

Assessing the Environmental Capacity for On-Shore Wind Energy Development: consultation on proposed approach to Natural England guidance

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Introduction

The Landscape Institute (LI) is an educational charity and chartered body responsible for protecting, conserving and enhancing the natural and built environment for the benefit of the public. It champions well-designed and well-managed urban and rural landscape. The Institute's accreditation and professional procedures ensure that the designers, managers and scientists who make up the landscape architecture profession work to the highest standards. Its advocacy and education programmes promote the landscape architecture profession as one which focuses on design, environment and community in order to inspire great places where people want to live, work and visit.

The LI welcomes the opportunity to submit its views as part of the consultation on this guidance, and hopes that Natural England will find this input helpful. The comments and responses below are founded upon the LI's belief and principle that all landscapes matter. LI members are fully cognizant that landscape professionals have responsibilities to the character and quality of the environment; that we should seek to manage change in the landscape for the benefit of both this and future generations, and we should seek to enhance the diversity of the natural environment, to enrich the human environment and to improve both in a sustainable manner. However, we are also cognizant that change is part and parcel of the landscape both physically and perceptually. The LI is comfortable with the definition of landscape character: '*A distinct, recognisable and consistent pattern of elements in the landscape that makes one landscape different from another, rather than better or worse.*'¹ Key to understanding is the recognition of *difference*. Change, of itself, is neither better nor worse. Rather, change gives rise to something which is *different*.

The establishment of on-shore wind energy development clearly gives rise to change. The LI is pleased to note that Natural England shows a clear and balanced understanding of the nature of and responses to the potential visual and characterising effects of wind energy development in Section 2 of the consultation document, for example: "*Such effects can influence people's enjoyment of the natural environment, however it is important to note that public perceptions of turbine development range from characterising them as intrusive industrial development in open countryside to regarding their structural form as enhancing the visual experience.*" (p.13) The LI would suggest going slightly farther in that it is not just the structural form but can be the overall presence of a sensibly designed wind farm which can have this response.

We return to this after responding on each question below. But first, however, the document as it currently reads is too determinative - too often 'will' is used instead of 'may'. Natural England

¹ Swanwick, C., and LUC (2002); *Landscape character assessment: guidance for England and Scotland*. Countryside Agency/SNH, p8

has become very positive in policy statements in backing up policies with evidence. If the word 'will' is going to be used in such strong terms, the LI believes that it must be backed up by evidence. Natural England must be aware that this document will be subject to detailed scrutiny at public inquiry. Those who are going to deploy it in making recommendations and taking decisions must be sure that the underpinning material on which statements are made is credible and can be properly justified. In a number of cases, the criteria appear to 'float' without any apparent rationale or justification.

Consultation questions

1. Do you agree that there is a need for Natural England guidance on assessing the environmental capacity for on-shore wind energy?

Yes. Experience of LI members is that there needs to be (a) a greater level of competence across the board throughout the regional offices and (b) advice needs to be made more consistent, with more timely and fuller engagement as part of the consultation process. The guidance, when finalised, should go some way to making this theoretically possible. We use the word 'theoretically' since the exercise will clearly require (a) an increase in staff numbers, (b) staff training and (c) resources to be put in place to enable this to be brought about.

2. Do you agree that the guidance should be primarily aimed at Natural England staff?

In the first instance, yes. Obviously however, the guidance will be of great interest to others whether those engaged in developing spatial strategies, planners, decision-makers, those within the wind industry, consultees on applications, developers and landscape professionals engaged in advising any of those groups.

3. Do you think Natural England guidance would be helpful to other stakeholders?

Yes, but not in its current draft state.

4. Should the guidance only consider Natural England's statutory interests?

It would pose difficulties were Natural England to extend guidance into the domains covered by other advisory bodies who have statutory functions, for example English Heritage. This may be the case in consideration of settings. However, this should not prevent recognition that there frequently is a measure of overlap between interests and where this is felt to occur, then encouragement should be given to engage in discussion with those relevant interests so that a more holistic understanding of the matter under consideration can be achieved.

5. Is there other material related to wind energy that you think Natural England should produce as part of this guidance?

Not at the moment. Once all the consultee responses have been assembled and the formal version of the guidance published, we would encourage Natural England to operate it for a reasonable period, monitor its operation and then consider whether there should be other material that can or should be added to aid interpretation. The guidance should be regarded as

'good and evolving practice' rather than an end state document.

6. Do you agree with our definition of 'environmental capacity'? Should the guidance be using different terms, such as 'potential', 'scope', 'sensitivity' or 'opportunity'?

We strongly recommend that you should **not** use terms such as 'sensitivity' and 'capacity' since they can be interpreted in different ways (and have been elsewhere). We suggest that the following would be appropriate: *'This guidance is intended to assist when assessing the scope of the receiving environment to accommodate wind energy development without causing "unacceptable harm"....'*

7. Do you think the overview of potential impacts of on-shore wind energy on the natural environment is an accurate and fair reflection?

Yes to a degree.

In addition however, the LI is keen to stress that whilst recognising the wind energy development can have characterising effects of varying scales and may well be subject to judgements of 'magnitude', and it may well be possible to talk about the potential landscape sensitivities that *may* be affected, other related considerations should be borne in mind. For example, the Landscape Institute's *Guidelines for Landscape and Visual Impact Assessment*² (GLVIA) points out that judgements concerning the sensitivity of the receiving environment (the collective singular term) are **not** part of the baseline but are in fact an outcome of the assessment process: *"Sensitivity is thus not absolute but is likely to vary according to the existing landscape, the nature of the proposed development and type of change being considered. Sensitivity is not, therefore, part of the landscape baseline but is considered during and arises from the assessment of effects"* (para 2.28). Also, *"The sensitivity of the landscape is dependent on both the attributes of the receiving environment and the characteristics and effects of the proposed development and can only be established by carrying out the assessment."* (para 7.43).

8. Are the proposed criteria appropriate for assessing the range of factors that contribute to environmental capacity (i.e. both ecological/geophysical and landscape factors)?

First, it may be more appropriate to drop the word 'criteria' and simply use the word 'factors' or 'considerations'. A criterion can suggest a 'pass/fail' approach which may be appropriate in the ecological/geophysical arena whereas many of the landscape-related factors require more of a sliding scale subjective approach – hence factors with a 'more or less' spectrum rather than criteria with a 'pass/fail' test would be more appropriate.

Second, many of the 'criteria' require more detailed consideration, hence we have included a set of tracked change suggestions at Landscape Institute Annex 1.

9. Are there any criteria missing? If so, please list and explain.

² Landscape Institute/IEEMA (2002) *Guidelines for Landscape and Visual Impact Assessment*, 2nd ed. London: Taylor & Francis

See Landscape Institute Annex 1. It may well be appropriate to include an 'Other Factors' box to enable staff to address special or unique aspects of the 'local' environment.

10. Should any of the criteria be merged or amended?

Concerning the merging or amendment of criteria/factors, we feel that there is both scope to merge certain criteria and amend them/others - see Landscape Institute Annex 1.

11. Do you have any other comments on the proposed criteria?

It is important that the use of criteria/factors is not over prescriptive, determinative, restrictive and therefore contrary to what Natural England is trying to achieve.

12. Do you agree with the proposed approach to assessing capacity?

Bearing in mind our earlier comments and those made in Landscape Institute Annex 1 and 2 appended, the Institute considers that the approach is basically sound subject to further development along the lines suggested.

13. Do you agree with approach to considering scale and cumulative impacts?

There is little to comment upon concerning cumulative matters and further suggestions are offered at the end of this response. Concerning scale, it is important that scale is not used indiscriminately. There are different 'scales' which should be recognised but which need not be determinative. For example, we agree that a large scale landscape is likely to have greater scope to accommodate wind energy than a small scale landscape. As soon as qualifying 'extensions' to this factor are introduced such as 'proportion' and 'appear to dominate', there is scope for ambiguity and disagreement thus weakening the intention. It is recognised of course that scale comparators such as trees, houses, hedges, woods, telegraph poles and the like permit an appreciation of the size of turbines but these cannot be determinative otherwise (a) wind farms would not have been already consented in farmed countryside or (b) they will prevent further development of wind farms in farmed countryside.

14. Do you agree with the 'weighted-density' approach taken to identifying and mapping ecological and geophysical features and the nine datasets used, or should the guidance take a 'boundary' approach?

The weighted density approach is confusing and unnecessary since the essential information is buried beneath the 'top layer'. Aggregating what must be a number of data sets (some of which cover the same issue but in different ways – e.g. bird information) is likely to give rise to misunderstanding and the mis-application of the 'top layer' result. In any event, both those responding to development concepts or schemes and those initiating them need to see the boundary information and also the subject to which it applies in order to establish whether or not it is relevant to part or all of the concept or development scheme.

15. Do you agree with the approach to using GIS and other information to inform the application of the landscape criteria?

Yes, provided it is limited to purely factual information. Including 'judgemental' maps in the same category or cadre as purely factual maps would be (a) inappropriate in any event and (b) fraught with difficulty given that some 'judgemental' maps have been made the subject of much criticism. In this regard, the Institute is aware of a number of criticisms of the CPRE Tranquillity maps which have been made both by landscape professionals and Inspectors at public inquiries whether verbally during inquiries or in their published decisions. The LI is aware of CPRE members themselves voicing criticism of the Tranquillity maps. This simply serves to demonstrate that factual information (whilst subject to its own criticisms) is far less likely to be disputed and more likely to be accepted than subjective mapping.

16. Are the suggested GIS maps and datasets the right ones?

Not all of them. The LI questions the introduction of the concept of 'buffer zones', when PPS 22 states clearly that buffer zones should not be created e.g. 3 km around statutory coastal sites particularly when the text reads: *'grid squares adjacent to statutory coastal sites have been identified as ecological features'*. Thus it may be (a) against guidance and (b) possible that land with no ecological value whatsoever is labelled an 'ecological feature'. The grid square approach erodes credibility at worst and is a waste of time at best since it requires those using the approach to peel back the layers in any event to reveal what is truly of value underneath. The whole table in Annex 3 needs to be carefully re-thought. For example, in the third column of Annex 3 (across from Scale), it is suggested that *'large height differential (over 300m) between valley floors and upland summits (upland areas only)'* is an indicator of high capacity. First, we would question what this statement has to do with a data set and second the statement in itself is highly contentious since those who seek to preclude wind energy development in the uplands will suggest that unless this 'criterion' is met, the scheme should fail as being 'out of scale'. The pass/fail situation is apparent and, furthermore, there are those whose studies suggest that a large, expansive plateau would offer 'high capacity'. It may be more appropriate to list the factors in one Annex (with appropriate definition and description) and the data sets in another suggesting which data sets might be usefully considered against the various factors. As the Annexes stand, they are far too determinative.

17. Do you have any comments on the general principles for fit with landscape character in Annex 2?

Before discussing this topic, The LI recommends that photographs should not be used. The ones included in the consultation document in a number of cases do not demonstrate what they purport to demonstrate and, in other cases, appear to be contradictory in the sense that they illustrate a narrow 'positive' point made in the text but, equally, could be used to demonstrate a 'negative' point made elsewhere in the text. This underscores the suggestion made earlier concerning the adoption of factors/criteria which, on the face of it, appear positive but which could then be turned around to prevent the achievement of your aims.

Turning now to the general principles for fit with landscape character, detailed consideration has been addressed in the third of the LI Tables.

18. Do you agree with our proposal for regional workshops?

Yes. The guidance needs to be rolled out across the country and as many interests as possible be made aware of its existence and purpose.

19. Do you have any suggestions for potential opportunities to work with Natural England to test how our criteria can be best applied at a regional and/or sub-regional scale?

Yes. Engage with the wind energy industry and identify one of two projects in the early stages of inception, ideally pre-scoping, and work with the developer and her/his consultants to test the guidance at least at the project specific scale and, if the developer is willing, at the site selection stage. However, a member has drawn to the Institute's attention that some Public Inquiry outcomes appear to be based on interpreting government policy as: 'as many schemes as fast as possible provided environmental, social and economic matters have been addressed satisfactorily.' The most useful and practical approach might be to work backwards from the 'sharp end' of the decision-making process – the individual scheme and become engaged as early as possible in that particular scheme's progress within the decision-making system.

The Landscape Institute will always be willing to canvass its membership for feedback regarding wind energy and Natural England's interests whether in respect of this consultation document or its application in the future.

End Note

There are three matters that do not fit easily into any of the above questions/headings.

The first is the matter of design. Quite simply, through the application of the factors/criteria and consideration of generic wind energy proposal attributes, it may well be possible to establish or identify areas where the scope to accommodate wind turbines is achievable without unacceptable harm. This however is not the end of the story. Within a 'tick box' culture, there is the danger that this is where landscape interests might 'sign off'. However, in order to seek as positive an outcome as possible for any wind energy development, landscape design factors must be recognised and accorded importance. It is perfectly possible for a landscape and visual environment to accommodate a well-conceived 7 turbine (x 125m to tip) wind farm assuming it gives rise to a composed, balanced, stable, rhythmic impression which appears logical in its context. Equally, the same landscape and visual environment could be made the subject of an ill-conceived 7 turbine (125m to tip) layout which may give rise to a series of unbalanced, confusing, illogical and aggravating impressions which essentially would be spawned from poor site planning and wind farm design. Whilst it may not be the purpose of the guidance to cover such matters, Natural England should not shy away from cross referencing material which does cover these matters, such as guidance produced by Scottish Natural Heritage. Design is important if the net result of the guidance is to be followed through and result in a positive outcome or at least as positive as possible an outcome.

The second matter is that of environmental enhancement. Clearly the Environmental Impact Assessment Regulations require that scope for avoidance and mitigation of effect be addressed. Natural England has an opportunity to encourage the consideration of environmental enhancement as a key part of the development process. For this to be best achieved, recognition needs to be given to the synoptic approach whereby environmental divisions are put

to one side. Assuming a wind farm has a life expectancy of 25 years and assuming that the same wind farm can be decommissioned and removed at the end of that period, there is considerable scope for environmental management plans to be developed, measures put in place and managed so that, at the end of the wind farm's useful life, the operator can decommission and withdraw from the area leaving the environment in better shape than when she/he arrived. This could take the form of character strengthening, improvements in landscape condition, habitat creation, enhancement and management etc. The environmental effects of wind energy development are not and need not be a one-way street and these aspects need to be encouraged so that as much environmental benefit as possible can be brought forward within a scheme.

The third and final point is that the guidance should be used not only to assist Natural England staff but also the wider public in gaining a better understanding of the issues involved. So far as the public is concerned, this could take a direct form through securing and reading the guidance. It would also take an indirect form in that it should enable Natural England staff better set out and explain their reasoning behind their decision to object to a proposals but, perhaps more important from the public's point of view, their reasoning being a decision not to object to a proposal. As we move into the era of the National Policy Statement and the Infrastructure Planning Commission, explanation and reasoning underpinning decisions will become ever more important.

The Landscape Institute would like to thank Natural England for the opportunity to contribute to this consultation. For any queries relating to this response please contact:

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