

13 October 2010

Mr Geoff Hall
Development Director Development Services
Borough Council of King's Lynn & West Norfolk
King's Court
Chapel Street
King's Lynn
Norfolk PE30 1EX

Dear Mr Hall

Application No. 10/01419/FM – Wind Energy Development on land at Barwick Hall Farm, Barwick Road, Stanhoe, King's Lynn, known as Jack's Lane Wind Farm

CPRE recognises the need to exploit a range of renewable energy sources, including wind power, to meet greenhouse gas reduction targets. While wind power can contribute to tackling climate change, CPRE believes this should not come at the expense of the beauty, character and tranquillity of rural England. It is noted in **PPS22: Renewable Energy**, that of all renewable technologies, wind turbines are likely to have the greatest visual and landscape effects.

Having carefully studied the application documents and visited the site and the surrounding countryside, we write to strongly **object** to this proposal on the following grounds:

- Negative effects on the landscape character
- Negative visual effects on the landscape
- Negative cumulative landscape and visual effects

This application is for 6, 2.3MW turbines with a tip height of 126.5 metres with associated infrastructure, all set on 3.5 hectares of arable farmland for a period of 25 years. Included on the application form is a Communications Mast, an Anemometry Mast, both for a period of 25 years, and then there are also 4 temporary guyed Anemometry Masts. See Fig 4.11, Vol.3 Figures. We would question why there needs to be so many 'power performance masts' especially when there has been an anemometry mast on the original site for some years now. We also wonder why RES Ltd require a Communications/Telecoms Mast.

/cont'd...

Mr Geoff Hall, Executive Director

13 October 2010

We question too why the term ‘temporary’ is used for the 4 guyed anemometry masts in the application. The other structures are for a period of 25 years – a temporary not permanent period of time - so how long does ‘temporary’ mean for the guyed masts?

Landscape and Visual Effects

The site at Barwick Hall Farm, as described in the Environmental Statement, consists of a number of medium to large arable fields divided by hedges and tracks, lying on a plateau and surrounded by a similar landscape of arable fields and tracks, descending towards smaller scale, settled valleys to the east and south, within which lie the villages of North Creake, South Creake and Syderstone.

All these settlements are in a landscape designated as an Area of Important Landscape Quality ‘Confined’. **Saved Policy 4/6 of the Local Plan** (1998) states: *In an Area of Important Landscape Quality shown on the Proposals Map development which damages the distinctive character or appearance of the landscape will not be permitted.*

The applicant argues that saved Policy 4/6 has no support at county, regional or national level and therefore little weight was given to this policy in carrying out the Landscape Assessment in the Environmental Statement. (5.3.16 ES Vol II). However, guidance for Local Planning Authorities following the revocation of Regional Strategies states that planning authorities must continue to have regard to Saved policies and these are still a material consideration.

RES goes on to state that Policy 4/6 does not adhere to the principles of **PPS7**, i.e. *‘local landscape designations should only be maintained or, exceptionally, extended where it can be clearly shown that criteria-based planning policies cannot provide the necessary protection’*. We disagree with RES and suggest that Policy 4/6 was ‘saved’ precisely for this reason.

At national level, **PPS5: Planning for the Historic Environment** (2010), states that a Heritage Asset can be a *‘landscape positively identified as having a degree of significance meriting consideration in planning decisions*. Policy 4/6 positively identified and still identifies, an Area of Important Landscape Quality thus meriting consideration in planning decisions.

Still at national level, **PPS1 Supplement: Planning & Climate Change** (para 4.16) and **PPS7: Sustainable Development in Rural Areas** (para 24) under the heading Local landscape designations *‘recognise and accept that there are areas of landscape outside nationally designated areas that are particularly highly valued locally’* (the proposal site is just such an area), *and that tools such as landscape character assessments should provide sufficient protection for these areas’*.

/cont’d...

Mr Geoff Hall, Executive Director

13 October 2010

The highly valued landscape of the proposal site and its surrounding area is clearly described in the Borough's **Landscape Character Assessment** (2007) which shows the application site to be in Type J, Plateau Farmland and adjacent to Type I, Rolling Open Farmland.

Key landscape characteristics of Plateau Farmland are:

- most elevated landscape type: 40m – 90m AOD
- strikingly flat terrain, long distance panoramic views, strong sense of exposure
- skyline prominent, often uninterrupted and smooth giving way to wide open skies
- landscape feels mostly still having a remote, almost vacant character in places

Landscape planning guidelines seek to

- conserve the scarce settlement pattern characteristics of the area
- conserve the landscape setting of existing villages
- conserve the largely undisturbed and tranquil nature of the area

It is noted that one of the key forces for change is wind turbine development.

Key landscape characteristics for **Rolling Open Farmland** are similar to those for the Plateau Farmland landscape, i.e. having a strong sense of remoteness and tranquillity which planning guidelines seek to conserve, and to ensure the sensitive location of development involving tall structures including wind turbines.

In their Non-Technical Summary, the applicant states that “neither of these character areas would receive effects that would be significant on the overall character of the area”. How can 6, 126.5 metre turbines, plus all the infrastructure, fail to have an affect on the key characteristics of this Area of Important Landscape Quality - areas described above as enjoying

open views tranquillity isolation woodlands

when **Land Use Consultants' Report on Wind Turbine Development** (2003), also describes the two landscapes as having an overriding sense of openness, wide open skies, remoteness and tranquillity?

We note that **Norfolk Coast Partnership** (email 18.09.10) have expressed concerns over the effect of the wind turbines on the perception of remoteness and wilderness of the AONB and on its landscape.

Whilst the **LUC Report** finds that both these landscapes have the capacity for a single and small scale turbine development, it is also pointed out that “in a perceptually remote landscape, a small scale turbine development (1-12 turbines) may increase the sense of human influence and adversely affect the remote and tranquil character of the landscape”.

/cont'd...

Geoff Hall, Executive Director

13 October 2010

Tranquillity is the quality of calm experienced in places with mainly natural features and activities, free from disturbance from manmade ones. CPRE believes that tranquillity is a significant environmental issue and our Tranquillity Map for Norfolk 2007 (attached) shows clearly that the Plateau and Rolling Open Farmland landscapes as being most tranquil.

With regard to **lighting** required by the MoD, the applicant states (ES 5.5.4) that as the infra-red system is not yet tested, they suggest that 25-candela lights be used. They say that these would only be seen by the naked eye within 1km of the site, would not be bright or eye-catching and would have Negligible visual affects. We understand that infra-red lights cause little light pollution but the 25-candela lights are equal to a car's rear lights and will certainly change the nature of this dark landscape.

Intrusion Maps for the East of England, produced on behalf of CPRE by Land Use Consultants, illustrate the areas disturbed by urban development, major infrastructure projects and other noise and visual intrusions. The 2007 map (attached) shows that the open countryside of West Norfolk between the A148 and the North Norfolk Coast is still virtually undisturbed – but for how long? Wind farms are major infrastructure projects and certainly create visual intrusions into the landscape and change the landscape character.

In discussing landscape sensitivity, the **Companion Guide to PPS22** states that “*a distinction can be made between the ‘overall landscape sensitivity’ and ‘landscape sensitivity to a particular kind of change’. The ‘overall landscape sensitivity’ may be described as a combination: the visual sensitivity of the landscape resources, the extent to which it is seen by people, and the scope to mitigate the visual impact*”.

It is interesting to note that the applicant admits that there are “*limited possibilities for mitigating the visual effects of turbines themselves*” (ES Vol 2, 5.2.7), and yet we find in the Non-Technical Summary's Conclusions, the statement: “*... few significant adverse environmental effects on the local environment and of these most can be reduced or prevented through mitigation measures*”.

The AONB is about 4km from the site and the applicant states that ‘Allowing for the scale and potential visibility of the proposed turbines, there is a potential for the Norfolk Coast AONB to be significantly affected’. (5.6.112). Yet they also say that ‘Neither the North Norfolk Coast AONB nor the North Norfolk Heritage Coast would experience more than Minimal overall effects’. (5.7.7)

The diversity and local distinctiveness of the Borough's landscapes are considered to be a major environmental asset, making a significant contribution to the quality of life for West Norfolk's communities (LCA 2007) - and to the important tourism economy. It is not surprising therefore that the emerging **Core Strategy Policies CS01, CS06, CS08 and CS12** all underline the need to protect, enhance and maintain local landscape character as well as the sense of place in this high quality environment.

/cont'd...

Geoff Hall, Executive Director

13 October 2010

Cumulative Landscape and Visual Effects

PPS22 Companion Guide (5.22) describes

Cumulative landscape effects as *‘the effects of a proposed development on the landscape fabric, character and quality and so concerns the degree to which renewable energy development becomes a significant or defining characteristic of the landscape’*.

Cumulative visual effects *‘concern the degree to which renewable energy development becomes a feature in particular views (or sequences of views), and the effect this has upon the people experiencing those views’*.

We believe that the proposed development will become a significant and defining characteristic of the landscape, and will also become a feature in particular views and sequences of those views, and this will create negative effects on the landscape character and on visual effects – especially on the people who live in the villages surrounding the proposal site.

A Study Area of 30km was agreed between RES and the planning authority. Within this agreed radius, all wind turbine developments operational, consented, submitted, at appeal or pending public inquiry, would be taken into account in relation to the Jack’s Lane application in order to make a proper cumulative assessment.

However, RES decided on a 25km radius, and only included Chiplow Wind Farm as being within that radius; the Scoping Opinion submitted for 7, 126m wind turbines at Fring/Docking - well within the 25km radius - has not been included. As you know, **Scottish Natural Heritage Guidance: Cumulative Effect of Windfarms**, (13.04.05) does say that *‘a formal request for a scoping opinion, and where they are well articulated in terms of location and scale, could be regarded as a material consideration’*.

SNH guidance, whilst it formally applies only to Scotland, is widely used and generally accepted in England and Wales, and the Landscape Institute refers to and encourages considerations of SNH guidance in its own documentation when the landscape professional deems it relevant and appropriate. RES Ltd has referred to SNH guidance many times in their application documents. We therefore suggest that the Fring/Docking Scoping Opinion should be included in the RES Cumulative Assessment and regarded as a material consideration.

Chiplow is not the only operational/permitted/submitted wind farm within the 25km radius of the site. Looking at **Fig. 5.1** Location and Policy Content, the 25km radius ring includes:

- Swaffham – 2 turbines operational
- King’s Lynn – 1 turbine permitted (Tesco)
- King’s Lynn – 1 turbine permitted (Queen Elizabeth Hospital)
- Guestwick – 6 turbines – to be re-submitted after Appeal

/cont’d...

Geoff Hall, Executive Director

13 October 2010

If RES had kept their agreement with the planning authority for a Study Area of 30km radius, then they would have had to include the 8 operational turbines in North Pickenham and the 2 permitted turbines at North Pickenham Airfield.

The Chiplow Study Area for cumulative landscape and visual effects was at 30km and extended to 60km.

RES states that the assessment of cumulative landscape and visual effects together with Chiplow Wind Farm indicates that the two wind farms are sufficiently close together that from viewpoints and landscapes beyond about 5km from the sites, the effects of both wind farms would be much the same as for just one of the two developments.

RES refers to the **LUC Report** which states that the Plateau and Rolling Open Farmland landscapes have the capacity for up to 12 turbines and they go on to say that even if the 5 turbines proposed at Chiplow were added to the 6 at Jack's Lane, making a total of 11 turbines, then the two proposals together would still be within the small scale 1-12 turbines criteria for these landscapes.

These are two separate applications and should be dealt with as such. RES should not use the small scale 1-12 turbines criteria to avoid considering the cumulative impact of their proposal with the Chiplow Wind Farm. But this is what they have done. We suggest that RES carry out a Cumulative Impact Assessment to include all the current and planned wind farms within a Study Area of 30km as originally agreed.

In the submitted RES documents, nearly all the wire frames taken from various viewpoints and the photomontages include the 5 Chiplow turbines, so there is a gappy line of 11 turbines strung across the landscape of '*strikingly flat terrain, long distance panoramic views and a strong sense of exposure*' – with little scope to mitigate the visual impact.

Wire frames and photomontages show the 6, 126.5m turbines proposed by RES – but they do not show the 'permanent' Anemometry Mast (80m), the Telecoms Mast (20m) both required for a period of 25 years, and the 4 'temporary' guyed Anemometer Masts (80m + tower top). So it's not just 6 turbines in the skyline but 12 tall structures of varying heights set on contours between 55m – 65m. Nor should we forget the existing 70m 'temporary' anemometry mast on the original site. (Fig 4.11 ES Vol 3 Figures & Fig 4.2 Infrastructure Layout).

As most of the RES photomontages include Chiplow's turbines, then Jack's Lane's 12 structures added to Chiplow's 5 turbines + 1 anemometry mast would total 18 industrial structures in the skyline – no longer a small scale wind farm development. And to add to the visual confusion, Chiplow's 5 turbines have a tip height of 100m and a 'permanent' 50m anemometry mast all set on contours between 55m – 70m.

/cont'd...

Geoff Hall, Executive Director

13 October 2010

The **LUC Report** states; *‘As different scales/sizes of turbines can appear confusing, a single and small scale group should not occur together in any one view’*; we would add especially when contours range between 55m – 70m.

It should be noted that LUC guidance, prepared in 2003, is based on wind turbines being only 70 metres to tip height.

PPS22 Companion Guide (5.23) makes a very clear point when stating:

‘Cumulative effects may arise where two or more of the same type of renewable energy development are visible from the same point, or are visible shortly after each other along the same journey. Hence, it should not be assumed that, just because no other sites are visible from the proposed development site, the proposal will not create any cumulative effects’.

We believe that negative cumulative landscape and visual effects do occur as Jack’s Lane and Chiplow are two developments of the same type of renewable energy, visible from the same point and are also visible shortly after each other along the same journey. We therefore suggest that RES Ltd be asked to prepare a new Cumulative Impact Assessment.

Hedgerows

Saved Policy 4/7 is still valid and seeks to protect features of value to the landscape such as trees, woodlands and hedgerows. Most field boundaries on the Jack’s Lane site are 18C but there are pre Inclosure Acts hedgerows along the main tracks and border the field units. Some of these are classified as Important hedgerows and are protected by the Hedgerows Regulations. Every effort must be made to minimise interference where the widening of roads and footpaths are planned. Hedges are particularly important within areas of intensive farming, and for the survival of widespread yet declining species, which are dependent on woodland edge, scrub or rough grassland habitats.

Community Funding / Goodwill Payments

These offers of community benefit do not go through the proper procedures of the planning system, unlike similar offers from most other developers. By accepting them, communities may also be getting a worse deal than they would if wind farm developers were made to offer them through the planning system. CPRE believes that the approach to community benefits from wind farms should be development plan-led and therefore agreed through full and open consultation by the local planning authority rather than the developer.

/cont’d...

Geoff Hall, Executive Director

13 October 2010

Summary

The applicant acknowledges that North West Norfolk and the Plateau Farmland landscapes would receive effects from their proposal for a wind farm that would be significant on the overall character of the area.

CPRE Norfolk's **reasons for objecting** to the application are as follows:

- The applicant has not produced a separate Cumulative Impact Assessment but used the 1-12 turbine capacity criteria to include the Chiplow Wind Farm in their assessment as if the two were one development with no sequential impact.
- The site and environs are in a designated Area of Important Landscape Quality 'Confined' – a material consideration.
- The important nationally designated areas of the North Norfolk Heritage Coast and the AONB are only about 4km from the proposed site. Allowing for the scale and potential visibility of the proposed turbines, there is potential for significant visual and landscape effects.
- Many Cultural Heritage sites and Conservation Areas, all heritage assets, will be significantly affected by the presence of the development in this landscape.
- The proposal will be in conflict with the key characteristics and valued attributes of the landscape as clearly set out in the Landscape Character Assessment – landscape character such as remoteness, sense of openness and tranquillity. These attributes are also acknowledged in the LUC Report.
- There will be significant visual effects on residents living in the surrounding villages, as well as negative effects from flicker and noise.
- There is little scope to mitigate the visual impact.

We suggest that RES Ltd carry out further research and submit a Cumulative Impact Assessment of all the permitted and planned wind farms within the 25km – 30km radius of the site, including Fring/Docking.

We should be grateful if you would inform members of the Development Control Board of our reasons for strongly **objecting** to this application.

Yours sincerely

Rosemary Bryan
Caseworker, CPRE West Norfolk

Attached: CPRE Tranquillity Map & CPRE Intrusion Map