

Elizabeth Landmark (20/00698/FUL)

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1. Summary

Northumberland County Council commissioned Wood Environment & Infrastructure Solutions UK Limited (hereinafter referred to as “Wood”) to review the Landscape and Visual Impact Assessment (LVIA) produced by Southern Green Landscape Architects (Southern Green Ltd) which was submitted in support of the application for planning permission for:

Construction of a publicly accessible landmark, commissioned to commemorate Queen Elizabeth II and the Commonwealth on Land At Cold Law, Kirkwhelpington, Northumberland | Planning application reference: 20/00698/FUL.

This response note has been collectively prepared by Ethical Partnership (Planning Agent), Southern Green (Landscape Architects), Simon Hitchens (Artist) and Matthew Jarratt (Curator) to address the criticisms of the LVIA raised in the Wood Review document. At the outset, we emphasise that the Wood Review goes far beyond the scope of a review of matters covered by the LVIA and/or landscape and visual impact issues generally. This is regrettable because some of the queries raised by Wood serve only to demonstrate a misunderstanding and/or a failure properly to appreciate the full suite of documentation submitted to support the application for planning permission. For this reason, these criticisms, as presented in the Wood Review, are not robust and should be given no, or very little, weight in considering the merits of the planning application. As to the landscape and visual matters that are raised in the Wood Review, we respond to them in this note. We remain firmly of the view that the submitted LVIA represents a robust assessment based on well-established methodology.

For the sake of clarity, this response follows the same structure as the Wood Review itself, with section headings matching those of the review. The numbering included within the below paragraphs follows that of the LVIA and the Wood Review, as per the table below:

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2. Section 1 and 1.1.1: Overview and Scope

1.1.1 As trailed above, it should be noted that, in spite of the title of the Wood Review being ‘LVIA Review’, the detail in the scope confuses this mission by stating that its purpose is to ‘undertake a review of the landscape and visual issues associated with the Proposed Development...’. This statement appears to suggest that Wood proposes to carry out its own Landscape and Visual Impact Assessment, rather than – as requested by Northumberland County Council (“the Council”) – commenting on the soundness of the LVIA. Unfortunately, this confusion is exacerbated where the Wood Review frequently strays into a critique of the design or location of the sculpture itself, which is plainly a separate issue to the soundness or otherwise of the LVIA. Such criticisms, therefore, should be disregarded insofar as the Wood Review purports to appraise the LVIA.

Wood have been clear in the intention and scope of our commission to undertake a review of the applicants LVIA and associated landscape and visual issues. To undertake this review inevitably requires an element of independent assessment as a means of verifying the assessment findings of the LVIA and informing the contents of the review. For example, we have considered the SG LVIA assessment levels and either agreed or disagreed with the findings and where there is disagreement this has been reported with a relevant rationale.

LVIA and design/siting of development are inextricably linked and inter-related. A LVIA review should correctly discuss design issues – layout/siting/materials/scale/form. Aspects of design can influence how the development is perceived and therefore assessed.

The Overview suggests that the Wood Review is to be a review of the LVIA “in the light of”:

- The Council’s Strategic Planning Committee’s refusal of the previous application (19/00247/FUL) – i.e. the original application for planning permission for the sculpture, for which the LVIA was originally produced as a supporting document; • The response from the ‘Keep the Wannies Wild Group’ (“KTWW”); and
- The original review of the LVIA, as commissioned by the Council, in response to the previous application (19/00247/FUL) by Stephenson Halliday.

This brings four separate aspects into the review:

- 1) The LVIA as a document within its own right
- 2) The decision-making process and outcome of the Strategic Planning Committee
- 3) The representations made by ‘Keep the Wannies Wild’
- 4) The original review of the LVIA, undertaken by Stephenson Halliday Ltd.

3. Section 1.1.5 – 1.1.6: Location

1.1.5 The Wood Review suggests that the selected location of the proposal close to a wind farm could negatively detract from the landmark. This is misconceived. Quite apart from the fact that the matter of location of the proposal should have no material bearing upon any proper review of the LVIA, in fact the windfarm setting and local history of turbine engineering by Parsons is part of the inspiration for the piece as described in the artist’s information. We would also disagree with the erroneous assertion that the landmark should, therefore, be treated as equivalent to another wind turbine for the purposes of assessment, particularly as wind turbines are notable for the rotation movements of the blades and large cluster groupings.

We do not state that the landmark should be considered as *another wind turbine*, clearly it is not.

Consideration of the baseline landscape including the presence of a considerable number of wind turbines is clearly a characterising influence which should be a factor in the assessment of landscape and visual effects. Wood maintains that the presence of turbines in simultaneous views of the Proposed Development would detract from the setting of the sculpture.

1.1.6 The Wood Review suggests that the Landscape Capacity Assessments carried out to inform previous wind development in the area should be reviewed and used to inform whether the proposed landmark should effectively be treated as an additional wind turbine in a landscape where it is speculated by Wood that wind capacity may have already been reached. Again, this observation is misplaced. Such Landscape Capacity Assessments are relevant where vast tracts of landscape are considered strategically to consider capacity to accommodate placings of groups of wind turbines, but they are not appropriate to inform the placing of a single, bespoke artwork.

Again, we do not state that the landmark should be considered as *another wind turbine*. It is considered that the Proposed Development, a tall man made structure, should be assessed in relation to the landscape context which includes other large scale structures ie wind turbines. The capacity issue has been raised because an earlier co-joined inquiry into wind development in this area concluded (not speculation) that the landscape is close to capacity ie further wind development could not be introduced without causing adverse landscape effects. This has implications for landscape context in relation to the potential introduction of a further tall structure.

4. Section 1.1.10 Development Description

1.1.10 Wood's description is largely factual until the reference to '*distracting and competing features (wind farms, masts)*'. This description has wrongly strayed into a negative judgement, rather than purely a description of the development, and fails to recognize that the mixed visual qualities and engineering history of the landscape setting are part of the reason the landmark has been placed there, and also part of the inspiration for the artist's response.

Wood agrees that the language for development description should be objective and neutral. However, Wood maintains that the wind farms and masts are detracting features. Any objective analysis would arrive at this conclusion.

Section 1.1.11 – 1.1.12 Planning Background

The planning application includes a comprehensive assessment of the way in which the Proposed Development recognises the "intrinsic character and nature of the countryside in this location" (see, for example, the Planning Statement and Design and Access Statement). This is neither recognised nor acknowledged within the Wood Review.

There are frequent references within the application documents to the "intrinsic character and nature of the countryside in this location". However, Wood's objective analysis of the design rationale has concluded that there is not a strong relationship between the sculpture and the site/host landscape. It is recognised that there are some cultural associations such as: linkages between Charles Parsons who invented steam turbines and who has connections with the Ray Estate and inspiration taken from wind turbine blades in the design of the sculpture. However, much of the rationale is contrived and unconvincing as detailed below:

"The form & history of the Northumberland landscape are intrinsically linked to the proposed sculpture. The sculptural form and material evokes memories; what has been and what is part of the Northumberland heritage and the significant things that have been accomplished."

"The unique character of the area is captured through material selection"

WOOD: Corten steel is used throughout the world and is not unique to/or characteristic of the host landscape although it is recognised that there were ironworks in the locality and that strictly relating to the finish of the material there would be a reasonable visual association with upland landscape elements.

The form of the turbines, 'aerodynamic, wing-like, feather-like, arrow-like spaceship/otherworldly-like' is only possible to be reimagined in sculptural form due to the exact topographical form of Cold Law.

WOOD: Strictly in relation to scale; the sculpture dominates the Cold Law landform, regardless of artistic justification the proportions of the landmark does not appear appropriate in relation to the scale of the hill. Note that further close range visualisations were requested as part of the original review to inform issues of scale in relation to landform as well as to understand how close range visual receptors would be affected.

"The border location between England and Scotland has produced a landscape with a long tradition of hill forts and castles being sited and built to be seen as much as to function in a military fashion, and then a post-medieval tradition of landscape monuments".

WOOD: The scale disparity between such monuments and the Proposed Development means that this justification does not provide a strong rationale for siting a sculpture of this scale in this location. In addition, hill forts, castles and monuments are normally sited in prominent locations so that they can function effectively as landmarks, Cold Law is a subservient landform which, in the referenced historical context, would not warrant such treatment.

5. Section 1.1.13 – Placing landmark sculpture in the landscape

1.1.13 This section should be wholly disregarded. It falls entirely outside the scope of an LVIA review, and would require expertise in the 'placing of landmark sculpture in the landscape'. The Elizabeth Landmark project was carried out under the guidance of international arts advisor Matthew Jarratt. It would not be in the scope of an LVIA to advise on the design and purpose of a large-scale landmark sculpture. The purpose of the LVIA is to consider the effects of the development upon landscape and visual receptors to assist the planning authority in reaching a decision. In the case of a more common development such as a factory, a Landscape and Visual Impact Assessment might also seek to inform the design to reduce impacts, but in the case of a landmark intended to be seen, this element is less appropriate.

Clearly the LVIA needs to consider how a Proposed Development responds and relates to its landscape setting. To establish the context for the assessment the LVIA should establish the rationale for siting the Proposed Development within its landscape setting. The assessment can then consider how well the Proposed Development responds to this setting. Initially, in relation to this matter we would expect the LVIA to set out a clear narrative explaining the landscape and artistic reasons for siting a sculpture on Cold Law; what is the fundamental relationship between Cold Law and the host landscape which makes it a suitable site for this purpose? At some point a decision has been made to develop proposals for a landmark monument on Cold Law and to establish whether this is an appropriate development in landscape terms it is first necessary to establish the rationale for this decision. Our review cited a series of examples where the relationship between the landmark and landscape is clearly defined ie gateway location, line of site, Highpoint etc (*Paragraph 1.1.13*). In relation to the Proposed Development the design narrative relates to site specific aspects of Cold Law and generic cultural associations rather than the relationship with the wider landscape.

Our concern is that Cold Law has been chosen as the site without any convincing landscape analysis or rationale for doing so. The LVIA provides a development description which largely repeats the concept description provided by the artist the only reference to wider landscape context is that, *"The landmark will be around 56m High in order to match the height of nearby Hepple Heugh at 336m AOD"*, however, this is not backed up with any explanation of why, in landscape terms, the sculpture needs to be at the same height as the landform? How does this factor help the development associate with/ or contribute in a positive sense to the host landscape? How does this allow the Proposed Development to function as a landmark sculpture?

Information contained within the design and access statement is slightly more relevant but ultimately unconvincing, *"Cold Law is considered to have the perfect domed form for the sculpture. The Bamburgh Research Project (BRP), engaged to produce a Desk Based and Archaeological Visual Impact Assessment, describe Cold Law as having a distinctive shape where it is quite conceivable that it could have been of significance as (a) landscape feature to prehistoric communities."*

Furthermore, the Wood Review questions the “*need, purpose and objectives for the sculpture*”. This is another example of the Wood Review straying beyond its proper scope. As a matter of planning policy, these matters are not relevant to any proper assessment of the planning credentials of the proposal presented. They should be disregarded.

The objectives for the sculpture in relation to the association with the host landscape should be set out to allow an informed assessment.

6. Section 1.1.14 – 1.1.15: Landscape and Visual Impact Assessment Limitations

1.1.14-5 The Guidelines for Landscape and Visual Impact Assessment (GLVIA3) remains the correct guidance for LVIA and encourage concise reporting at a level of detail proportionate to the development in question (historically there has been criticism of some firms using overly complicated reports which may cloud LPA decision making). However, the Wood Review goes on in 1.1.15, and in later paragraphs, to suggest various ways in which the LVIA could be expanded significantly to make a much more complex and multi-layered report. Just one example is the suggestion of a cumulative assessment drawing on previous reports and decisions connected to local wind farms (Cumulative Assessment is required in EIA but is not required in LVIA). This suggested approach is unnecessary, would ‘add padding’ to the report, delay the process, be excessively complex and would be neither useful nor material to the decision making of the LPA.

Wood agrees that GLVIA is the correct guidance.

The Proposed Development would introduce another tall, man-made element into a landscape where wind turbines are widely visible and the assessment should determine the landscape and visual effects resulting from this interrelationship of tall structures. In some views where there is intervisibility it is likely that the sculpture would have a negative effect on the visual experience of the viewer (and the function of the sculpture as a landmark) because of the juxtaposition of tall structures and the added complexity/visual confusion/distraction which would result. Regardless of the artistic interpretation that the sculpture takes inspiration from a turbine blade in real world views the visual association between the two development types would generally not be harmonious or positive.

Wood considers that this information is relevant and should be included in the LVIA.

7. Section 2: Review of the LVIA

The comments in the Wood Review are presented in tabular format and include a number of minor nuanced points that are ‘to note’. In order to try and keep this response concise, the focus is generally upon those points labelled as ‘major’ since the minor points are unlikely to materially affect the robustness of the LVIA.

1.3.1 This first ‘major’ comment illustrates the confusing approach to this review taken by Wood. This point does not relate to LVIA matters at all. Instead, it is a design query seeking clarification about the rationale of the height of the sculpture and, again, reveals Wood's failure properly to appreciate the detail of the submission. The answer to this query lies, correctly, in the Design and Access Statement and submission drawings along with all matters relating to the artist's approach to this artwork.

The comment in 1.3.1 relates to the scale of the development, specifically the height of the sculpture in relation to Hepple Heugh which is addressed earlier in this response.

As a general point we do not agree that LVIA and design are not related or that a review of LVIA should not raise issues pertaining to design matters. Clearly the design of a development influences how that development will be perceived within the landscape and should be an important component of LVIA.

2.1.10-2.1.13 Sequential views are discussed in the narrative without necessarily illustrating sequences of views through a series of photographs. This is because in this open landscape the views often change gradually, therefore single representative viewpoints were

selected (unlike a more enclosed landscape where view sequences often change radically over a short distance). Additional viewpoints would not impart new information or be material to a decision in respect of the application.

Wood have not requested additional viewpoints with regard to this matter. We have requested additional assessment to understand sequential effects. Of particular relevance is the C195, the LVIA mentions sequential views (2.1.10) but does not provide an assessment of how the visual experience of travellers would be affected on the approach to the sculpture along this route.

2.1.14 This is a 'major' point but is just stated as 'to note'. We reject the suggestion that receptors have not been properly considered in the selection of viewpoints. To the contrary, the viewpoints were carefully selected in discussion with the Council and the National Park Authority ("NNPA") in order fully to consider the effects upon users of recreational routes, cycle routes, roads, residential routes and also from heritage locations to where people may be drawn. The spread of receptors also included a good range of short, mid and long-range receptors from all aspects of the study area. In its response to the pre-application request, the Council included a request that the LVIA include references to Scheduled Monuments and listed buildings within 3km, and to consult the NNPA with regard to viewpoint selection. Viewpoints related to the National Park were suggested by Colin Godfrey of NNPA on page 23 of the Pre-Application advice issued by the Council on 16.10.18. Therefore, the selection of viewpoints was informed directly by discussions with both the Council and NNPA.

Wood were not party to the original selection of viewpoints. Our concern is that the viewpoints are primarily situated next to roads so that some receptors were not fully represented. For example, assessing the visual effects of receptors using the recreational path network well away from the road network would provide a greater understanding of the visual experience across the study area as a whole.

There was no anticipated visibility from viewpoint 16 which was chosen to represent visibility from the NP whereas there are many locations within the NP where there is visibility. It is recognised that this viewpoint was suggested by the NP however, when it was determined that there was no visibility an alternative viewpoint within the NP should have been suggested and agreed.

This point also states, still as a 'major' comment, that '*use of standard LVIA methodology (suitable for assessing utility development) has been used to assess a piece of sculpture*'. It should be noted that the applicant was asked by the Council to provide the LVIA and the scope requirements were set out in the Pre-Application advice issued by the Council on 16.10.18. There was no suggestion from the Council that a non-standard approach or methodology was required, and indeed the point of following nationally accepted standards and guidelines is obvious - to provide a fair assessment tool (a 'level playing field') which is adaptable for all forms of development.

It is recognised that the scope of the assessment was agreed with NCC prior to the involvement of Wood.

The use of GLVIA as the starting point for LVIA is correct. Beyond that the methodology needs to be tailored to the specific requirements of the scope and characteristics of the Proposed Development to ensure the LVIA is proportionate and focussed on pertinent landscape and visual issues.

2.1.29 '*The LVIA does not discuss alternative designs or sites*'. Again, this assertion does not withstand scrutiny. There is no requirement for Landscape and Visual Impact Assessments to do this (as opposed to EIA). However, in this case it is obvious that where a bespoke artwork has been commissioned to respond to it in a particular location, it would be entirely inappropriate to embark on an assessment of alternative sites, or to suggest other 'designs', particularly since the pre-application public consultation process considered three alternative sculptures which were tested with the local community through an engaging process a public consultation process (please refer to the Statement of Community Engagement submitted with the planning application; in particular Section 3: Engagement with Local Community, Section 6: Influencing the Scheme, and Appendix A: Engagement Materials).

Again this issue relates to the de facto selection of Cold Law as the site and the lack of convincing landscape rationale behind this decision.

To Note; Wood have been unable to access the referenced *Statement of Community Engagement* via the planning portal although our concerns primarily relate to site selection and context rather than the design itself.

In the case of the associated car parking proposed to serve the landmark, the LVIA was usefully used as a tool to inform the design to minimise landscape and visual impacts including layout, landform design and materials, since this does not form part of the landmark itself. For example, from the mitigation recommendations in Section 5 of the LVIA, it was recommended that planting should not be relied on for screening the car park since this would be out of character in this open landscape. Instead, gentle earth bunding and curved drystone walls, inspired by a nearby sheepfold, are used to create screening to minimise visibility of cars in the car park especially in views from the south, which were identified in the LVIA to be more open. This is a robust and responsible approach.

The landmark sculpture, associated infrastructure and landscape are all part of the Proposed Development. It is inconsistent to state that the LVIA has been used to inform the design and layout of the site infrastructure and landscape and then to suggest that this process could not be used to inform the design evolution of the *landmark itself*. Our position is that landscape analysis should have been undertaken at an early stage in relation to clearly defined objectives for the characteristics of the site and function of the landmark. Rather than, as appears to be the case, retrofitting the rationale to try and fit a pre-determined site.

The approach to landscape design of associated infrastructure and landscape treatment is generally considered appropriate.

2.1.36-2.1.38 Unfortunately, the reviewer has not understood the approach taken in the LVIA to the assessment of sensitivity of the landscape and visual receptors identified. To clarify:

Where the standard guidance applies to a scenario, then this is used by preference. For example, in the methodology table provided in Section 2 of the LVIA, a road user is typically classified as having 'medium' sensitivity so we would use this in cases where we agree. In the example extracted by Wood, the LVIA considered that in this scenario, a scenic road with Higher value views, the receptor sensitivity should actually be classed as Higher than the standard guidance. The text description in the LVIA simply explains how the receptor sensitivity of 'High', rather than the standard 'medium', has been determined. Rather than founding a criticism of approach, in fact this example demonstrates the rigour and professional integrity applied to the LVIA.

Wood accepts this explanation. However, we maintain that the sensitivity assessments are confusing and sometimes incorrect. Overall it is considered that this matter does not materially affect the overall assessment or conclusions of the report.

Cumulative assessment- As stated previously, cumulative assessment is not a requirement for the LVIA and we reject any suggestion that the sculpture should be considered as, in effect, another wind turbine. Cumulative Assessment is most frequently used to assess other planning applications in the area, either approved (but not yet constructed) or those coming forward in the planning process. In this case, Wood are suggesting that the cumulative assessment should consider the turbines that are already installed, which is an uncommon approach sometimes used in wind turbine assessment. In the LVIA the existing turbines have been considered as part of the baseline condition of the landscape character of the area and features within the existing views, and therefore have been taken into account in the LVIA. The suggested additional cumulative assessment is unnecessary and would not provide useful or material additional evidence to help the Council in their decision in respect of the proposal.

We refer to our previous response in relation to 1.1.14-1.1.15; in essence, the Proposed Development needs to be assessed in relation to the presence of wind turbines in the baseline landscape.

Baseline Conditions

3.1.8 CROW land 'not considered' - this is wrong. The CROW land is discussed in the LVIA with references provided in paragraphs 3.1.7, 3.4.5, and 4.3.5.

The LVIA does not assess the visual effects experienced by users of the extensive area of open access land (CROW) within and adjacent to the site. It is likely that these users would experience High levels of visual change as a consequence of the Proposed Development.

3.3.1 This simply repeats the point made for paragraph 2.1.29 (alternative sites and designs), to which please see above.

In this section also, the Wood Review has incorrectly interpreted this part of the LVIA; the quoted LVIA text does not state that Cold Law is already a landmark site, but that Ascendant would become a landmark site.

Information relating to siting/design rationale covered earlier see (1.1.13 and 2.1.29).

3.4.9 Photomontages – The photomontage locations within the LVIA were chosen to provide an informative selection of views to illustrate the landscape context; and are often representative of those available to the more sensitive receptors. Very similar views to VP1 and VP2 were already illustrated within the artist’s CGIs which are submitted with the planning application. Therefore, alternative views were selected in the LVIA to offer a fuller range of overall views from receptor locations at a variety of distances and aspects. Again, this demonstrates the robustness of approach in the LVIA.

The photomontages for VP1 and VP2 have been requested to provide a sense of scale and to understand the close range visual effects of the Proposed Development. The CGI’s are not to the required visualisation standards (format/field of view) to provide a satisfactory representation of the Proposed Development as would be perceived in relation to the wider landscape setting. We consider that appropriate visualisations from these viewpoints would be very helpful for all parties to understand how the Proposed Development would affect close range views and the extent to which there would be a characterising influence on the host landscape.

We note that these visualisations have not been provided and recommend that they are produced to aid understanding as described above.

Landscape Effects

4.2.2 The Wood Review criticises the overall assessment of ‘High’ sensitivity of the landscape character areas in the study area. According to the KTWV critique, the Stephenson Halliday review found that, if anything, this assessment was overstated and could have been argued to be Lower in some areas. We have not had sight of the Stephenson Halliday review, and would note that while it is true that the local landscape is of mixed quality, this overall assessment of ‘High’ also reflects the visibility of the landmark over a wide area and proximity of the National Park. The assessment of ‘High’ sensitivity in fact points to the reasonable and straightforward approach that has been taken to the assessment, and to the robustness of the LVIA.

GLVIA3 states that, “*Landscape receptors need to be assessed firstly in terms of their sensitivity*”. To provide a robust, meaningful assessment the sensitivity of each landscape receptor identified within the baseline and carried through to assessment should be firstly assessed as the basis for determining the level of effect. In this case the sensitivity of landscape character areas shown in *Figure 5*, where the ZTV illustrates reasonable levels of theoretical visibility, should be individually assessed.

4.2.3 The assessment of ‘Low’ in the LVIA to which this comment relates is clearly stated to apply to local and wider character areas. The statement that the removal of vegetation is of limited scale is true, bearing in mind that there are no trees and hedges evident within the site.

The landscape assessment is too simplistic. There would inevitably be fundamental change (almost certainly not *Low*) to the site area and to the adjacent landscape character up to a certain distance beyond the site boundary. Beyond this the Proposed Development would become less influential and the magnitude of change on character may be reduced to *Low* or in some cases *Negligible*.

4.2.8-10 Landscape assessment – The Sweethope and Blackdown LCA is discussed in the LVIA as a subset of the Outcrop Hills and Escarpments LCT, and effects are clearly discussed. The landscape assessment is written in a concise way that can be easily understood by members and the public and arrives at fair and robust conclusions.

As 4.2.3 above.

The LVIA does not consider effects on adjoining landscape character.

4.2.9 The reference to hill forts emerged from cross reference with the Cultural Heritage Assessment. It is good practice for disciplines to crossconsult on their findings, and in this case, reference to heritage assets was particularly encouraged in the Council’s pre-app guidance which suggested consideration of heritage assets within a 3km radius.

The disparity in scale and form between hill forts and the Proposed Development means that in landscape terms the relationship is tenuous and should not be used as a main tenant of justification for the Proposed Development.

The fact that LCT8 'Outcrop hills and escarpments' contains flat-topped elongated ridges does not mean that vertical development cannot be successfully integrated, for example church spires are widely accepted to sit well in rolling countryside. While the landmark can be seen from part of the LCT8 area as shown on the ZTV, it is not visible from the majority of the character area, and where visible, while there would be a degree of change, the slender form of the landmark would allow the shape of the hills and landscape characteristics to remain legible, not causing harm to the key characteristics of the character area.

This is an arguable point. In itself the Proposed Development could perhaps have an appropriate relationship with this characteristic landform, in association with other tall, vertical elements (turbines), the effects in relation to the horizontal landforms would be more negatively perceived.

Visual Effects

General- (sensitivity assessment) see response above in 2.1.36

Construction Phase – The Wood Review states that '*construction phase effects are not considered*'. The construction phase is described fully in section 1.3.3 of the LVIA including anticipated plant and timescales, and thereafter, the predicted visibility of construction activities is discussed in the 'Effects During Construction and at Completion: Predicted View' section of the LVIA. Separate assessment of the significance of construction stage effects is not a requirement for the LVIA and a further exhaustive analysis would be of no benefit given the relatively short construction period anticipated.

Construction phase visual effects are described but not assessed. Localised High levels of change would be experienced during the construction phase.

'Clarify which moderate effects are considered significant and which are not'. This comment shows a lack of understanding from Wood about the difference between EIA and Landscape and Visual Impact Assessments. Please refer to GLVIA3 Page 28 Table 3.1 which sets out these differences and confirms that the 'significance' threshold is not used outside EIA.

It is agreed that significance is not normally used in non EIA projects and that LVIA's in non EIA projects are often referred to as appraisals rather than assessments. However, in this case the matter has been raised because the Southern Green LVIA methodology is founded on the determination of significance; P.20, paragraph 2.1.42, *Assessment of Significance including Table D: Assessment of Significance of Effect on Landscape Amenity; Paragraph 2.1.43, including Table D: Assessment of Significance of Effect on Visual Amenity, 2.1.45 Significance Criteria*. It is also noted that '*Significance*' is frequently referenced through the remainder of the report in relation to assessment of effects, for example, P40. paragraph 4.3.8, "*limited effects which may be considered significant*".

Reference to the phrase in the LVIA '*likely to be perceived as a positive addition by many receptors*' - the reason for including this statement was to reflect the fact that a landmark sculpture is likely to draw an audience of receptors who will travel simply to view the artwork. Whether they individually like the detail of the design or not is almost a separate point- the fact that they are drawn to the location simply to view the artwork is a positive aspect, resulting in human behaviours that are unlike those evident for other more common types of development, such as a factory or housing estate. It is important to recognise the specific dynamics of this case given that the general premise of a Landscape and Visual Impact Assessment is to provide information to aid an iterative process through advising on measures to avoid, minimise or reduce impacts: whereas, here, a landmark is proposed that illustrates the dichotomy of this intention whilst still respecting the fundamental process of landscape and visual impact assessment. The Wood Review fails properly to understand this dynamic.

The following statements; "*that a landmark sculpture is likely to draw an audience of receptors who will travel simply to view the artwork*" and "*the fact that they are drawn to the location simply to view the artwork*" are not reasons to infer that the Proposed Development is "*likely to be perceived as a positive addition by many receptors*". The LVIA is intended to consider the visual experience of the range of visual receptors likely to be affected by the Proposed Development. Our position remains that from many of the viewpoints the sculpture could be perceived in a negative, neutral or positive way depending on the outlook of individual receptors. The reporting of the LVIA should be balanced and neutral.

4.3.7-4.3.13 Repeated point on photomontages for VPs 1 & 2- see response above in 3.4.9.

We note that these visualisations have not been provided and recommend that they are produced to aid understanding as described above.

4.3.24-26 VPs 5 & 6- This comment, which finds View 5 excessive being close to View 6, contradicts earlier comments expressing a wish for sequential views. It is explained in the LVIA text why an additional view was added in this location to pick up the Scheduled Monument location in addition to the PROW bridleway, as a matter of diligence. The two views are considered together in the narrative and there would be no benefit to the LPA in extracting View5 and removing it from the LVIA. It is not correct to suggest that a Scheduled Monument location is 'inappropriate' for assessment of landscape and visual impact effects as they can attract receptors to the location, and also in the case of a receiver landscape with a history of skirmishes and battles, scheduled monuments are sometimes related to defensive positions with long distance views.

We maintain our position that "*common description and assessment for 2 different viewpoints is not appropriate*" and that a single viewpoint would be adequate although in relation to the overall findings of the assessment this is a minor matter. Note that we have not stated that a scheduled monument is an inappropriate location for a viewpoint location.

4.3.28 Minor point to consider re-assessment to 'medium-High'. It is not generally considered good practice to provide a hybrid between two ratings, one or the other is typically determined through use of professional judgement, nor would 'significance' as a threshold be used outside of EIA. The determination of the 'medium' sensitivity of the receptor from this road-based view is clearly explained and evidenced in the narrative in the LVIA, and the outcome of a 'moderate' visual effect is appropriate.

The assessment of sensitivity has been raised in relation to this viewpoint because it is considered more sensitive (remote minor road/track leading to PROW's likely to be used by recreational walkers with open views including listed building with remote hillside beyond etc.) than some other viewpoints which have also been assessed as being of *medium* sensitivity, Viewpoint 8 for example. Overall this is an arguable point where valid arguments could be made for the sensitivity of the viewpoint to be *medium, medium-High or High*.

The LVIA uses significance in the methodology and reporting of effects which is why we have referenced it. In relation to this viewpoint the LVIA states that, "*visual receptor with medium sensitivity combined with a medium magnitude of change results in a moderate effect on visual amenity which could bring about limited effects **which may be considered significant***", P.46, para. 4.3.31.

It is notable that this comment in 4.3.28 is the only occurrence of disagreement from Wood with any of the results in the LVIA, and even here the reviewer notes that the effect is '*probably*' slightly Higher, and just a minor point for consideration.

Our findings are that magnitude in relation to some viewpoints would be Higher than reported in the LVIA. For examples VP's 1 and 2 are assessed as *medium* whereas we consider the magnitude of change to be *High*. In addition, we consider that landscape effects in relation to the site area and adjoining areas would be Higher than *Low*.

8. Section 3: Existing LVIA Reviews

3.1.1 We have not had sight of the Stephenson Halliday report and it is not clear why the Wood Review refers to this document as it does not relate to this planning application. We generally reserve our position to make any additional representations in regard to any of the matters raised in the Wood Review in response to the Stephenson Halliday report.

Conclusions to this section - three bullet points are provided by Wood which repeat points made elsewhere in the review:

3.5 Site selection - not in the scope of an LVIA review as discussed above in 2.1.29

As per previous responses relating to siting and landscape rationale.

Cumulative effects with wind turbines - not required in LVIA as discussed above in 2.1.36

As per previous responses relating to the need to consider the visual effects in relation to the existing presence of wind turbines..

Landscape character assessment expansion and close-range visual effects - see responses in 4.2.8-10 and 3.4.9 above.

As per previous responses relating to the overly simplistic approach to landscape character assessment and the under representation of close-range visual effects.

3.3 KTWW LVIA Critique

The Wood Review questions the competence of the anonymous landscape professional who contributed to the KTWW report; and dismisses some points. Other points are responded to below:

"It would be useful and add credibility if the landscape architect could be named or qualifications and experience explicitly stated."

Overall we consider that, regardless of qualifications or competence, the KTWW report raises many valid points.

3. Consultation- an extensive consultation process was well documented in the submitted Statement of Community Engagement; Section 3: Engagement with Local Community, Section 6: Influencing the Scheme, and Appendix A: Engagement Materials. For the reasons set out above, it would not have been appropriate for the LVIA to embark on consideration of alternative designs and locations. Information in relation to the design process is included within the submitted Design and Access Statement.

The following responses relate to the document 'Appendices to the Appeal Statement of the Keep the Wannies Wild Group' Appendix 12

11. This paragraph of the KTWW report acknowledges that the LVIA has correctly assessed the landscape sensitivity as 'High' and agrees with that assessment, but states that this conclusion should have been arrived at based on consultation with local groups. It is true that in EIA, local consultation can theoretically be required as part of the scoping process although this is unusual. In this (non EIA) process, no such request was suggested by the Council nor would this be a typical approach, indeed in the numerous Landscape and Visual Impact Assessments carried out by Southern Green, this has not been requested by any local authority.

As previously stated the widespread application of *High* sensitivity to all 'landscape' within the study area is oversimplistic, inappropriate and inaccurate.

13. The KTWW critique points out that the description of construction operations and length of construction is not described in para 4.2.3. In fact, the construction process is described in detail over 3 pages in section 1.3 of the LVIA 'The Development Proposal and Construction'.

Construction phase activity is described but not assessed.

14. It is important in landscape assessment not to confuse impacts upon the key characteristics of landscape character areas (which can cover many square miles of land) with direct physical impacts on the ground. In the case of the landscape assessment in 4.2.3 of the LVIA, the text states that the effects on landscape character will be of '*Low magnitude in the context of the local and wider landscape character areas.*' The author of the KTWW critique has taken this to mean a Low direct physical impact on the summit location where the landmark is to be sited, which is not the subject of this magnitude rating.

Both the LVIA and the KTWW group present an overly simplistic approach to the assessment of landscape effects. The LVIA simply assesses landscape effects as '*Low magnitude in the context of the local and wider landscape character areas.*'

In relation to the following statement, "*The author of the KTWW critique has taken this to mean a Low direct physical impact on the summit location where the landmark is to be sited, which is not the subject of this magnitude rating*" this may be the case, however, the matter of assessing the direct effects on the site area remains unresolved in the LVIA.

A brief summary of our understanding of likely landscape effects has been included in the following text to illustrate the type of information which should be provided in the LVIA:

Direct landscape effects on the site area would be in the range *Substantial – Substantial/Moderate (High magnitude)* as a consequence of fundamental change to the Cold Law landform, introduction of a major structure and associated hard surfaces and pathways. Effects on landscape character of the site area and adjoining landscape would also be in the range *Substantial – Substantial/Moderate (High magnitude)* as a result of introducing a major structure and the dominant characterising presence this will have within a certain distance from the site area. Effects on landscape character more widely across the study area are likely to range from *Moderate/Minor – Minor (Low magnitude)*.

20. (3.4.5) Please refer to response in 4.1.11.21 and 12. The National Park viewpoint was taken at the location requested by the NNPA, who also raised no objection to the proposal.

23 Please refer to response in 4.2.9.

9. Section 4: Summary of Findings

Repetition - Please see previous responses

(These points repeat those made previously and summarise the position of the project team).

4.1.1 Viewpoint based assessment using an appropriate range of receptors in compliance with GLVIA3 is an entirely acceptable and normal approach to visual assessment.

Site Location and Context

4.1.2 This section is entirely dedicated to the 'design rationale' and as such is outwith the scope of any proper review of the LVIA.

The queries raised about the site selection and height of the sculpture are dealt with in the submitted Design and Access Statement, and as discussed in 3.4.9 above, similar views to VP1 and VP2 are illustrated within the artist's CGIs which were submitted as part of the planning application supporting documents.

These issues are dealt with in the Design and Access Statement and Planning Statement; this suite of information should be read as a whole.

The design rationale is clearly articulated in these documents, as is the sculpture's relationship to the seen and unseen landscape, the area's history and the social, economic and environmental context of the setting but, in any event, is beyond the scope of a review of the LVIA.

Cumulative assessment

4.1.4 Please see response above.

Landscape Assessment

4.1.7 Landscape Effects- Please refer to response in 4.2.8-10

4.1.8 Construction Effects- Please refer to response in 4.2.9 above.

Visual Assessment

4.1.9 The viewpoints-based assessment is robust and accords with GLVIA3

4.1.10. Please refer to 4.3.7-13 and 4.3.28 above.

4.1.11 It is rarely possible to assess views from every location within a study area and, therefore, it is entirely standard practice in Landscape and Visual Impact Assessments to select representative viewpoints that provide a reasonable coverage of views likely to be experienced by a range of receptor types in the study area. As to the LVIA, the selection of representative viewpoints was carefully carried out in order to capture a wide range of typical receptors, including users of mapped PROWs such as footpaths, byways and bridleways, other local recreational routes such as on and off road cycleways and mapped routes such as Sandstone Way mountain biking route, local roads and

major roads, views requested by NNPA, views from residential locations such as Ridsdale village, off-road hilltop locations such as Great Wanney Craggs visited by climbers and walkers, and views from heritage asset locations as requested by the Council Views were taken from within 500m of the proposed site, and as distant as 5km, and distributed around the full study area as far as the ZTV indicated.

10. Section 4.2 Conclusion

4.2.1 It is notable that the main focus of the conclusion paragraph is a discussion around site selection and design rationale, neither of which are in the scope of a review of the LVIA. There is then mention of the desire for more detail in the landscape assessment (see response in 4.2.8-10 above) and a repeat of the misplaced criticism of a viewpoint-based assessment methodology. Viewpoint based assessment is entirely accepted as a standard approach as seen in GLVIA3. This is a proposal for a development and should be decided on those terms, i.e. on the merits of what has been presented in the specified location. It is not an Environmental Impact Assessment for which the process requires consideration of other sites and reasons for their exclusion. Overall, the purported criticisms of the LVIA in the Wood Review are misconceived and we remain firmly of the view that the LVIA represents a robust assessment of the likely visual and landscape effects of the proposal.

Overall we maintain our original conclusions that:

- There are fundamental issues in relation to the site selection and design rationale of the monument in relation to the chosen site.
- The landscape assessment is oversimplistic/incomplete and under represents direct effects on the site area and indirect effects on adjoining landscape character.
- The predominantly road based viewpoint assessment means that the visual experience of vast tracts of remoter areas of landscape are not fully considered.
- Some viewpoint assessments under represent magnitude of change (specifically VP 1 and 2).
- The Proposed Development should be assessed in relation to the presence of wind turbines in the study area.