeable mature trees may have to be substantially cut away or may suffer from compaction (Skitfield Road). The Appellant says that replacement and additional tree and hedgerow planting could be undertaken. However, if the highway construction works were to be only superficially covered over with soil at the end of the construction period (as is proposed), I share the Highway Authority's concern that the absence of permeability through the buried areas of widened carriageway could lead to problems of localised flooding and verge erosion. This carries with it the risk of damage to the integrity of the highway surface and sub-structure which, as with damage to trees, may not become apparent until after any maintenance or restoration period that may be agreed had lapsed. Taken overall, the physical and environmental effects of these works could, unless suitably controlled (at least in part by planning condition requiring, for example, hedgerow replacement) thus be both more significant and enduring than is immediately apparent from the plans.
34. A particular concern has been raised concerning the use of Church Lane, in that a structural engineer's report has intimated that vibration from heavy vehicles passing close to the ruined tower of St George's Church may cause its partial or complete collapse. I was told that it may be possible to route lorries further away from the tower to minimise this danger. However, Church Lane is, I understand, part public highway and part private road. The agreement of the Highway Authority may be needed for alterations to the public section, and agreement of the owners may be needed for alterations to the private section. Nonetheless, use of the lane without alteration may not require permission at all, so there is no guarantee (other than as may be required by planning condition) that a suitable diversionary route would actually be provided.
35. It was suggested by the Appellant at the Inquiry that in the event of turbine failure, large items of plant such as replacement turbine blades could be brought to the site by helicopter rather than by re-instating the temporary highway works (with consequent damage to reinstated hedgerows, banks and verges). There is no evidence before me on the practicality of that approach and I record here only that it is indicative of the uncertainty that surrounds the access proposals in general. Condition 8 in the suggested list of conditions in effect suggests that access be dealt with separately, at a later stage. That

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approach would, however, be contrary to the advice in paragraph 21 of Technical Annex 8 of the Companion Guide to PPS 22. It says, with good reason, that access alterations should be detailed in any application. Importantly in this particular case, the major part of the access route is within a neighbouring Council's area. While the Highway Authority may be the same in both Districts, it would not be possible for Broadland Council as the Local Planning Authority to enforce any condition that applies to land outside its own area of jurisdiction. The absence of any confirmed details at this stage of how the parties intend to deal with access is, in my view, a serious shortcoming. It prevents the formulation of suitably specific safeguarding conditions before a decision in principle is taken on the appeal application, it avoids any planning obligation being put in place that may also be necessary to deal with the associated off-site works and, with particular regard to the church tower, the future of a Grade I Listed Building would be left open to risk. While all of the procedural, engineering and environmental objections to "the alternative abnormal load route" may be capable of being overcome, I am therefore unable to be certain that the development that I am being asked to permit would not have an unacceptable impact on the use of the local road network and the quality of the local environment, both during the construction phase and after.

Issue 4: Norwich International Airport

36. Paragraph 22 of PPS22 indicates that potential impacts on airport operation, radar and aircraft should be addressed before planning applications for wind turbines are considered. Objection by the Ministry of Defence has been conditionally withdrawn, on the basis that the turbines would not be commissioned until December 2006, when RAF Coltishall is to close. However, there remains an outstanding dispute between the Council and the Appellant which focuses on the effect on the safe and efficient operation of Norwich International Airport, which lies about 22km south east of Guestwick.
37. The parties are in agreement that, even at this distance, the proposed turbines would be of sufficient height to generate "clutter" on radar screens controlling air traffic arriving at and departing from the airport. For the most part, experienced radar operators would be able to distinguish wind turbine movement from that of an aircraft because the position of the turbine site would be known and permanent. They would no doubt be assisted in this by familiarity with the radar trace of the existing turbines at Scroby Sands, to the east of the airport. Nonetheless, there may be circumstances in which the alignment of the rotating blades may result in their screen image periodically appearing and disappearing, or looking similar to that of a moving aircraft. The airspace in Norfolk is not controlled airspace, so there may be aircraft whose track may likewise enter or leave the radar screen and which, in the absence of transponders or secondary radar, may not be immediately recognised among wind farm clutter or sufficiently in voice contact to be have their flight pattern redirected. The Civil Aviation Authority (CAA) says that the airport management is best placed to comment on the "protection" that can be given to all airspace users in the area but, whatever the case may be, flight safety would not be allowed to be compromised. It is the airport management's view that its air traffic controllers would accordingly be obliged to route commercial flights away from the turbine site to avoid any accident risk arising. That being the case, the concern is one that, although arising from the need to maintain air safety, in practice bears only on the efficient conduct of flights.

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38. There is no precise evidence of the extent to which any increased flight miles required to avoid the wind turbine site would affect users of the airport. Nonetheless, in land use planning terms, I can understand the Council's desire to avoid development that may impact adversely on the attractiveness of the airport to commercial users and, in turn, on the local economy. The CAA also points out that there may be environmental consequences arising from extended flight time, manifested through increased CO₂ emissions from the greater amount of spent fuel and through exposing wider residential areas to aircraft noise. All of these factors weigh against the benefits of renewable energy generation. Even so the evidence indicates that, given the various approach and departure routes relative to runway orientation, the number and distribution of flights affected would be a relatively small proportion of the total. It is also apparent that problems for radar recognition would disappear if current CAA proposals, to make the carriage and operation of transponders throughout UK airspace mandatory, come into effect. CAA says that such proposals are currently planned to become operative from 2008, albeit with a transition period that would extend to 2010. While yet to be subject of public consultation, this and other potential means of mitigation more specific to Norwich referred to by CAA, suggest to me that any effect the proposed wind turbines may have on the operation of Norwich International Airport (and any associated economic or environmental consequences) is likely to be both slight and unending.

Issue 5: Living conditions and enjoyment of the countryside

39. *Noise:* There are about 20 houses within 1 km of the site, the majority of which are ranged along the Hindolveston Road, with Harvest Moon being the nearest at about 625 m east from one of the proposed turbines. The Wind Annex of the Companion Guide to PPS22 refers to the ETSU 1997 methodology for the assessment and rating of noise from wind farms. This says, among other things, that noise limits should generally be set relative to the existing background noise at the nearest noise sensitive properties and that the limits should reflect the variation in both turbine source noise and background noise with wind speed. Harvest Moon, being in the normally prevailing downwind direction from the proposed turbines is a suitable reference point in this regard.
40. The turbines would be operational at wind speeds of between 4 metres per second (m/s) and 12 m/s, and analysis of survey data shows that background noise levels at this property (allowing for applicable absolute thresholds) would, at these speeds range between 38 and 62.5 dB (daytime) and 43 and 61.1 dB (night time). The Council's figures, based on a noise prediction model known as CONCAWE indicate that with the turbines in operation, these background levels could be exceeded by about 3.7 dB (daytime) and 4.2 dB (night time), when windspeed is 6 m/s. At higher and lower wind speeds, there would be more minor or no increase above background levels. The Appellant's figures, based on Siteware2000 modelling software indicate a somewhat different pattern but there is no dispute that the turbines would be audible at certain times at certain wind speeds in a "worst case" scenario. Even then, however, the limit of 5 dB(A) above background referred to in the ETSU guide would not be exceeded.
41. Further detailed arguments included the potential for noise from the turbines to include tonal and other characteristics such as "thumping" in certain night-time atmospheric conditions. This may affect compliance with the above thresholds. The reasons why such characteristics arise are, at present, largely theoretical and there was no agreement between

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the parties on potential causes or the likelihood of such occurrences in this particular case. I simply repeat the advice from the PPS22 Companion Guide. This is that noise levels from turbines are generally low and, under most operating conditions, likely to be completely masked by background noise. From the evidence before me, I find no reason to depart from that stance. If "thumping" or other tonal characteristics materialise as a problem in practice, they should be capable of being kept within acceptable limits not least by temporarily stopping the rotation of the turbines if necessary. That is a matter which could, in my view, be suitably dealt with by a planning condition of the type discussed during the Inquiry.

42. *Shadow flicker*: The stroboscopic effect of the sun shining through turbine blades and experienced inside buildings can, as paragraph 76 of the Wind Annex of the Companion Guide to PPS22 advises, be mitigated by siting turbines a sufficient distance from residences likely to be affected. In this particular case, the nearest dwellings within 130° either side of north relative to the turbines would be considerably more than the recommended 10 rotor diameters distant. On that basis shadow flicker can, according to the guidance, be discounted. While the Environmental Statement says computer modelling has indicated that buildings at Abbey Farm and Ashcroft Farm may nonetheless be affected, this is under a "worst-case sun and wind scenario". Such a combination of circumstances is, in reality, unlikely to occur at all and, if it did, would be transitory. As with noise, the risk is one that could, in my view, be suitably safeguarded against by planning condition, although I note there is dispute between the Council and the appellant over exact formulation.
43. *Danger*: The Wind Annex to IFG22 says that there has been no example of injury to a member of the public arising from the operation of wind turbines and adds that published research shows the build up of ice on turbine blades to be unlikely to be problematic. It refers to the overall height to the blade tip ("fall over distance") plus 10% as being often regarded as a safe separation distance from buildings. Apart from the existing (unmanned) water pumping station within the site, there would be no buildings within that distance or, indeed, much greater distance. The Annex further says that it is advisable for turbines to be set back from roads by at least fall over distance so as to achieve maximum safety. Two of the turbines would lie less than this distance from Skitfield Road. However, for public rights of way, the Annex adds that fall over distance is often considered an acceptable separation and the minimum distance is often taken to be that the turbine blades should not be permitted to oversail the right of way. None of the blades would oversail the carriageway of Skitfield Road or any other right of way across the site. While relocation of the two turbines closest to Skitfield Road may give greater public confidence, none of these distances are mandatory. Skitfield Road, the access track to the existing pumping station and Freshgap Lane are all lightly used and relatively open. On balance, I consider that the risk of unforeseen accident to walkers or drivers involving a toppling turbine, blade fragmentation or ice throw would be so small as to be insignificant.
44. A specific local concern is the risk of turbines frightening horses, which I understand may be caused by the sound and movement of the turbines themselves and by the moving shadows they cast on the ground. While the Annex accordingly refers to the British Horse Society's recommended separation distance of 200 m between turbines and bridle paths, this again is not mandatory. In this particular case, the approach to the proposed turbines from all directions would pass between open fields with relatively little boundary screening, so the risk of sudden spooking would be small and there should be ample opportunity to dismount or calmly turn away if necessary. In time, some horses would no doubt learn to

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accept the movement of the turbines as unexceptional but for others an alternative diversionary route may need to be planned by riders in advance. This could be inconvenient but would avoid any risk of danger directly attributable to the presence of the turbines. It would also, in my view, be a more suitably proportionate response than preventing the proposed development altogether.

45. In the light of all of these conclusions, I find that there would therefore be no insurmountably harmful consequences for local residents in terms of the effect on their living conditions and their wider enjoyment of the countryside arising from noise, shadow flicker, or safety concerns.

Overall conclusions:

46. I formulate my conclusions within the framework provided by the various clauses of paragraph 16 of PPS7, which advises on the factors Local Planning Authorities should take into account in determining applications for development in the countryside. There is no suggestion that the turbines would specifically support development that delivers diverse and sustainable farming enterprises (*clause (i)*). While I note economic benefits of the type revealed by the DTI's Scroby Sands Supply Chain Analysis (referred to in the EERA Renewable Energy Supplement), that analysis considers the region as a whole. It does not show that the proposal would directly support countryside enterprises and activities which contribute to rural economies, or promote recreation and countryside enjoyment (*clause (ii)*). The proposed development would implicitly take account of the need to protect natural resources (*clause (iii)*). The fundamental balance in this case, however, is between providing for the sensitive exploitation of renewable energy in accordance with PPS22 (*clause (iv)*) and the conservation of specific features of recognised value, in accordance with statutory designations (*clause (v)*).
47. PPS22 says that special care will be needed if proposed sites for turbines happen to be near listed buildings or conservation areas, and refers to PPG15 "*Planning and the Historic Environment*". Paragraph 1.1 of PPG15 sets out the general context for the protection for all aspects of the historic environment. It says, among other things, that physical survivals of our past are an irreplaceable record, the presence of which adds to our understanding of both the present and the past. They add to the quality of our lives by enhancing the familiar and cherished local scene and sustaining the sense of local distinctiveness which is so important an aspect of the character and appearance of our towns, villages and countryside, as well as being of immense importance for leisure and recreation. In setting out the Government's commitment to the concept of sustainable development, PPG15 cautions however that the historic environment of England is all-pervasive and cannot in practice be preserved unchanged. It nonetheless affirms that the impact of development on the historic environment must be given full weight, alongside other considerations.
48. Both the number and concentration of Listed Buildings in this relatively small area of countryside, including those in the highest grades (Grade I and Grade II*) are, in my experience, unusually great. I am aware that there are two turbines of similar dimensions to those proposed here, at nearby Swaffham. These were referred to in passing at the Inquiry but were not included in my accompanied site inspection itinerary. There is also no information before me on how many Listed Buildings there are in Swaffham, or their Grades, but I would expect both to be as great, if not greater, than at Guestwick. I refer to Swaffham only to make a general point. This is that the turbines and buildings there are

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viewed closely together in the much more urban context of a bustling market town. The acceptability of turbines in that setting serves to illustrate, in my view, that the presence of wind turbines in proximity to Listed Buildings (and large numbers of them) cannot always be regarded as unacceptable. The difference between Swaffham and the appeal site is that the defining characteristics of the settings of the many Listed Buildings concerned in this particular case are their historic and enduring rural isolation and their individual prominence in the local landscape.

49. In referring to the various viewpoints, I have identified specific examples where the inherently rural settings of specific buildings would demonstrably not be preserved. Not all others would be seen within the same frame of view as the proposed turbines but the settings of many more than I have already referred to would be similarly affected to varying degree, including, for example, isolated farmsteads to the north east of the site (such as Abbey Farm, about 700 m distant). Indeed, with the inclusion of St George's tower at Hindolveston, it seems to me that Listed Buildings would be seen with the proposed turbines impinging on their setting in almost all directions of view. At distances of more than 2.5 km, it must be said that the effect would be on the attractiveness of the overall rural tableau, while beyond 5 km the significance of the turbines in this particular landscape would quickly diminish to the point of insignificance. However, within the 2.5 km radius, the visual impact would be much more immediate and severe. While the turbines might only be in place for 25 years, this time period would represent almost an entire generation of people who would be unable to view not just one, but a large number of the Listed Buildings in the area, in a landscape setting appropriate to their special architectural or historic interest. That setting (both overall and individually) would, I consider, be seriously harmed by the intrusion of such high, rotating and uncompromisingly modern structures in the number and location proposed.
50. The evidence of a significant impending potential shortfall against regional on-shore wind energy targets to 2010 is clearly an important material consideration in this appeal. However, the balance between on-shore wind energy generation across the region and local protection of the rural environment will not become firmly established in policy terms until RSS14 in its final version is published in early 2007, the further work on targets and apportionment proposed by EERA has been carried out, and local criteria-based policies like emerging Local Plan policies ENV1, ENV14 and CS7 (albeit compiled with approved regional targets in mind) have been formulated. That is, I acknowledge, likely to be some way off. However, as matters currently stand, it cannot be said that the proposal is either plan-led (as intended by PPG22) or wholly in accord with either the existing and emerging development plan policies. In these circumstances, it would be wrong to regard EERA's currently recommended targets for inclusion in draft RSS14 as a reason for attaching greater weight to the exploitation of wind energy from this particular site than to other aspects of the environment which, in the public interest, ought to be protected.
51. It is also apparent from my findings on the second main issue that the lack of certainty over the proposed means of access threatens to leave important environmental safeguards unsecured. In this respect, and also with regard to the now proposed increase in blade length, coverage of potential impacts in the Environmental Statement cannot be regarded as completely accurate or comprehensive. While the subject of blade length may be of little consequence in terms of overall extent of visibility, it is illustrative of shortcomings in the presentation of the application before me brought about largely by late changes. The

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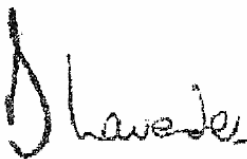
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Council and others have also called into question the additional Environmental Information on site selection that I requested, suggesting for example that previously developed sites more remote from housing have not been adequately considered. The advice in paragraph 16 of PPS22 is pertinent in this respect, but consideration of alternatives is a requirement of the 1999 EIA Regulations. Whether or not development of alternative sites might be more advantageous to enhancement of the local environment, the additional information on that subject (and on the setting of Listed Buildings) has not been subject to the same timely consultation and publicity processes as the Environmental Statement that accompanied the application when originally submitted. All of these factors add weight to my overall conclusion on the balance of issues, that the proposal before me does not provide for the sensitive exploitation of renewable energy in accordance with PPG22 and would fail to conserve specific features and sites of landscape, historic and architectural value in accordance with statutory designations.

52. I have considered all other matters raised at the Inquiry and in the representations. Concerns expressed in relation to local wildlife habitats, property prices, television reception, low frequency noise, tourism and a host of other subjects do not alter my conclusions on the main issues. The effect on the operation of Norwich Airport would not, in my estimation, be significant, and worries expressed by local people about their living conditions and safe enjoyment of the countryside are, I find, unfounded. Nonetheless, the proposal would conflict with extant LP policies (ENV1, ENV13), and emerging LP policies (ENV1, ENV14) concerned with protecting the character and appearance of the countryside in general and the settings of Listed Buildings in particular. It follows that the turbines would likewise breach the safeguards of SP policy RC.9 (together with ENV.1, ENV.4), extant LP policy CS9 and emerging LP policy CS7. I find nothing of sufficient substance to warrant a decision other than in accordance with the development plan in these respects. The proposal is unacceptable and the appeal must therefore fail.

Formal Decision

53. For the above reasons, I dismiss this appeal.



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He called	
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Ms M Bolger	Associate, Liz Lake Associates, Chartered Landscape Architects and Urban Designers.
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Mr R H Goff	Air Traffic Services Manager, Norwich International Airport.
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FOR THE APPELLANT:

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MA(Hons), MPhil, MLA	
Mr I Atkinson	Royal Haskoning, Environmental Consultants.
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Mr D Cutler	Managing Director, Aeolus Aviation Consultancy Ltd.
Mr D Hayes	Principal, Hayes McKenzie Partnership, Acoustic Consultancy.
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FOR THE GUESTWICK PARISH MEETING:

Mr Geoffrey Sinclair	Principal, Environment Information Services.
He called	
Mr R Back	Chairman, Guestwick Parish Meeting, c/o The Old Manse, Guestwick.
Mr I Robbids	Manor Cottage, Reepham Road, Foulsham.
Mr D Mossman	Doewra's, Guestwick.
Ms S Pettegree	81, The Street, Hindolveston.
Ms A de La Grange	The Old Rectory, Foulsham.
Mr G P van den Berg	Groningen, Denmark.
Mr M Bird	Oakring Cottage, The Dyes, Hindolveston.

Appendix 1 (pages 5-23)

Appeal Decision APP/K2610/A/05/1180685

Mrs H Montgomery Brays Cottage, Hindolveston Road, Thurning.
Mr Northam Former resident of Sharrington, Norfolk.

INTERESTED PERSONS (opposing):

Mr R Day The Firs, Foulsham Road, Hindolveston, Dereham,
Norfolk, NR20 5BY.
Mr C Bruan Forester, representing the owners of Hindolveston
Wood, c/o Fring Hall, Kings Lynn, Norfolk, PE31 6SF.
Cllr R Combe Ward Councillor, c/o Broadland District Council.
Mr J Joyce County and Parish Councillor, c/o The Bays, Norwich
Road, Reepham, Norfolk, NR10 4JW.
Ms L Mitchell Park Farm, Hindolveston, Dereham, Norfolk, NR20
5BP.
Ms K Gapp Cherry Trees, Pinfold Lane, Hindolveston, Dereham,
Norfolk, NR20 5BX.
Mr C Vogler Chairman of Foulsham Parish Council, c/o 12 Reepham
Road, Foulsham, Norfolk, NR20 5SL.
Mr I Shepherd CPRE Norfolk c/o Glaven Farm, Letheringsett, Norfolk,
NR25 7JE.
Mr F Burnett Gillets, Fulmodeston Road, Hindolveston, Dereham,
Norfolk.

INTERESTED PERSON (supporting):

Mr P Lanyon 3 Spencer Close, Little Plumstead, Norfolk.

DOCUMENTS

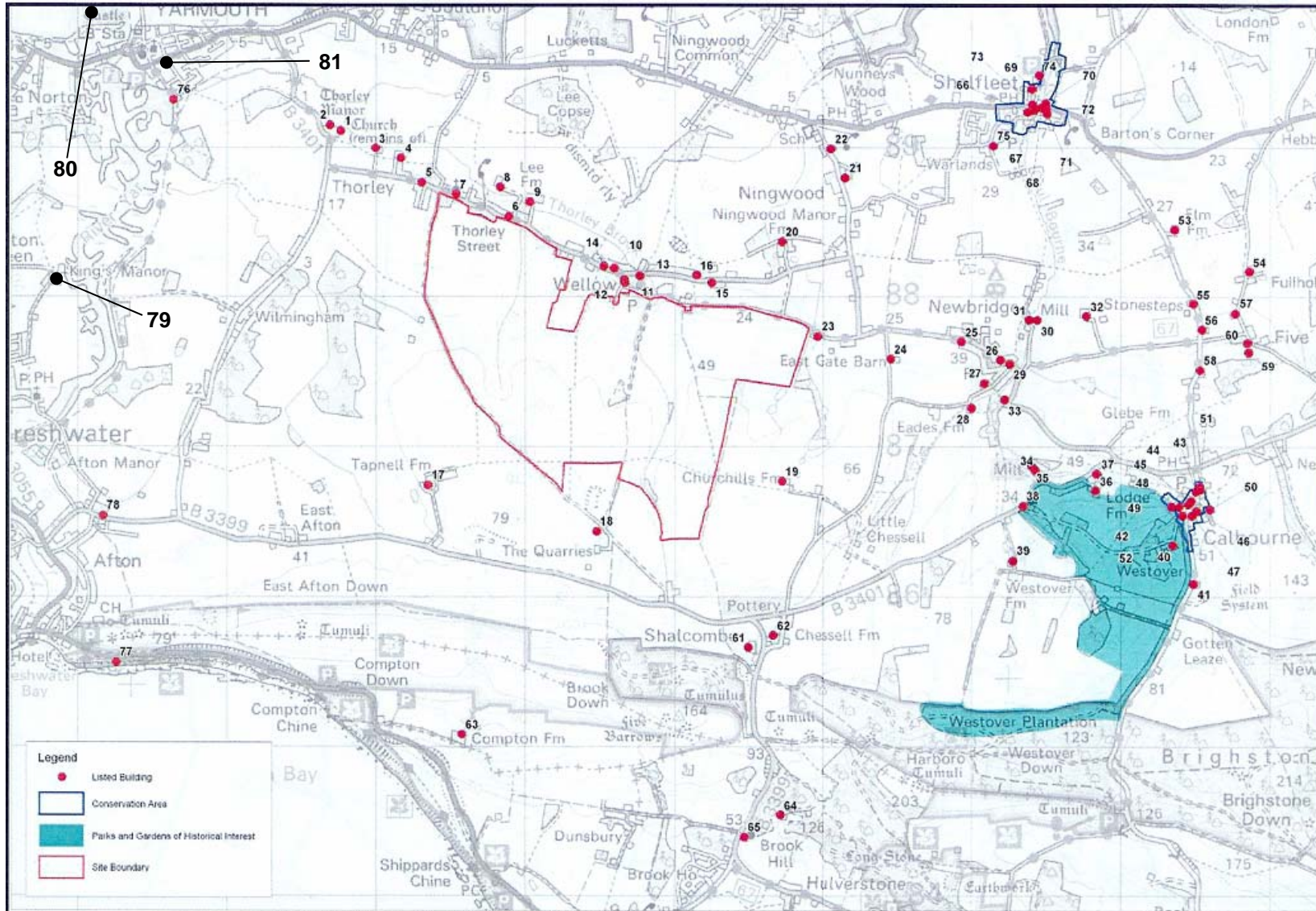
General

Document 1 Lists of persons present at the Inquiry.
Document 2 Statement of Common Ground.
Document 3 Inspector's letter to parties in place of Pre-Inquiry Meeting, dated 23
December 2005.
Document 4 Site visit itinerary and plan.

Documents submitted by the Appellant

Document 5 Suite of drawings showing proposed access road, absent from Appendix B
of Highways evidence.
Document 6 Report to ETSU on appraisal of wind farm noise propagation, published
2000.
Document 7 Appeal decision concerning proposed wind farm at Knabs Ridge, Kettlesing,
Harrogate, North Yorkshire.
Document 8 Extract from Landscape Institute's Guidelines for landscape and visual
impact assessment.

Appendix 2 (this page only)

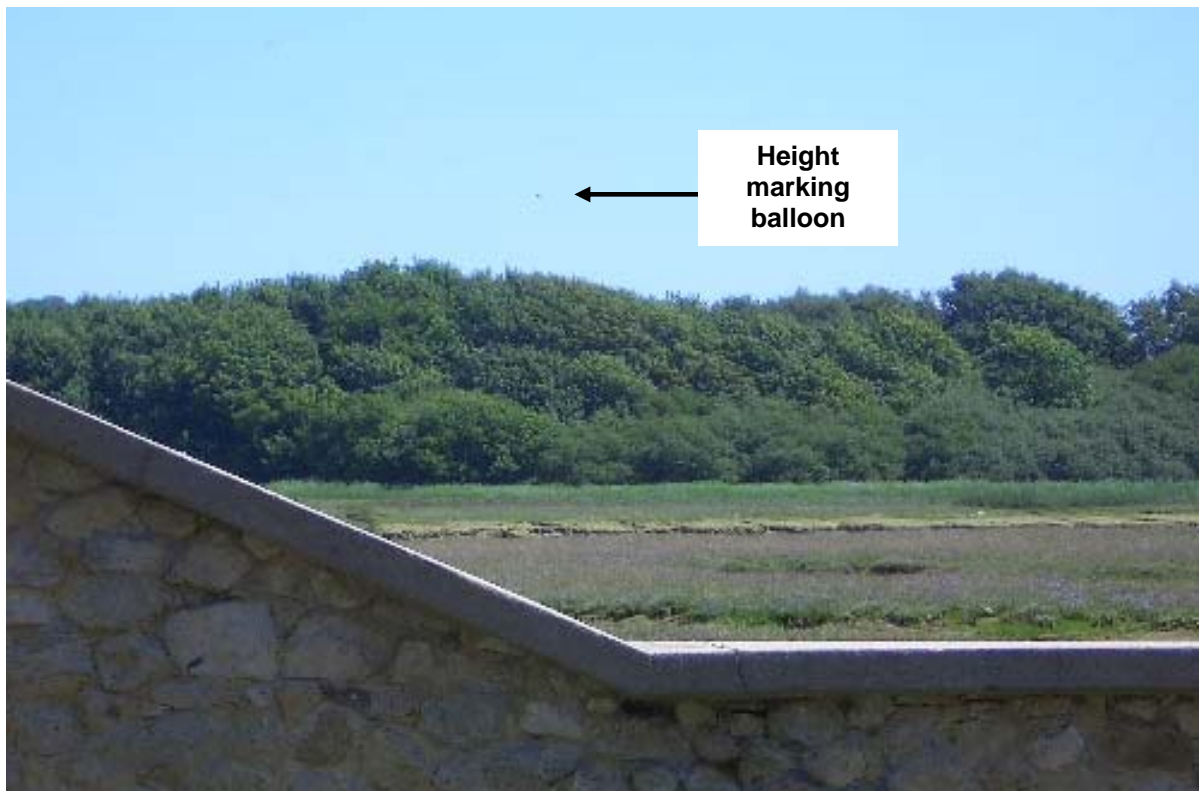


Appendix 3 (pages 25 to 40)

1. King's Manor ("79" on map in Appendix 2, page 24)



View looking east, over the Yar, from rear of King's Manor

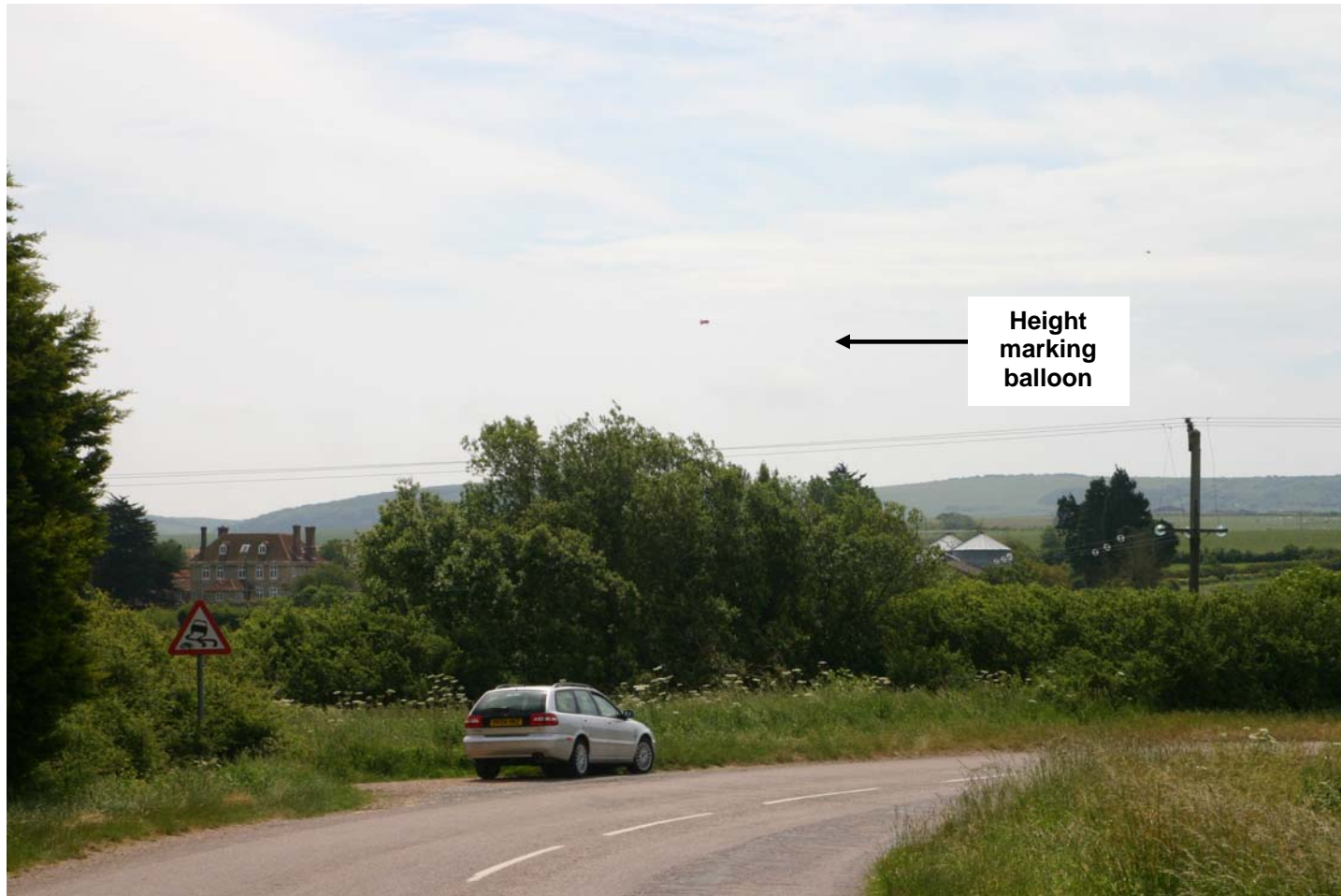


2. Yarmouth Mill (“76” on map in Appendix 2, page 24)



Appendix 3 (pages 25 to 40)

3. Thorley Manor (with height marking balloon beyond) . Thorley Manor is “2” on map in Appendix 2, page 24.



4. Ningwood Manor



5. View from garden – Ningwood Manor



6. Ningwood Farm



7. Elm Dene ("15" on map in Appendix 2, page 24)



8. Rossiter Vinyard ("16" on map in Appendix 2, page 24)



9. Opposite Rossiter Vinyard



10. Brook Cottage (“13” on map in Appendix 2, page 24)



11. Sixpenny Cottage & South View (“12” & “11” on map on page 24)



Appendix 3 (pages 25 to 40)

12. Wellow Farm (not listed)



13. June Cottage (“10” on map in Appendix 2, page 24)



Appendix 3 (pages 25 to 40)

14. Lilac Cottage (“6” on map in Appendix 2, page 24)



15. View Eastward by Lilac Cottage

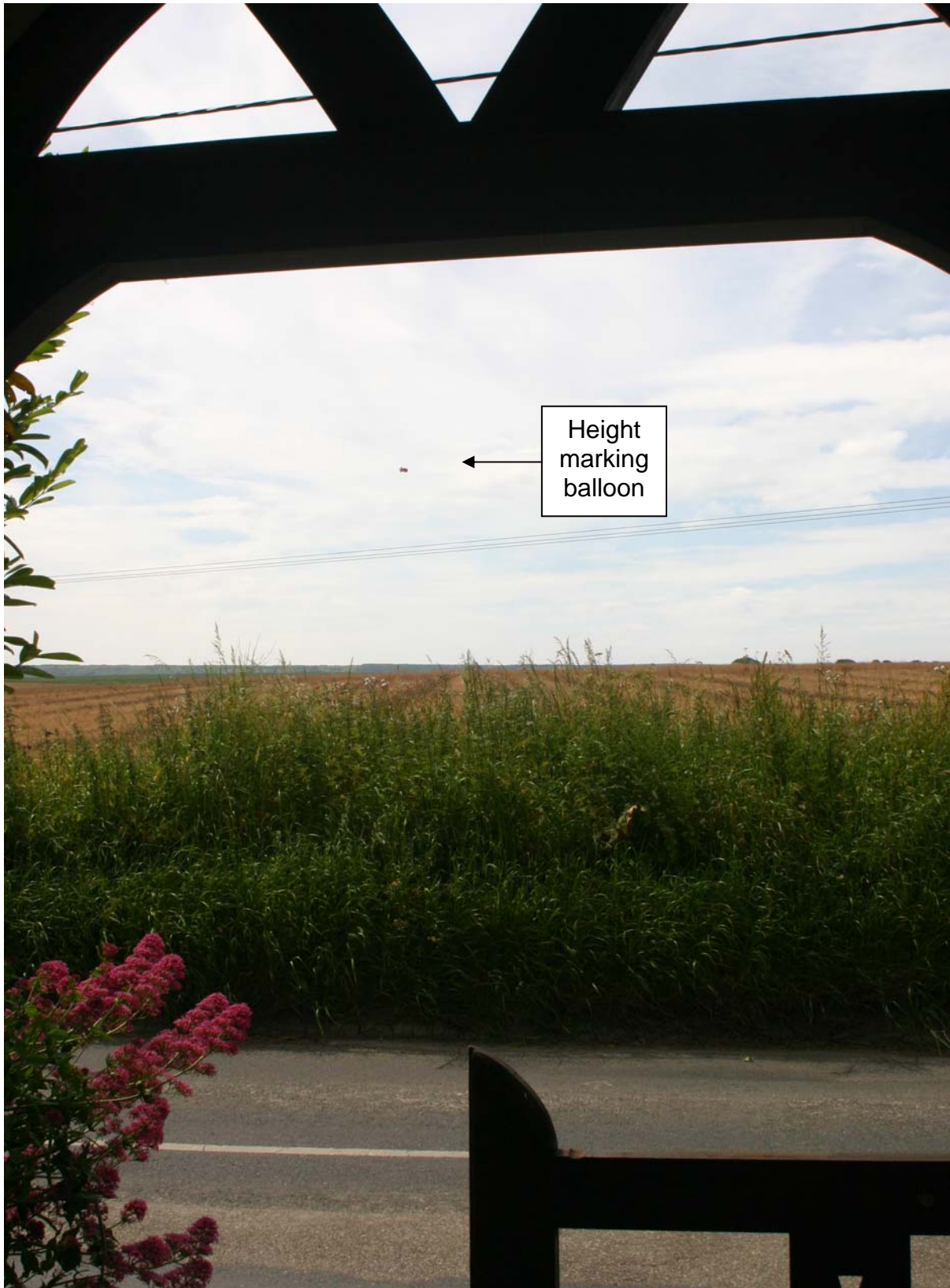


Appendix 3 (pages 25 to 40)

16. Thorley New Church (“7” on map in Appendix 2, page 24)



17. View of height marking balloon from Thorley new church



Appendix 3 (pages 25 to 40)

18. The Old Rectory, Thorley (“5” on map in Appendix 2, page 24)



19. Tapnell Farm (“17” on map in Appendix 2, page 24)



Appendix 3 (pages 25 to 40)

20. Prospect Cottage (“18” on map in Appendix 2, page 24)



21. Prospect Cottage (“18” on map in Appendix 2, page 24)



Appendix 3 (pages 25 to 40)

22. Churchill's Farm ("19" on map in Appendix 2, page 24)



23. Dodpits House ("24" on map in Appendix 2, page 24)



Appendix 3 (pages 25 to 40)

24. View of Yarmouth High Street, on ferry approach – (a) now and (b) with turbines “added”.

Note: Yarmouth Castle and Church are just out of shot (to the right)

