



CORE DOCUMENT K.3.3

Planning appeal Ref: APP/P2935/W/20/3244389

Cold Law, Stiddlehill Common, near Ridsdale, Ray Estate, Northumberland

Construction of a publicly accessible landmark, commissioned to
commemorate Queen Elizabeth II and the Commonwealth

Rebuttal Landscape Proof of Jean Jones MA BSc DipTP on behalf of 'Keep the Wannies Wild' (KTWW)

22nd February 2021

1. This rebuttal proof has been necessitated by the submission of new material in the proof of Ros Southern on landscape matters (CD I.5). Inquiry time will have been saved by responding to these documents beforehand.
2. My comments fall under the following headings:
 - (i) Involvement of Southern Green with the appeal proposal.
 - (ii) Whether Cold Law is in the Wanneys area.
 - (iii) New document: S of S decision on Ray Fell, Green Rigg and Steadings wind farms (CD L.2).
 - (iv) New document: Natural England's NCA2 Northumberland Sandstone Hills (CD H.2).
 - (v) New documents: The Northumberland Key Land Use Impact Study (CD G.8 and G.9).

(i) Involvement of Southern Green with the appeal proposal

3. Ms Southern states (para 2.1.5) that her first involvement with the appeal scheme was a joint site visit with the ecologist, artist and arts advisor to learn about the design and consultation process and resulting vision for the landmark. It was agreed to commission a topographical survey and carry out a baseline landscape and visual impact assessment. This appears to have been in early 2018, judging by the dates of Southern Green application drawings in the SOCG.
4. It seems that Ms Southern was part of Lord Devonport's team for a year before the planning application was submitted and was fully familiar with its ethos. Towards the end of that time she completed the LVIA. Whilst the aim of objectivity and a professional approach is understood, it is difficult for the general public not to think that some favourable inclination towards the client's proposal would remain, if only unconsciously, with such close involvement.

(ii) Whether Cold Law is in the Wanneys area

5. Ms Southern has claimed that Cold Law is not in the Wanneys area on the basis of an entry in Wikipedia. Inquiry time should not be wasted on such a contrived and fruitless point and she should defer to local usage which is clear on the matter. Cold Law is enclosed by

the former Wanney railway line and the EL access would come from what is not an un-named road but known locally as the Wannies road. A different Wikipedia entry from Northumberland Climbing (Figure 1 below) states that even East Woodburn crag is in the Wanneys and that is much further away than Cold Law from the River Wansbeck.

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FIGURE 1

The Wanneys

From Northumberland Climbing

This is the bleak windswept area of moorland south of Elsdon and Otterburn, east of the A68. There is a local phrase "The wilds of Wannie", which describes the area well. In the north east the moor merges into the Simonsides at Harwood forest and Elsdon Gibbet, to the west it is bounded by Redesdale and the North Tyne valley and to the south is an area of limestone moorland merging into farmland. There are some large areas of forest around, but all of the crags are out in the open and most are easily accessible.

Aid	Curtis Crag	East Woodburn (Staniel Heugh)
Fox Holes	Great Wanney	Keb Crag (Lowshieldgreen Crag)
Little Wanney	Ray	Wolf

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(iii) New document: S of S decision on Ray Fell, Green Rigg and Steadings wind farms (CD L.2).

6. The Secretary of State made decisions about proposed wind farms at Ray Estate, Green Rigg and Steadings in 2010 (CD L.9). Considerable weight was given to the national and regional policy imperative to meet targets for renewable energy which was judged to outweigh identified harm. The area around Kirkwhelpington had already been identified in the Regional Spatial Strategy as suitable for accommodating turbines. The S of S concluded that all three wind farms together would have an unacceptable cumulative impact on landscape character so permission was granted only for Ray and Green Rigg.

7. Much reference was made to Landscape Character Types and, while Cold Law sits just inside the same LCT as the wind farms, it is very close to the junction of two others. The Inspector accepted that within a LCT there may be variation. We would argue that Cold Law, being separated by a distinct hilly brow and facing north west, has little in common with the flatter landscape of the wind farm areas on the dip slopes to the east and south. Adding the tall steel structure of the EL would cumulatively extend the apparent influence of the turbines which the previous Inspector ruled was unacceptable. The conditions on the permissions included a mitigation strategy for hen harriers, acknowledging their importance.

(iv) New documents: Natural England's NCA2 Northumberland Sandstone Hills (CD H.2).

8. Two new documents have been submitted: Natural England's NCA2 Northumberland Sandstone Hills (CD H.2) and NCA5 Border Moors and Forests (CD H.3) but the first is most relevant as it covers the study area. Ms Southern has quoted selected paragraphs but there are many more that could be quoted in support of KTWW's case. For example, page 43 says '*protect the highly valued tranquility, open vistas, dark night skies and distinctive skylines that characterise this area by discouraging sources of disturbance and limiting inappropriate development.*' Page 43 indicates that increased access for recreational opportunities should allow them to be enjoyed in a responsible and sustainable way. But 88% of visitors to the EL would travel unsustainably by car and there are concerns about the site being unattended and open to irresponsible use.
9. Other quotes echo the exact points made by objectors to the EL and strongly support the KTWW case. From page 55: '*Feelings of inspiration and escapism are likely to be associated with the strong and varied landscape, especially the rugged moors with their craggy outcrops, dramatic skies, panoramic views of the coast and across the lowland fringe to the Cheviots and dark night skies*'. Page 57: '*The perceived tranquility and wilderness are highly valued by residents and visitors alike*'. '*Promote the calming and restorative effects that contact with tranquil and sensory environments has on people's health and wellbeing*'. Objectors could not have put it better themselves.

(v) New documents: The Northumberland Key Land Use Impact Study (CD G.8 and G.9).

10. The Northumberland Key Land Use Impact Study Part D (CD G.9) states that it was prepared as a high-level overview of relative landscape value across Northumberland but it has no formal status. The aim was to identify those most-valued landscapes with a view to further studies leading to some form of local landscape designations. Part C (CD G.8) aims to assess the sensitivity of Northumberland's Landscape Character Areas (LCAs) to certain specific future types of development such as mineral extraction, wind farms, biomass plantations and landfill. It states that its approach (para 1.5) is intended as indicative and is not to be a substitute for detailed consideration of the effects of individual developments upon local landscapes. These should be addressed on a case-by-case basis as part of defined planning procedures including EIA and LVIA. Additionally the judgements cannot be directly related to overall sensitivity or sensitivity to other development of types not considered in that study. These studies are therefore of little relevance to this appeal.