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Written Representations
Landscape and Visual Issues

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In respect of DCO Application
Wylfa Newydd
Nuclear Power Station
by Horizon Nuclear Power

On behalf of
National Trust Wales

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Glossary and Abbreviations

APPENDICES

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Appendix 2 Residential Visual Amenity Assessment February 2018
Landscape Institute Consultation Draft Technical Information Note

1 Introduction

1.1 Introduction

1.1.1 This written representation has been prepared with regards to the landscape and visual aspects of the Development Consent Order (DCO) application for the Wylfa Newydd Nuclear Power Station. (WNNPS) It has been prepared on behalf of the National Trust (NT) in response to the Examining Authority's (ExA) request for Deadline 2 (4th December 2018) and its focus is on the NT's interests in the area surrounding the Wylfa Newydd Development Area (WNDA). It is based on assessment of the relevant documentation submitted by Horizon Nuclear Power in support of the Wylfa Newydd DCO application and on field surveys undertaken since 2015.

1.1.2 The NT are responsible for land and properties that are immediately adjacent to the WNDA. However, landscape and visual issues relevant to land not owned by the NT are also mentioned where they have been identified in the course of the preparation of this representation.

1.2 Accompanying Figures

1.2.1 In reviewing the DCO Documents it has not been possible to find a plan with an OS Base that shows the existing landscape that surrounds the WNDA in combination with the proposed Power Station Site (PSS) and the landscape proposals for the WNDA. This is particularly unhelpful when reviewing the Photomontages as the plans showing the ES Viewpoint locations and the ES Photomontage locations do not show the proposed development. To assist the ExA a composite Figure from various Horizon Plans has been prepared (MB Figure 01). This Figure includes the ES viewpoints and final development within the PSS and the WNDA. The figure also shows the extent of the Isle of Anglesey's Area of Outstanding Natural Beauty (Anglesey AONB) and the extent of the North Anglesey Heritage Coast. An enlargement has also been prepared that focuses on the area of greatest concern to the NT (MB Figure 02).

1.3 Structure of this Representation

1.3.1 Section 2 contains an Executive Summary.

1.3.2 The following sections consider the Landscape and Visual Issues as listed in Table 1 below.

As the landscape and visual aspects of the DCO application are covered in various DCO Documents the table also identifies the main documents concerned.

Table 1 - Issues considered and DCO documents referred to

Issue	DCO document References	
Section 3: Landscape and Habitat Management Strategy (LHMS)		
	LHMS General Issues	8.16 Landscape and Habitat Management Strategy
	LHMS: Mound E	3.1 Draft Development Consent Order
	LHMS: Seascapes	6.4.1 ES Volume D - WNDA Development D1 - Proposed development
Section 4: Isle of Anglesey Area of Outstanding Natural Beauty		
	Impact on the Anglesey AONB	8.16 Landscape and Habitat Management Strategy 6.4.10 ES Volume D D10 - Landscape and visual
Section 5: Omissions		
	Lack of Detail	8.16 Landscape and Habitat Management Strategy 6.4.10 ES Volume D D10 - Landscape and visual
	Residential Visual Amenity Assessment	6.4.10 ES Volume D D10 - Landscape and visual 6.4.64 ES Volume D D10-7 - Visual effects schedule
	Do Nothing Scenario	6.4.10 ES Volume D D10 - Landscape and visual

Issue	DCO document References
Section 6: Environmental Statement: Landscape and Visual	
	Significance of Effects
	Visual Effects Table - Mitigation
	Residential Receptors

1.4 My Involvement

1.4.1 I have been involved in reviewing the proposed WNNPS since 2015. I have commented on the Site Preparation and Clearance Scoping Opinion and Application, the Isle of Anglesey County Council (IACC) Wylva Newydd Supplementary Planning Guidance (SPG) and attended a number of consultation meetings with Horizon.

1.5 Relevant Guidance

1.5.1 These representations do not themselves form a Landscape and Visual Impact assessment, but the methodology used in reviewing the impacts of the development and in reviewing Chapter 10 Landscape and Visual of the submitted Environment Statement is based on the *Guidelines for Landscape and Visual Impact Assessment*, 3rd Edition 2013 (GLVIA3) prepared by the Landscape Institute/Institute of Environmental Management and Assessment.

2 Executive Summary

2.1 Key Issues

2.1.1 The key landscape and visual issues that have been identified concern the lack of information that has been proved with regard to both construction and operational impacts on land in which the NT has an interest. This includes the land that lies between the WNDA and the coast which contains a residential property owned by the NT, three listed buildings associated with that property and a Registered Park and Garden (not owned by the NT). Due to the lack of information provided and the large scale at which the drawings have been prepared, it is not possible to be sure that adequate mitigation measures have been secured that will minimise the landscape and visual impact of the WNNPS in this area. It is also not possible to understand the interaction between the WNDA and the immediately adjacent land to the north and north west either during the construction period or during operation.

2.2 Impact on Isle of Anglesey's Area of Outstanding Natural Beauty (Anglesey AONB)

2.2.1 It is considered that the assessment of the impact on the Isle of Anglesey AONB (Anglesey AONB) has been underestimated and consequently that the effects on the AONB and on the setting of the AONB have not been minimised. The PSS includes land within the AONB, the western portion of the WNDA is located within AONB and the WNDA is surrounded by the AONB to the north and north west. The first overarching principle in the Landscape and Habitat Management Strategy (LHMS) needs to be changed as it refers only to minimising impacts on the setting of the AONB whereas it should refer to minimising impacts on the AONB itself.

2.2.2 The proposals for Mound E within the LHMS are a clear example of:

- The lack of information and conflicting information that has been provided;
- The degree of flexibility that has been built into the draft DCO which means there is a lack of certainty about the final landform and the impact of it on the adjacent AONB land /NT land;
- The failure to minimise impacts to the AONB.

2.2.3 The impact of the remodelling of Mound E at the end of the construction period will noticeably extend the period for which there will be significant adverse impacts on the AONB, the access to Cemlyn Lagoon and visitors to the Cemlyn Lagoon and the AONB. There is no evidence to show that alternatives have been considered that would enable Mound E to be completed, planted and restored early in the construction process, in order to minimise the impact on the AONB and to improve ecological connectivity early in the construction period.

2.2.4 Within the LHMS only Section 4 (Landscape and Habitat Design Principles) and Section 7 (Implementation and Long-Term Management) are secured by the DCO requirement. These sections are mostly concerned with general principles and lack the details required for certainty that the positive outcomes described in the LHMS can be secured. For example, there are only three secured principles with regard to earthworks. It is considered that the reworking of Mound E is in conflict with the second of these principles which states that '*Earthworks will provide temporary storage solutions using stockpiles where this does not conflict with other principles in the LHMS*'¹. The use of Mound E for temporary storage is contrary to the first overarching principle of minimising harm to the AONB and to the setting of the AONB.

2.2.5 The requirement for seeding and planting for an early establishment of outer slopes, which is required in Earthworks principle 3 for slopes facing Tregele and Cemaes, should be extended to include at least the western and north western slopes of Mound E.

2.3 **6.4.10 ES Volume D D10 - Landscape and visual (ES LVIA)**

2.3.1 The photomontages submitted with the ES do not provide sufficient detail as to the interface between the WNDA and the land the north and north west and do not show the interface between Mound E and the adjacent landscape.

2.3.2 No Residential Visual Amenity Assessment has been undertaken for residential receptors at Felin Gafnan. As there is no detail of the impacts there are no proposals for their mitigation.

¹ 8.16 Landscape and Habitat Management Strategy Page 61

2.3.3 The palette of natural colours is given as a key visual mitigation measure, but no detailed information has been provided.

2.3.4 The LHMS acknowledges that the WNDA is dominated by its proximity to the coast and its seascape setting.² However, the LHMS provides no information on how impacts on the seascape will be minimised. There is no mention of seascape in the Design Principles in Section 4 (one of the two secured sections of the LHMS), no mention of the design of the marine structures and no information on how areas of shoreline will be restored.

2.3.5 6.4.10 ES Volume D D10 - Landscape and visual (ES LVIA) has underestimated the effects on the AONB by assessing the effects of the development against '*the AONB as a whole*'. Such an assessment is meaningless as it will always result in the conclusion that the effect is 'not significant' (minor in the case of operational effects, negligible with regard to site preparation and clearance)³. It is hard to envisage a larger development than the WNNPS, located partly within and adjacent to the AONB. The only purpose of the assessment appears to be to downplay the overall effect on the AONB.

2.3.6 The ES LVIA has also failed to properly reflect the sensitivity of landscape and visual receptors in its conclusions on the significance of effects. This is due to the way it has applied a scale with only four terms major, moderate, minor and negligible. This has resulted in a coarse-grained assessment where for almost all⁴ high sensitivity receptors subject to a medium magnitude of change the significance of the effect has been judged to be moderate. The result is a very large number of 'moderate effects' that does not provide appropriate differentiation between high and medium sensitive receptors and does not properly reflect the sensitivity of highly sensitive landscape and visual receptors.

2.3.7 The assessment of effects, particularly visual effects at 15 years has not considered the future baseline, principally how the Existing Power Station will appear in 15 years when it will be some way into its decommissioning, nor whether the associated Overhead lines OHLs and pylons would change over the next 15 years if Wylva Newydd was not built.

² 8.16 LHMS Page 19 Figure 2-3 a.

³ 6.4.63 ES Volume D D10-6 - Landscape effects schedule Table 1.1 Pages 1-5)

⁴ All landscape receptors, all but two visual receptors.

2.4 Conclusion

2.4.1 In summary, the key landscape and visual concerns with regard to the DCO application for WNNPS are:

- Remodelling of Mound E which will noticeably extend the period for which there will be significant adverse impacts on the AONB, the access to Cemlyn Lagoon and visitors to the Cemlyn Lagoon and the AONB;
- Insufficient attention has been given to minimising the impact of the development on the AONB and the setting of the AONB;
- There is a lack of detailed information for the area north and north west of the WNDA where the NT has a significant interest;
- There is a lack of certainty over the final landform and the interface between the WNDA and the surrounding land to the north and north west;
- There is no mitigation strategy to address the impacts on the visual amenity of residents at Felin Gafnan; and
- There are no detailed proposals to mitigate the significant adverse impacts identified on the group of listed buildings at Felin Gafnan.
- The application of the methodology has resulted in conclusions on the significance of effects that do not properly reflect the sensitivity of highly sensitive landscape and visual receptors.

3 Landscape and Habitat Management Strategy

3.1 Introduction

3.1.1 The LHMS is the only design document that deals with the landscape of the WNDA rather than the landscape of the PSS. 8.2.2 Design and Access Statement (DAS) includes landscape design principles (Section 5) that are secured by the DCO requirement but these relate to the PSS only. Within the LHMS only Section 4 (Landscape and Habitat Design Principles) and Section 7 (Implementation and Long-Term Management) are secured by the DCO requirement. Consequently, there is a large measure of flexibility for Horizon which results in a lack of certainty as to whether many of the positive objectives set out in other parts of the LHMS will be achieved. It also raises concerns over the power of IACC to enforce aspirational sections of the LHMS that are not secured by the DCO requirement.

3.1 Draft Development Consent Order states:

Final Landscape and Habitat Scheme

(1) 12 months prior to Unit 2 being commissioned, a final landscape and habitat scheme for the WNDA during the operational phase of the authorised development must be submitted to IACC for approval.

(2) The final landscape and habitat scheme submitted under sub-paragraph (1) must be prepared in accordance with the overarching and operational principles in Chapter 4 of the LHMS, and the Wylfa Newydd Development Area Retention Plans... (Emphasis added)

3.1.2 Within the submitted LHMS the number of actions that have been qualified as ‘where practicable’ or ‘where possible’ have been reduced compared to the Draft LHMS and this is to be welcomed. However, concern remains over the generalised nature of the Landscape Design principles set out in Part 4 of the LHMS and the ‘illustrative’ nature of the proposals, which results in the lack of certainty over what will be delivered. In particular, there are concerns regarding Mound E which are addressed in more detail later in this section.

3.1.3 In addition to the concerns regarding certainty it is considered that:

- Insufficient priority has been given to minimising impact on the Anglesey AONB; and
- There is a lack of consideration of Seascapes issues.

3.1.4 There are two concerns with the first overarching principle within Section 4 of LHMS with regard to landscape design. Currently it reads:

A new landscape setting will be created that reflects the existing open, rolling, drumlin landscape character and sense of place, minimizing harm to the setting of the Anglesey Area of Outstanding Natural Beauty (AONB) and North Anglesey Heritage Coast.⁵ (Emphasis added)

3.1.5 The first concern with this statement is that it implies only the setting of the Anglesey AONB is at issue. In fact, parts of the WNDA, including parts of the PSS, lie within the AONB and therefore minimising harm to the AONB should be included as an overarching principle. The principle should therefore read, '*minimizing harm to the Anglesey Area of Outstanding Natural Beauty (AONB) and to the setting of the AONB*'.

3.1.6 The second concern is that harm to the AONB and the setting of the AONB does not appear to have been minimised and this may be linked to the fact that the LHMS seems to have forgotten that part of the WNDA lies within the Anglesey AONB. It appears that construction convenience may have been given precedence over minimising harm to the AONB. This is considered in relation to Mound E below. Section 4 considers the ES assessment of harm to the AONB.

⁵ 8.16 Landscape and Habitat Management Strategy Page 60

3.2 LHMS: Mound E

3.2.1 There is conflicting information within the DCO documents with regard to Mound E. Mound E is located at the north western extent of the WNDA. It is entirely within the Anglesey AONB and it is surrounded to the north west and south by the AONB. To the east is Afon Cafnan and beyond that are Mound D and the PSS. (See MB Figure 01)

3.2.2 The LHMS (Section 5.4 Main Construction Landscape Proposals not secured by DCO) states the following with regard to Mound E:

*'The mound will also hold material to be used for the final landform which will increase the height during the construction period. It will be seeded during construction and new sediment ponds will also be created. At the end of the construction period the mound will be reduced to its final contours.'*⁶

3.2.3 This information is not reflected on any of the accompanying Drawings. The Reference Point Drawings at Reference Point 3 Construction (Dwg. WN0902-HZDCO-LFM-DRG-00003)⁷ shows Mound E as completed with a maximum height of 38m. In contrast Mound A is shown as 'temporary landscape mounding' with a maximum height of 42m (in the south western section). At reference Point 5 Operation (Dwg. WN0902-HZDCO-LFM-DRG-00004) there is no change to the height or shape of Mound E. In contrast Mound A has been remodelled and the maximum height in the south western section reduced to 33m.

3.2.4 Drwgs WN0902-HZDCO-LFM-DRG-00006 (WNDA Landform Typical Cross-Sections - Section Location Plan, WN0902-HZDCO-LFM-DRG-00007 WNDA Landform Typical Cross-Sections Sheet 1 and WN0902-HZDCO-LFM-DRG-00008 WNDA Landform Typical Cross-Sections show Mound A with an 'Interim profile' at Reference Points 3 & 4. Although an interim profile for Mound E is listed in the legend there is no interim profile shown on the sections.

3.2.5 The conflicting information about Mound E highlights the issue of the status of the information provided. The Reference Point Drawings are labelled as 'Illustrative'. Increasing the height of Mound E during the construction period and reducing it at the end

⁶ 8.16 Landscape and Habitat Management Strategy Page 73 Paragraph 5.4.6

⁷ Although there are two reference points during Construction, Reference Points 3 & 4, there are no discernible differences between the two drawings that illustrate Reference Points 3 & 4. Consequently, there is effectively a single Drawing illustrating the landscape of the WNDA during the whole of the construction period.

of the construction period raises a number of significant landscape issues which are considered below and as it stands represents a significant deviation from what is shown on the ‘illustrative’ drawings. If such deviation from the ‘Illustrative’ landscape drawings and ‘illustrative’ landscape sections is considered acceptable, it raises the question of how much confidence can be placed on anything shown on these drawings.

3.2.6 There are no parameters for the completed Mound E only parameters for Mound E during Construction. These can be found in Table WN2A page 75 of 3.1 Draft Development Consent Order. Mound E is located within Zone C6 as shown on WN0902-HZDCO-MSP-DRG-00008 2.6.1 Wylfa Newydd Development Area and Power Station Site Plans. Table WN2A Identifies the construction landform in this area, described as ‘temporary mounds’, as having a maximum height (m AOD) of 40m and a maximum gradient of 1.3. Within the 6.4.1 ES Volume D - WNDA Development D1 Proposed development - Table D1-4⁸ gives the parameters for the Construction Landform. The parameters for Mound E are Max height 40m Max gradient 1:3.

3.2.7 The only information that we have on the finished height and gradient of Mound E in the ES are:

‘...for the final landscape mounding and woodland planting during operation, the assessment in this chapter is based upon the indicative design, as set out in the Landscape and Habitat Management Strategy (Application Reference Number: 8.16), which represents the proposed mitigation design.’⁹

and

‘There are no parameter envelopes for landscape mounding, since the Landscape and Visual Impact Assessment in chapter D-10 (landscape and visual) (Application Reference Number: 6.4.10) has been based on the indicative landscape mounding design illustrated in the Landscape and Habitat Management Strategy (Application Reference Number: 8.16).’¹⁰

⁸ 6.4.1 ES Volume D - WNDA Development D1 Proposed development - Table D1-4 Page D1-29-30

⁹ 6.4.10 ES Volume D - WNDA Development D10 - Landscape and visual Para 10.4.3 Page D10-49

¹⁰ 6.4.65 ES Volume D - WNDA Development App D10-8 - Photomontage views Para 1.1.1 Page 1

3.2.8 There is no DCO secured requirements in the LHMS with regard to either the heights or the gradients of the finished mounds. Within Section 4 of the LHMS there are three secured principles with regard to earthworks:

'Earthworks will be designed to balance cut and fill on-site and to achieve a natural appearance to outward slope profiles that reflects the surrounding drumlin landscape, as far as reasonably practicable.

Earthworks will provide temporary storage solutions using stockpiles where this does not conflict with other principles in the LHMS.

*Phased implementation of landscape mounding, seeding of pasture and woodland planting must include early creation of the outer slopes of the linear landscaped mound adjacent to Tregele, and landscape mounding on the edge of Cemaes.'*¹¹ *(Emphasis added)*

3.2.9 None of these principles secure the height or maximum gradient for Mound E. The only parameters we have for Mound E, therefore are a maximum height of 40m AOD and a maximum gradient of 1.3. Moreover:

- The first of these principles is concerned with construction issues rather than landscape issues;
- Although not a 'stockpile' the use of Mound E for temporary storage is contrary to the first overarching principle of minimising harm to the AONB and to the setting of the AONB;¹² and
- We consider that the seeding and planting required for the early creation of the outer slopes should include at least the western and north western slopes of Mound E.

3.2.10 We are very concerned about the proposed re-grading of Mound E towards the end of the Construction Period and have expressed this concern during the consultation process.

¹¹ 8.16 Landscape and Habitat Management Strategy Page 61

¹² Although the first overarching principle only refers to harm to the setting of the AONB it should also include harm to the AONB itself as set out above.

Mound E is located within the AONB and, with regard to landscape, in the most sensitive part of the WNDA. It is closer to Cemlyn Lagoon than any other part of the WNDA¹³. If minimizing harm to the Anglesey AONB and to the setting of the AONB is an overarching principle, priority should be given to getting this mound to its final form as soon as possible. The sooner the final form is created the sooner it can be seeded and planted in order to re-establish the AONB landscape and to separate the construction activities from the AONB.

3.2.11 The need for Mound E to be completed and left untouched is all the more important because of the need for Dosing Equipment (Silt Busters) which will be required during the periods when vegetation on the mound is not established. The Silt Busters will be located alongside the sole access road for visitors to Cemlyn Lagoon, which is a NT visitor attraction as well as being located within the AONB. They will be visually intrusive. No alternative location has been proposed. If Mound E is re-graded towards the end of the Construction Period, the Silt Busters will have to remain in place for the whole construction period and beyond until vegetation has established rather than just during the early stages of the Construction period. Given the very sensitive landscape location and the degree of visual intrusion, the retention of the Silt Busters over a more extended period than is absolutely necessary cannot be justified.

3.2.12 If the illustrative drawings are followed, Mound E could be fully planted and ‘restored’ much earlier in the construction process, potentially at Reference Point 3. Currently the ‘restoration’ proposals are only shown as occurring at Reference Point 5 (WN0902-HZDCO-LFM-DRG-00005). Restoration could include:

- reinstatement of hedges/ walls and the planting of woodland;
- establishment of proposed PRoWs;
- removal of CPNI Security Fencing from a substantial area of the AONB; and
- removal of the Silt Busters from the AONB and the visitor access route to Cemlyn Lagoon.

¹³ The Notable Wildlife sites to the north of Cemlyn Road, although within the Order Limits, are not considered part of the WNDA as there will be no development within these areas.

3.2.13 Subsequent to the submission of the DCO application and the preparation of the LHMS it has been suggested by Horizon that the final landuse/habitat for Mound E shown in the LHMS, '*improved agricultural grassland*' will be replaced with a landuse/habitat that has potential for greater ecological value. If Mound E were restored earlier in the construction process to an ecologically appropriate landuse/habitat it would provide connectivity between the Notable Wildlife Enhancement site and the Reptile Receptor Site. The importance of achieving such connectivity is set out in the evidence of Mrs Teresa Hughes (NWWT) and Dr David Parker (NT).

3.2.14 The ES Photomontages (6.4.65 ES Volume D - WNDA Development App D10-8 - Photomontage views) do not include any viewpoints that show the interface between Mound E and the adjacent landscape to the north and north west as set out below:

- Photomontage ES Viewpoint 19 *Representative view east from Cemlyn Road, near Swn Y Mor Farmstead* is located just to the east of Mound E looking towards the Power Station. Mound E sits just behind the viewer at this location.
- ES Viewpoint 37 *Representative view south-east from Cemlyn Road junction with Nanner Road* is located at the junction between Mound E and the retained landscape. Mound E would be very present in this view, but no photomontage has been prepared.
- ES Viewpoint Q *Illustrative view from Cemlyn Road, south of Tyddyn Sydney farmstead* is directly facing Mound E but no photomontage has been prepared for this view.
- ES Viewpoint M *Illustrative view north-east to south from Cemlyn Bay, southeast of Pen Carreg farmstead* would also include views of the eastern side of Mound E but no photomontage has been prepared for this view.
- Mound E is visible in the Photomontage from Viewpoint 24 *Representative view north-east from public footpath near Nanner*. However, it is at greater distance than any of the preceding locations and the interface between Mound E and the immediate landscape to the north and north west is not visible in this view.

3.3 LHMS: Seascapes

3.3.1 The LHMS acknowledges that The WNDA is dominated by its proximity to the coast and its seascape setting.¹⁴ It also notes the importance given to the seascape character in the AONB Management Plan¹⁵ and in the Joint Local Development Plan policies.¹⁶ However the LHMS provides no information on how impacts on the seascape will be managed to limit the very significant adverse impacts that will result from the WNDA Development. For example:

- There is no mention of Seascapes in the Design Principles in secured Section 4.
- There is no mention of how the marine structures may be designed (including the use of appropriate materials) to minimize the impact on this sensitive location even though the choice of materials for the marine structures is repeatedly given as an additional mitigation measure in the visual effects schedule.¹⁷
- No information is provided as to how the areas of shoreline will be restored following the removal of the temporary breakwater.

3.3.2 Page 20 refers to the involvement in the design of the Existing Power Station by the landscape architect Dame Sylvia Crowe - *'Key principles of the original landscape design included the use of large scale mounding and tree planting to soften views of the Existing Power Station and maintain a natural landscape setting as close to the Existing Power Station as possible.'*¹⁸ Paragraphs 2.1.20 - 2.1.25 consider in more detail how Dame Sylvia Crowe's landscape mounds and her planting approach helped to maintain a natural landscape setting for the Existing Power Station.

3.3.3 The LHMS fails to mention that a key part of the 'natural landscape setting' was achieved through minimum intervention with regard to the coastline, so that the Existing Power Station is viewed as located **on** the rocky shoreline rather than supplanting it. The natural and irregular character of the shoreline acts as a very strong foil to the very regular and

¹⁴ 8.16 LHMS Page 19 Figure 2-3 a.

¹⁵ 8.16 LHMS Page 26 Paragraph 2.1.30

¹⁶ 8.16 LHMS Page 41 Paragraph 2.3.12 & Page 42 2.3.14

¹⁷ 6.4.64 ES Volume D - D10-7 - Visual effects schedule

¹⁸ 8.16 LHMS Page 20 Paragraph 2.1.17

engineered character of the Existing Power Station. Dame Sylvia Crowe was also closely involved in the siting and colours of the buildings.

3.3.4 The Existing Power Station's retention of the natural rocky coastline has been an important factor in the ability of the landscape to accommodate the development without a total loss of character. From ES Vp 27 *Representative view east from Wales Coast Path near Cerrig Brithit*, it is clear that there will be a total loss of the natural coastline, including coastline within the AONB and that this will be visible from the AONB outside of the WNDA. The Visual Effects Schedule¹⁹ acknowledges that the effect on this view will remain major adverse in the long term.

3.3.5 The Marine Offloading Facility (MOLF) extends the shoreline significantly so not only is the natural edge lost but the new engineered edge will block views across to the natural coastline beyond. This can be seen on ES Vp 24 *Representative view east from Wales Coast Path at monument at Cemlyn Bay* which also reveals that the extent of the parameters for which consent is sought would significantly increase the obstruction of the view of Wylfa Head.

3.3.6 The following section which considers aspects of the ES assessment of the Anglesey AONB also includes further comment on the assessment of the impact of the development on the AONB's natural rocky coastline.

¹⁹ 6.4.64 Visual Effects Schedule Page 60

4 Anglesey AONB and Heritage Coast

4.1 Identification of AONB affected areas

4.1.1 The PSS includes land within the AONB, the whole of the rocky shoreline of Porth-y-pistyll Bay is included within the AONB. The North Anglesey Heritage Coast extends a similar length along the shoreline. The western end of the WNDA includes land within the Anglesey AONB. To the north east the AONB is separated from the WNDA by the village of Cemaes and Cemaes Bay. (See MB Figure 01)

4.1.2 I consider that the presence and importance of the AONB and the Heritage Coast are downplayed in both the LHMS and in 6.4.10 ES Volume D - D10 - Landscape and Visual, (the ES LVIA). Both the LHMS and the ES LVIA focus on the fact that that much of the WNDA lies outside the AONB, rather than identifying clearly the areas of AONB that are located within it. The ES LVIA states '*The WNDA largely lies outside of the Anglesey Area of Outstanding Natural Beauty (AONB), with the exception of its western margin.*'²⁰ This statement fails to acknowledge that part of the AONB is actually within the PPS itself, not just within the WNDA. I consider the description of the AONB within the WNDA as the 'western margin' to be misleading. This might be a fair description of the AONB land within the PSS which is located on the coastal margin but the WNDA includes a substantial area of land, all the land west of Afon Cafnan, which is not accurately described as the 'western margin'. As set out in Section 3 above the land to the west of Afon Cafnan within the AONB corresponds to the location of Mound E in the landscape proposals.

4.1.3 The extent of the AONB land located within the Power Station Site (PSS) can be seen on Figure 2-9 of the LHMS but is not very clear. A number of the ES LVIA Figures to accompany Chapter 10 Landscape and Visual do show the area of AONB within the WNDA more clearly (E.g. Figure D10.10 and Figure D10.16) but they only show the WNDA boundary, they do not show the AONB in relation to the PSS. This is significant because whilst changes within the wider WNDA are capable of being restored, to some degree, in

²⁰ 6.4.10 ES Volume D - D10 - Landscape and visual Paragraph 10.3.30 Page D10-12 of the ES similarly states that '*figure D10-8 shows that the Wylfa Newydd Development Area largely lies outside the AONB, with the exception of its western margin.*'

the medium-term, changes within the PSS are overwhelmingly permanent. (MB Figures 1 & 2 show the extent of the AONB and the North Anglesey Heritage Coast in relation to the WNDA and the PSS).

4.1.4 In considering the sensitivity of the AONB the ES LVIA concludes '*On balance, the AONB is considered to have high susceptibility to the nature of the Power Station, including the direct effects on Porth-y-pistyll bay. The overall sensitivity of the AONB has therefore been assessed as high.*'²¹ Whilst in agreement with the conclusion that the AONB has high sensitivity this statement fails to mention that there will also be direct physical effects on land to the west of Afon Cafnan. The North Anglesey Heritage Coast is similarly considered to have high sensitivity.

4.1.5 I do not agree with the conclusions reached by the ES LVIA with regard to the effects on the AONB. With respect to the operational phase the ES LVIA concludes as follows:

10.5.195 Within the localised part of the overall 221km² AONB that would be directly affected by the Power Station development, the magnitude of landscape change would be large. Combined with the high sensitivity of the AONB, it is considered that the significance of landscape effects on the affected part of the AONB would be major adverse and significant in the long-term. The effects on local landscape and seascape character are considered further below, after consideration of the effects on the SLAs and non-designated wider landscape.

*10.5.196 The greatest indirect effects on the landscape character and setting of the AONB would be experienced within approximately 3km of the Power Station, although there would be no change to most of the AONB. It is therefore considered that the magnitude of change on the AONB as a whole, which covers approximately one third of the Isle of Anglesey, would be small. Combined with the high sensitivity of the AONB, this would lead to a minor adverse and therefore not significant effect on the overall AONB in the long-term.*²²

4.1.6 I do not consider that an assessment of the effects of the development against '*the AONB as a whole*' is meaningful. It is hard to envisage a larger development than the WNNPS,

²¹ 6.4.10 ES Volume D - D10 - Landscape and visual, Paragraph 10.5.16 Page D10-66

²² 6.4.10 ES Volume D - D10 - Landscape and visual, Paragraphs 10.5.195-196 Page D10-121

located partly within and adjacent to the AONB. If the effect of this development '*on the AONB as a whole*' is not significant (minor in the case of operational effects but negligible with regard to site preparation and clearance) no development that can be envisaged could have a significant effect. If the methodological approach to assessing the effect of any development on an AONB becomes an assessment '*on the AONB as a whole*' it will always result in a non-significant effect. Consequently, it becomes a meaningless assessment and its only purpose appears to be to downplay the overall effect on the AONB. This methodological flaw was pointed out in the NT response to the Site Preparation and Clearance Application.

4.1.7 The above criticism of the understating of the effects on the AONB in the ES LVIA is not merely a methodological criticism. I consider that downgrading the effect on the AONB to 'not significant' has contributed to the fact that insufficient attention has been paid to providing whatever mitigation might be possible to limit impacts. Early completion and restoration of Mound E has been identified as a means of lessening some of the adverse effects on the AONB which has not been taken up by Horizon.

5 Omissions

5.1 Lack of Detail around Cemlyn Road

5.1.1 The junction between the WNDA and the adjacent land to the north and north west is particularly sensitive because:

- It is part of the Anglesey AONB;
- It contains three listed buildings;
- It contains a Registered Park and Garden;
- It contains Cemlyn Bay and Lagoon which as well as ecological sensitivities (addressed elsewhere in the NT response) has landscape and visual sensitivities;
- It contains one of the access routes to Cemlyn Bay and Lagoon which will become the only access route if the DCO for Wylva Newydd is granted;
- It contains a residential property (Felin Gafnan) which will be the closest residential property to the PPS; and
- This area will remain close to the PSS during its operation whereas other area, whilst close to the construction activities, will be more distant from the PSS once it is in operation.

5.1.2 Much of this land between the WNDA and the coast to the north and north west is either owned or under covenant to the NT. On account of these particular sensitivities the NT has requested, throughout the consultation process, that a greater level of detail is required for this area than may be required over the whole of the WNDA or for all of the WNDA boundaries. In particular, a greater level of detail is required with respect to the landscape between land in the WNDA and land outside.

5.1.3 The DCO application has failed to address this issue. The plans continue to focus entirely on the WNDA and to provide very little detail about the immediately adjacent land. For example:

- It is hard to distinguish the three listed buildings on the base mapping used for the Site Order plans and many of the other drawings.
- The scale of the drawings is simply too small to allow for the level of detail required to understand the impact of the development on this sensitive area and these sensitive assets.
- The eastern edge of the mapping often cuts through the middle of Cemlyn Bay and lagoon
- *Figure 2.1 Existing land use* in the LHMS for example, shows buildings within the WNDA but not outside it, it shows SSSIs within the WNDA but not outside it, the eastern edge of Cemlyn Bay and Lagoon are visible but not the Cemlyn bay SAC & SSSI.

5.1.4 Following requests from the NT for more information in this area additional Representative views were added to the north and north west of the WNDA, Viewpoint 37 Winter: *Representative view south-east from Cemlyn Road junction with Nanner Road and Viewpoint 38 Winter: Representative view south-east from public footpath near Felin Gafnan*. However, no photomontages have been prepared from these additional viewpoints and therefore the additional information they provide is limited.

5.1.5 Viewpoint 38 is one of the viewpoints from which we are very concerned about, both during the Construction Phase and the Operational Phase. We consider that there is insufficient information in the DCO documents to understand the impact during Construction or Operation. There is an additional issue in this area as it is close to the site for the Spent Fuel Store. The construction of the Spent Fuel Store will commence after the WNNPS is operational and means that the period during which there will be major scale construction activities will be extended significantly in this area. We are unclear as to whether the Concrete Batching Plant, which will have a significant, visually intrusive presence, will be retained until the Spent Fuel Store has been constructed.

5.1.6 It has been noted that Q6.0.17 of the *Examining Authority's written questions and requests for information* (ExQ1) is a request for a plan at scale 1:1250 of the area from Porth-y-Pistyll extending south to Cemlyn Road. The plan must show the location of the listed buildings and the Registered Garden with details of '*a) the works planned for this location during site preparation and clearance and construction; and (b) the situation during the operation period, accurately plotting the proposed boundary fences, the proposed line of the Welsh Coastal Path and the proposed landform and landscape.*' The production of detailed information in this sensitive area, both during construction and operation, is to be welcomed.

5.2 Residential Visual Amenity

5.2.1 The NT has asked on a number of occasions during the consultation process for a residential visual amenity assessment to be undertaken. The residential property at Felin Gafnan is one of a few residential properties where residents are likely to suffer significant adverse visual impacts either during construction or during construction and operation.

5.2.2 Residential Visual Amenity Assessments (RVAA) have become best practice where there is potential for a proposed development to become an '*unpleasantly overwhelming and unavoidable presence in main views from a house or garden*'²³. This is acknowledged in recent draft Guidance prepared for the Landscape Institute (Residential Visual Amenity Assessment Draft for Consultation 13 February 2018)²⁴. Although the final version of this guidance has not yet been issued Appendix 1 of the draft Guidance sets out the planning context in which effects on RVAA have been considered a material consideration in planning decisions.

5.2.3 Given the limited number of properties where elements of the construction works or the operational phase are likely to result in '*unpleasantly overwhelming and unavoidable presence in main views from a house or garden*' we consider that a RVAA should have been

²³ Known informally as the Lavender test following an appeal decision by Inspector Lavender APP 2071880 Land west of Enifer Downs Farm

²⁴ Appendix 2 to these representations

undertaken for those properties. It is notable that residential receptors are not listed as a receptor group in Table B10-13 Topic baseline characterisation.²⁵ The receptor that could be considered closest to residential receptors is ‘Community views’ but this is described as ‘*A high-level assessment of views from the main local communities likely to be affected*’ which was undertaken ‘*from publicly accessible locations between 2015 and 2016.*’

5.2.4 The concerns that were raised with regard to Felin Gafnan were raised subsequent to 2016. A Joint site visit between Horizon staff /consultants and NT staff /consultants (along with other consultees) was undertaken on 29th November 2017. At the site visit Horizon staff /consultants said that the issue of carrying out a RVAA for Felin Gafnan would be considered. Subsequent to this site visit, a photograph from the front of Felin Gafnan Farmhouse was included in the Representative Viewpoints (Viewpoint 38) but it is identified as being representative of the PRoW that runs in front of the Farmhouse rather than representative of a residential property. I am not aware of any explanation in the DCO documents as to why, having considered undertaking a RVAA, it was rejected.

5.2.5 The visual effects schedule for Viewpoint 38 describes the type of view and receptor group as ‘*Oblique view for Significant users of public footpath travelling in both directions.*’²⁶ There is no mention of the residential receptors nor the fact that this is the direction of view from the front elevation of the house and not an oblique view. The visual effects schedule acknowledges that the effect on this viewpoint would be long term, significant and major adverse. However, there is no mention or description of the range of views that would be available from Vp 38 or locations close to Vp 38. The spread of the changes would be from the north west through to the south. The visual effects schedule says *Framed view south-east to south-east*. There is clearly an error here. The proposed power station lies to the north east but to the south /south east at a similar distance is the Spent Fuel Store (Building 9-201) which is taller than the main body of the reactor buildings (19m to ridge height). The Spent Fuel Store can be seen on the far left of Viewpoint 17 but from this viewpoint it is significantly further away from the viewpoint than the reactor

²⁵ 6.2.10 ES Volume B - Introduction to the Environmental Assessments B10 - Landscape and Visual Page B10-57-58)

²⁶ 6.4.64 Appendix D10-7 Visual effects schedule Page 80

buildings which are located to the right. From Vp 38 the Spent Fuel Store would be at a similar distance to the reactor buildings.

5.3 Do Nothing Scenario

5.3.1 The ES has not properly assessed a 'Do nothing' scenario or shown it on the Photomontages as no account has been taken of the decommissioning of the Existing Power Station. In all the landscape and visual assessments, it is assumed that the Existing Power Station as it stands, plus OHLs and pylons would remain. The Existing Power Station is referred to repeatedly in the assessment of visual effects at 15 years. For example, for ES Viewpoint 10, Wylva Head the description for summer year 15 concludes that the upper parts of the Power Station buildings and the breakwater would remain visible, but '*seen in the context of the Existing Power Station and associated OHLs and pylons*'²⁷. These repeated statements imply that this is a mitigating factor. No information has been provided as to how the Existing Power Station would appear in 15 years when it will be some way into its decommissioning, nor whether the associated OHLs and pylons would change over the next 15 years if Wylva Newydd was not built.

5.3.2 This is not simply a methodological point. The landscape and visual impact of WNNPS has been judged against the current baseline that includes the Existing Power Station and associated large scale structures. The assessment of impacts at 15 years should have been undertaken against a future baseline in which WNNPS has not been built and the Existing Power Station was in the process of being decommissioned.

²⁷ 6.4.64 Appendix D10-7 Visual effects schedule Page 20

6 Environmental Statement: Landscape and Visual

6.1 Significance of effect

6.1.1 I consider that both the landscape and visual effects of the development have been underestimated on account of the approach to assessing the significance of effect adopted in the ES LVIA. The underlying methodological approach to environment impact assessment is based on the premise that the significance of an effect is derived from balancing the sensitivity of the receptor against the magnitude of change and that the greater the sensitivity of the receptor the greater the significance of the effect will be. This is acknowledged in Chapter B1 of the ES.

'For the Wylfa Newydd Project EIA, the assessment of the degree of significance of an effect is determined through professional judgement, guided where appropriate by the matrix shown in figure B1-2, developed from IEMA guidance [RD10]. The degree of significance is influenced by the value or sensitivity of a receptor and the magnitude of the predicted change from the baseline condition. Degrees of significance are described on a scale from 'negligible' to 'major', with intermediate terms of 'minor' and 'moderate'.²⁸ (Emphasis added)

6.1.2 The ES LVIA states that the level of significance has been *'guided by the matrix shown in Figure B1-2 of chapter B1.'*²⁹ And for ease of reference Figure B1-2 is copied below.

²⁸ 6.2.1 ES Volume B B1 - Introduction to the assessment process Page B1-13

²⁹ 6.2.10 ES Volume B - B10 - Landscape and visual, Paragraph 10.4.49 Page B10-68

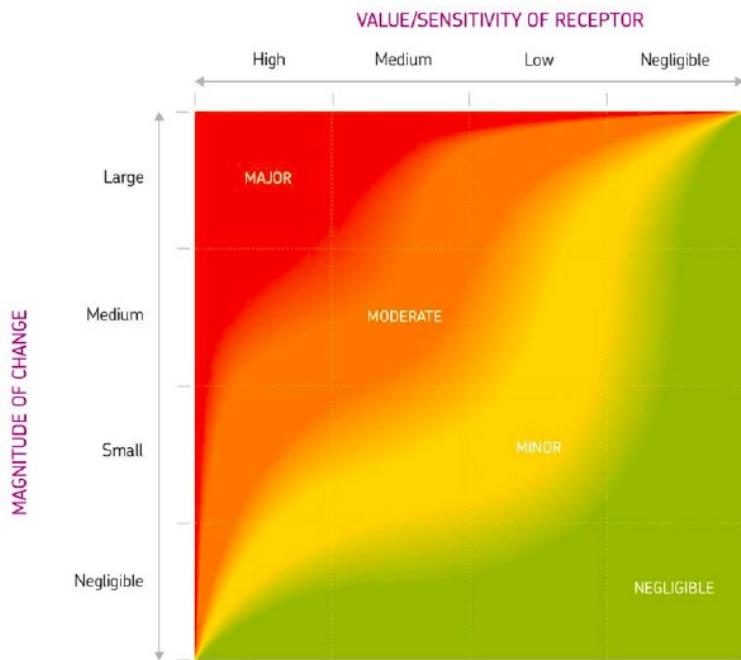


Figure B1-2 Guide to significance scale

6.1.3 Chapter B1 only names four categories of effect, major, moderate, minor and negligible but the shading of the Figure implies that there are also intermediate categories, such as moderate/major. It is common practice for ES assessment to use such intermediate categories in order to differentiate between impacts. The application in the ES LVA of just four categories (major, moderate, minor and negligible) has resulted in a coarse-grained final assessment with regard to landscape and visual effects³⁰, where the sensitivity of the receptor, particularly for high sensitivity receptors, appears to have very little effect on the conclusions with regard to effects. This is explained in detail below.

6.1.4 The ES LVA has concluded that for a large number of visual receptors the magnitude of change would be medium. It is common practice that where there is a medium magnitude of change for a high sensitivity receptor the significance of the effect is moderate/major. Where there is a medium magnitude of change for a medium sensitivity receptor the

³⁰ I do not know whether the same approach has been adopted across the ES and what the consequences are for other assessments.

significance of the effect is generally considered to be moderate. Because the ES LVIA is not using intermediate categories the options are either 'Major' or 'Moderate.'

6.1.5 Landscape receptors with high sensitivity include the Anglesey AONB, the North Anglesey Heritage Coast and several local landscape and seascape character areas. For all of these highly sensitive receptors where the magnitude of change is considered to be medium the significance of the effect has been judged to be moderate. Based on Figure B1-2 if no intermediate categories are being used it is likely that at least half the time a medium magnitude of change for high sensitivity receptor would result in a major effect.

6.1.6 With regard to visual effects that are two instances where the ES LVIA concludes that a medium magnitude of change for a high sensitivity receptor results in a major adverse effect³¹ but for all the remaining receptors the conclusion is that there would only be a moderate effect. For all landscape and visual receptors considered to have medium sensitivity that would be subject to a medium magnitude of change the ES LVIA concludes that the effect is moderate. The result is a very large number of 'moderate effects' that does not differentiate between high and medium sensitive receptors and does not properly reflect the sensitivity of highly sensitive landscape and visual receptors.

6.1.7 There is a similar downplaying of effects where it is judged that there is a small magnitude of change. In 6.2.10 ES Volume B - B10 - Landscape and visual, on all occasions when there is a small magnitude of change, to either a high sensitivity receptor or a medium sensitivity receptor, the result is a minor effect and not significant. Based on Figure B1-2, for only a small percentage of occasions on which a high sensitivity receptor is subject to a small change should the resulting effect be minor.

³¹ The exceptions are Vp 7 *Representative and specific view north-east from William Thomas Monument at Mynydd y Garn* where where a medium magnitude of change at the construction phase is considered to result in a major effect and Vp 15 *Representative specific view from Cestyll Garden across Porth-y-pistyll bay in north/northwest direction* where a medium magnitude of change during operation is considered to result in a major effect

6.1.8 The approach as applied by the ES LVIA, where the identified sensitivity of the visual receptor appears in almost all cases to make no difference to the significance of the effect, is contrary to the underlying methodological approach to environment impact assessment. As applied in the ES LVIA, that approach effectively negates the purpose of making a judgment regarding sensitivity.

6.2 Visual Effects Table - Mitigation

6.2.1 One of the factors that has been taken into account as 'Additional mitigation' at year 1 is '*A colour scheme based on natural colours to be developed to seek to break down the scale and massing of the Power Station buildings and help integrate them into the landscape, using a similar approach to that used for the Existing Power Station.*' This is noted for most viewpoints. The colour scheme, of which we have no details yet, should probably be included with the embedded mitigation. However, including it as additional mitigation at year 1 is unlikely to change the overall conclusion. However, the ES LVIA repeats the same statement as comprising additional mitigation at year 15. Additional mitigation that comes into play to reduce the effects after 15 years must be related to changes that take place over those 15 years, for example vegetation that becomes established. The mitigating effects of the colour scheme has been taken into account at year 1 and cannot be considered as additional mitigation at 15 years.

6.2.2 As described in Section 4 above no account has been taken of the decommissioning of the existing power station that will take place over the next 15 years. The assessment of visual impact at 15 year should be an assessment against the future baseline at 15 years. This future baseline has not been considered or included in the assessment.

6.2.3 The Visual Effect Table includes an assessment at Year 1 winter and an assessment at Year 15 summer. It is not clear why this has been done. If it was concluded that a summer/winter assessment for both time periods would be too lengthy a worst-case scenario should have been adopted and winter effects assessed for both summer and winter.

6.3 Residential Receptors

6.3.1 As noted in Section 5 above no residential visual amenity assessment has been undertaken. In addition, residential receptors are not listed as a receptor group in Table B10-13 Topic baseline characterisation Page B10- 57-58. This is indicative of the lack of attention that has been shown throughout to the impact on the closest residential receptors to the PSS, residents at Felin Gafnan.

GLOSSARY AND ABBREVIATIONS

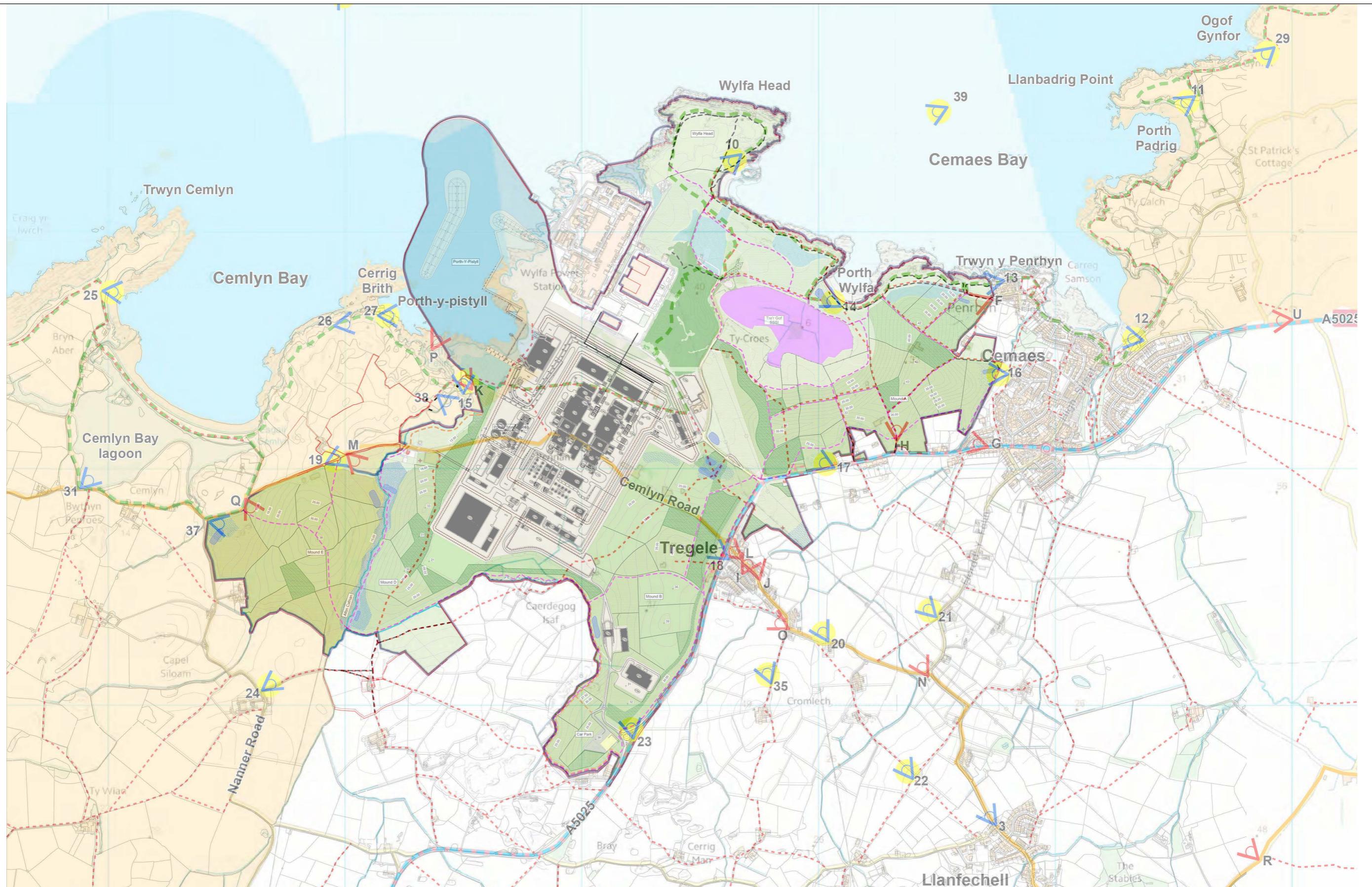
AONB	Area of Outstanding Natural Beauty
Cumulative effects	Cumulative effects are additional or in combination effects that result from changes caused by a development in conjunction with other past, present, or reasonably foreseeable actions.
EIA	Environmental Impact Assessment
ES	Environmental Statement
GLVIA	Guidelines for Landscape and Visual Impact Assessment, Third Edition, published jointly by the Landscape Institute and Institute of Environmental Management and Assessment, 2013.
HLC*	Historic characterisation is the identification and interpretation of the historic dimension of the present-day landscape or townscape within a given area. HLC is the term used in England and Wales, HLA is the term used in Scotland.
Indirect effects*	Effects that result indirectly from the proposed project as a consequence of the direct effects, often occurring away from the site, or as a result of a sequence of interrelationships or a complex pathway. They may be separated by distance or in time from the source of the effects.
Key Landscape* Characteristics	Those combinations of elements which are particularly important to the current character of the landscape and help to give an area its particularly distinctive sense of place.
Landscape character*	A distinct and recognisable pattern of elements that occurs consistently in a particular type of landscape and how this is perceived by people. It reflects particular combinations of geology, landform, soils, vegetation, landuse and human settlement. It creates the particular sense of place of different areas of the landscape.
Landscape designations	Areas protected by law or through planning policies for reason of their landscape qualities e.g. National Parks, AONB and Local Landscape Designations.
Landscape effects	Effects on the landscape as a resource in its own right. Change in the elements, characteristics, character, and qualities of the landscape as a result of development.
Landscape elements	A component part of the landscape, such as trees, hedges, buildings and ponds.
Landscape features	Prominent eye-catching elements, e.g. tree clumps, wooded hill tops, and church towers/spires.
Landscape quality (or condition)*	Based on judgements about the physical state of the landscape, and about its intactness, from visual, functional, and ecological perspectives. It also reflects the state of repair of individual features and elements which make up the character in any one place.
Landscape qualities	Term used to describe the aesthetic or perceptual and intangible characteristics of the landscape such as scenic quality, tranquillity, sense of wildness or remoteness. Cultural and artistic references may also be described here.
Landscape resource	The combination of elements that contribute to landscape context, character, and value.
Landscape value*	The relative value that is attached to different landscapes by society. A landscape may be valued by different stakeholders for a wide variety of reasons.
LCA	Landscape Character Area – single unique areas that are the discrete geographical areas of a particular landscape type.
LCT	Landscape Character Type – distinct types of landscape that are relatively homogeneous in character. They are generic in nature may occur in different areas in different parts of the country.
LVIA	Landscape and Visual Impact Assessment.

Magnitude*	A term that combines judgements about the size and scale of the effect. The extent of the area over which it occurs, whether it is reversible or irreversible and whether it is short or long term in duration.
Mitigation	Measures including any process, activity, or design to avoid, reduce, remedy or compensate for adverse environmental impact or effects of a development.
NCA	National Character Areas. Landscape character areas as defined for the whole of England.
Photomontage*	A visualisation which superimposes an image of a proposed development upon a photograph or series of photographs.
Receptor	Physical or perceptual landscape resource, special interest, viewer group or individuals that may be affected by a proposal.
Residual effects	Potential environmental effects, remaining after mitigation.
Residential Visual Amenity*	A collective term describing the views and general amenity of a residential property, relating to the garden area and main drive, views to and from the house and the relationship of the outdoor garden space to the house.
Scale Indicators*	Landscape elements and features of a known or recognisable scale such as houses, trees and vehicles that may be compared to other objects where the scale of height is less familiar, to indicate their true scale.
Sense of Place (genius loci)*	The essential character and spirit of an area: genius loci literally means 'spirit of the place'.
Sensitivity*	A term applied to specific receptors, combining judgements of the susceptibility of the receptor to the specific type of change or development proposed and the value related to that receptor.
Temporary or permanent effects	Effects may be considered as temporary (limited duration and reversible) or permanent (irreversible). Some development may also be reversible.
Tranquillity*	A state of calm and quietude associated with peace, considered to be a significant asset of landscape.
Type or Nature of Effect	Whether an effect is direct or indirect, temporary or permanent, positive (beneficial), neutral or negative (adverse) or cumulative.
Visual amenity*	The overall pleasantness of the views people enjoy of their surroundings which provide an attractive visual setting or backdrop for the enjoyment of activities of the people living, working and recreating, visiting or travelling through an area.
Visual effect*	Effects on specific views and on the general visual amenity experienced by people.
Visualisation*	A computer stimulation, photomontage, or other technique illustrating the predicted appearance of a development.
ZTV –*	Zone of Theoretical Visibility. A map, usually digitally produced, showing areas of land within which a development is theoretically visible.

Note: Descriptions marked with an asterisk are identical to those provided in the Third Edition Guidelines for Landscape and Visual Impact Assessment glossary or text.

Appendix 1

MB Figure 01
MB Figure 02

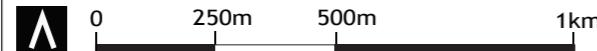


Sources:

Derived from drawings submitted by Horizon as part of the Wylfa Newydd Power Station Development Consent Order Application.

Legend

- Order Limits
- The Anglesey Area of Outstanding Natural Beauty (AONB)
- North Anglesey Heritage Coast



MB FIGURE 01

Site Plan with ES Viewpoints



PROJECT
1011
Wylfa Newydd Nuclear Power Station

CLIENT
The National Trust



Sources:

Derived from drawings submitted by Horizon as part of the Wylfa Newydd Power Station Development Consent Order Application.

Legend

- Order Limits
- The Anglesey Area of Outstanding Natural Beauty (AONB)
- North Anglesey Heritage Coast

0 250m 500m 1km

MB FIGURE 02
Site Plan Enlarged



PROJECT
1011
Wylfa Newydd Nuclear Power Station

CLIENT
The National Trust

Appendix 2

Residential Visual Amenity Assessment February 2018 Landscape Institute Consultation Draft Technical Information Note

Residential Visual Amenity Assessment

Technical Information Note (to be assigned on publication)

DRAFT for CONSULTATION

13 February 2018

Contents

1. Introduction
2. Approach to RVAA
3. Methodology

Appendix 1: Background

Version 0.4 MvG

04 February 2018

This Technical Guidance Note covers the assessment of effects on the visual component of Residential Amenity at local residential properties when considering the effects of a development proposal.

1. Introduction

- 1.1 The planning system is designed to act in the public interest and not to protect the interests of an individual. The planning system considers 'Residential Amenity' when making planning decisions.
- 1.2 Residential Amenity considers multiple potential effects of a development on residents at a residential property including: effects of noise; dust; access to daylight; vibration; shadow flicker; outlook and visual amenity. For example, exceeding maximum noise levels at a single property may lead to a refusal of planning permission. With respect to visual impacts of proposed developments no one has 'a right to a view' even when a resident's outlook are 'significantly affected' by a proposed development. *"There is no right to a view per se, and any assessment of visual intrusion leading to a finding of material harm must therefore involve extra factors such as undue obtrusiveness, or an overbearing impact, leading to a diminution of conditions at the relevant property to an unacceptable degree."*¹ (Sixpenny wood inquiry APP/X1545/A/06/2023805). There are, however, potential situations where the effect on outlook/visual amenity is so great that it is not in the public interest to permit such conditions occurring.
- 1.3 At Enifer Downs, Inspector Lavender noted that *"when turbines are present in such number, size and proximity that they represent an unpleasantly overwhelming and unavoidable presence in main views from a house or garden, there is every likelihood that the property concerned would come to be widely regarded as an unattractive and thus unsatisfactory (but not necessarily uninhabitable) place in which to live."*²
- 1.4 It is not uncommon to identify a number of significant effects (in EIA terms) on views and visual amenity from local residential properties as a result of introducing a development into any landscape.
- 1.5 In the Carland Cross Windfarm Decision, Inspector Lavender stated: *"The planning system is designed to protect the public rather than private interests, but both interests may coincide where, for example, visual intrusion is of such magnitude as to render a property an unattractive place in which to live. This is because it is not in the public interest to create such living conditions where they did not exist before. Thus I do not consider that simply being able to see a turbine or turbines from a particular window or part of the garden of a house is sufficient reason to find the visual impact unacceptable (even though a particular occupier might find it objectionable)."*³
- 1.6 This document provides guidance for the assessment of the effects on the visual component of residential amenity from local residential properties when considering the effects of a proposal (hereafter referred to as 'the Development'). It is called Residential Visual Amenity Assessment (RVAA). Findings of significant effects on outlook, views or visual amenity from a property do not automatically imply the need for further assessment. However, for

¹ Windfarm at Bradwell-on-Sea, Essex, (APP/X1545/A/06/2023805)

² Land west of Enifer Downs Farm and east of Archers Court Road and Little Pineham Farm, Langdon, Appeal decision APP/X22201/A/08/2071880. 28th April 2009

³ Carland Cross Windfarm, Appeal Decision APP/D0840/A/09/2103026 19th Jan 2010

properties experiencing a high magnitude of visual change and which are in close proximity to the Development, Residential Visual Amenity Assessment may be appropriate. There are many other public inquiry decisions by Reporters or Ministers in Scotland and Inspectors or the Secretary of State in England and Wales which have considered residential visual amenity, and these provide helpful background. Some of these are included as background in appendix 1.

- 1.4 RVAA is intended to assist the decision maker in forming a judgement as to the overall impact of the Development on Residential Amenity. RVAA explicitly does not consider or provide information on other components of residential amenity, such as noise, dust, vibration etc. and therefore needs to be read alongside other documents that may be provided in support of an application.

2. Approach to RVAA

- 2.1 The approach to RVAA involves two main stages of assessment and if both stages are relevant a total of 5 steps.
- 2.2 The first stage falls within the normal scope of an LVIA as part of EIA, and consists of the assessment of the change in visual amenity likely to be experienced at Residential properties.
- 2.3 The second stage considers if the property potentially will be widely regarded as ; *‘..an unattractive place where to live...’*, and or, the development is *‘..inescapably dominant..’* or *‘..unpleasantly overwhelming..’*.
- 2.4 Whether or not the second stage is required is should become clear during the assessment stage and prior to submission of the application. Regular liaison with the LPA is recommended to ensure that if necessary an RVAA can accompany the application and that the scope of any RVAA is agreed with the LPA. In general, it is thought that the second stage RVAA is normally only required when the effect on visual amenity from residential properties is a potentially deciding factor and, or, when the decision is at appeal stage.
- 2.5 The Guidelines for Landscape Visual Impact Assessment, Third edition 2013 ⁴ (GLVIA3), states in paragraph 6.1 that: *“assessment of visual effects deals with the effects of change on views available to people and their visual amenity. The concern here is with assessing how the surroundings of individuals or groups of people may be specifically affected by changes in the content and character of views as a result of the change or loss of existing elements of the landscape and/or introduction of new elements.”*
- 2.6 This guidance deals specifically with the effects of change on views available to people at their place of residence. Paragraph 6.17 of GLVIA3 confirms that: *“Effects of development on private property are frequently dealt with mainly through ‘residential amenity assessments’. These are separate from LVIA although visual effects assessment may sometimes be carried*

⁴ Guidelines for Landscape and Visual Impact Assessment, Third edition, Landscape Institute and Institute of Environmental Management and Assessment, 2013

out as part of a residential amenity assessment, in which case this will supplement and form part of the normal LVIA for a project.”⁴

2.7 In paragraph 6.36, GLVIA3 states: “.... *It will be important to recognise that residents may be particularly susceptible to changes in their visual amenity - residents at home, especially using rooms normally occupied in waking or daylight hours, are likely to experience views for longer than those briefly passing through an area. The combined effects on a number of residents in an area may also be considered, by aggregating properties within a settlement, as a way of assessing the effect on the community as a whole. Care must, however, be taken first to ensure that this really does represent the whole community and second to avoid double counting of the effects*”⁴. This paragraph highlights the specific nature of residential receptors and the complexity of aggregating effects.

3. Methodology

3.1 RVAA should follow established processes as set out in GLVIA3, and normally comprise the following steps:

1. Identification of the study area and properties to be included in the residential visual amenity assessment;
2. Description and evaluation of existing visual amenity (and views) as experienced by people in and around their private dwellings at all properties included in the RVAA;
3. identification and description of components of the development that could have potential impacts on visual amenity at the property;
4. evaluation of the nature, magnitude and overall effect on views and visual amenity at the property;
5. providing a reasoned judgement in regard of the effect of the development on visual amenity at the property ‘in the round’.

Identification of study area

3.2 There is no standard criterium that can be adopted to identify a study area. Based on common practice and experience a study area of approximately 1.5 - 2 km radius from a windfarm is generally considered appropriate depending on local landscape characteristics. Wind turbines, however, are particularly tall and for other types of development the RVAA study area is likely to be very considerably smaller.

3.3 Properties can be considered individually where they are scattered or in groups, where several properties are located in close proximity and have similar aspects or views. This will normally be at the discretion of the assessor subject to explaining the reasoning behind grouping or clustering the assessment. It is recommended that the study area is agreed with the LPA and that its scope is proportionate.

Evaluation of existing, baseline, visual amenity

3.4 The next step involves describing and evaluating the baseline visual conditions at the property informed by desk study and field work. Visual amenity from a property is defined as the type, nature, extent, and quality of views that may be experienced from the property

and its 'domestic curtilage' (domestic gardens and access drives). This may include a particular view or the outlook from internal rooms.

3.5 The following aspects may need to be considered:

- the nature and extent of all potentially available existing views from the property and its garden, including the proximity and relationship of the property to surrounding landform, landcover and visual foci. This includes main or principal views from the property or garden, as well as peripheral views;
- views as experienced when approaching or departing from the property, for example from private driveways or access tracks; and
- consideration of the scenic quality and value attached to the available views.

Field work and associated activities

3.6 It would be normal to undertake several rounds of field work and prepare appropriate materials for use during fieldwork. This normally includes the following:

- Initial field work may be used to evaluate the general visual amenity of the properties within the scope of the assessment and aimed at identifying those properties that should be visited;
- For those properties that should be visited, contacting individual occupiers to seek permission to visit the property;
- Preparation of suitable visualisations that can be used during fieldwork to illustrate the likely change in view(s) that might result from the Development. The type and nature of the visualisation may vary but should be considered in the context of Technical Guidance note 02/17⁵;
- Visits to properties.

3.7 Communication with local residents needs to be done with sensitivity and carefully planned and should demonstrate respect for residents' privacy. It is generally recommended to visit in pairs and to make it clear to the residents that the assessor's report will be made available but that he/she is not able to comment on the findings during the site visit.

3.8 It would be normal for the assessor to have prepared a series of visualisations or illustrations of the proposed development and residents may show an interest to see these or copy these. Whether or not visualisations are shared with residents, it is necessary to ensure that any visualisations used for field visits comply with relevant guidance and standards and that their use is properly explained.

3.9 People at their place of residence mostly feel precious about their existing views and visual amenity and it therefore could be assumed, taking a precautionary approach, that they are sensitive to changes in their views and visual amenity. Whilst this assumption may be appropriate for EIA type assessment, which normally not includes visits to individual properties, it is not considered appropriate in RVAA.

⁵ 'Visual representation of development proposals', Landscape Institute Technical Guidance note 02/17 (31 March 2017)

3.10 In order to inform the ultimate conclusions of the RVAA, fieldwork and baseline descriptions should inform the decision-maker in respect of the susceptibility of the existing visual amenity and views likely to be adversely affected by the proposed development and as such identify the ‘sensitivity’ of the existing visual amenity at the property ‘in the round’.

Description and Evaluation of effect

3.11 The next two steps in the process describe the elements and components of development which will have an effect on the view and visual amenity from the property which is followed by an evaluation of the effect. Effects are examined in accordance with the general principles of GLVIA3⁴ considering ‘nature of the receptor’ (susceptibility and ‘sensitivity’) with ‘nature of effect’.

3.12 The following factors may inform the conclusion:

- The scale of change in the view with respect to the loss or addition of features in the view and changes in its composition including the proportion of the view occupied by the proposed development;
- The degree of contrast or integration of any new features or changes in the landscape with the existing or remaining landscape elements and characteristics in terms of form, scale and mass, line, height, colour and texture;
- The direction (including the aspect) of the view affected, in relation to the main/principal or peripheral views from the property;
- The distance of the property from the proposed development, its (relative) size and location in relation to the property (e.g. on the hill above);
- The extent to which the changes would be visible (e.g. affecting all views from all rooms or parts of the garden, or affecting views from limited parts of the property);
- The type and nature of the available views (e.g. panoramic, open, framed, enclosed, focused etc.) and how they may be affected;
- The duration and nature of the changes, whether temporary or permanent, intermittent or continuous, etc.

Overall conclusion

3.13 The final step should draw an overall conclusion with respect to change in views and visual amenity from the property. This should be based on transparent and logical reasoning and may for example focus on whether or not the development is ‘dominant’, ‘overwhelming’; and/or ‘inescapably present’ and as such causes the property to become ‘widely regarded’, an ‘undesirable place to live’.

3.14 Drawing this conclusion requires careful and considered judgement but can nevertheless be objective, logical and transparent when using the terminology which has been widely used by Inspectors and Reporters.

Appendix 1

2. Background

2.1 Potential adverse effects on 'Residential Amenity', also referred to as 'living conditions', of occupiers of residential properties have been a consideration in the determination of planning applications for a wide range of types of development. This includes for example: major road and rail infrastructure (such as for example HS1 and 2), overhead electricity transmission line infrastructure, new power stations etc. In recent years there have been numerous applications for wind farm developments which included Residential Visual Amenity Assessments, and many of these assessments have been tested at public inquiries. This is not surprising given the tall nature of turbines, and the following section therefore includes many references to wind farm decisions.

2.2 There is no formal or statutory guidance available as to how to assess the visual component of living conditions, however there are several public inquiry decisions which are helpful to refer to in establishing how other decision makers throughout the UK have handled the matter. Assessing the visual amenity component or Residential Amenity, clearly requires an objective approach but is ultimately a matter of judgement, and this was stated by the Reporter in the Baillie Windfarm decision "*Any assessment of acceptability in these circumstances relies on judgement rather than measurement.*"⁶

2.3 The matter of judgement of potential impacts on living conditions has been considered at public inquiries to determine whether the potential impacts upon the visual amenity of residential properties is so unsatisfactory that the development in question should be refused planning permission in the public interest. A number of public inquiry decisions have been reviewed in the preparation of this guidance.

2.4 In the Baillie decision the Reporter, David Russell, concluded: "*Given that I have found that this wind farm, because of its visual prominence and proximity, would have a significant detrimental impact on the visual amenity of some of the people living nearby, and as the impact would be long term, that interpretation would appear to preclude the granting of consent for this application. However, the guidance also confirms that proposals are to be considered on a case by case basis, and I consider that this inevitably requires a judgement to be reached on the acceptability of the impacts identified.*" And "*In reaching that judgement here, I find that the issue to be addressed is whether the adverse impacts which would be experienced by some of the residents of the 60 or so houses which are within two kilometres of the nearest turbines is sufficient to outweigh the wider public benefits which the development is designed to achieve. In my judgement, on the merits of this case, I find that these adverse impacts are not so great as to be unacceptable, due to: the relatively small number of houses involved; the support expressed by some of these residents, whether through financial involvement or otherwise; the separation distances from the turbines; the*

⁶ Erection of wind farm at Bardnaigh Farm, Westfield, by Thurso (Baillie). Case reference IEC/3/105/3, 17th August 2009

compact layout of the wind farm and its position within an open landscape; and the capacity of the landscape to accommodate the wind farm.”⁶

2.5 In the decision for the St John’s Hill Windfarm where 106 properties are located within 1km of the nearest turbine, the Reporter, Malcolm Mahony, concluded “*Because views from within the site and from outside it tend to be of a panoramic nature, the windfarm, even though it spreads over a length of some 3km, would occupy only a restricted part of those views and not dominate them.*” With regard to visual impacts from residential properties he stated:- “*I have looked carefully at the visual impact of the scheme from individual properties in the vicinity and I am not persuaded that it is unacceptable due to the factors which I have already outlined.*”⁷

2.6 In the Achany Windfarm decision the Reporter, Janet McNair, stated that although a significant impact on the visual amenity of residential properties may be experienced, “*deciding whether these impacts are significantly detrimental is a matter of judgement*”⁸. She went on to state that although the properties in question were located within 3km of the proposed development “*the turbines would be far enough away from houses not to be overbearing or dominant*”, concluding that “*the appeal proposal would have a significant impact on some views from some properties. However, significant impacts are not necessarily unacceptable and I conclude that its impacts on residential amenity overall would not be significantly detrimental.*”

2.7 Following the Langham Windfarm appeal the Inspector stated that “*The planning system controls development in the public interest, and not in the private interest. The preservation of open views is a private interest, which the planning regime is not intended to protect. But public and private interests may overlap. The issue is whether the number, size, layout and proximity of wind turbines would have such an overwhelming and oppressive visual impact on a dwelling and its amenity space that they would result in unsatisfactory Living Conditions, and so unacceptably affect amenities and the use of land and buildings which ought to be protected in the public interest.*”⁹

2.8 At Enifer Downs, Inspector Lavender noted that “*when turbines are present in such number, size and proximity that they represent an unpleasantly overwhelming and unavoidable presence in main views from a house or garden, there is every likelihood that the property concerned would come to be widely regarded as an unattractive and thus unsatisfactory (but not necessarily uninhabitable) place in which to live.*”¹⁰ In that decision, Inspector Lavender considered the extent to which:

- the visual experience from the dwelling and garden may be comparable to “*actually living within the turbine cluster*” rather than a turbine cluster being present close by; or
- the experience of the turbines is “*unpleasantly overwhelming and unavoidable*”.

⁷ Erection of 9 wind turbines and associated infrastructure at St Johns Hill, Stonehaven. Ref: P/PPA/110/634 26th November 2007

⁸ Achany Estate, Lairg. Appeal Decision PPA/270/438. 22nd July 2008

⁹ Land between Anderby, Anderby Creek, Chapel St Leonards and Langham. Appeal Decision APP/D2510/A/10/2130539. 29th September 2011

¹⁰ Land west of Enifer Downs Farm and east of Archers Court Road and Little Pineham Farm, Langdon, Appeal decision APP/X2220/A/08/2071880. 28th April 2009

2.9 In the Carland Cross Windfarm Decision, Inspector Lavender stated: “*The planning system is designed to protect the public rather than private interests, but both interests may coincide where, for example, visual intrusion is of such magnitude as to render a property an unattractive place in which to live. This is because it is not in the public interest to create such living conditions where they did not exist before. Thus I do not consider that simply being able to see a turbine or turbines from a particular window or part of the garden of a house is sufficient reason to find the visual impact unacceptable (even though a particular occupier might find it objectionable).*”¹¹

2.10 Importantly, a Secretary of State case which has further confirmed this approach is the Burnthouse Farm decision in 2011¹². In the Inspector’s conclusions on this decision he addressed living conditions of neighbouring occupiers and stated that “*The methodology for assessing the visual impact on residential occupiers was considered fully at the Inquiry. I accept that the approach used by Inspectors in the Enifer Downs, Poplar Lane and Carland Cross Appeals and elsewhere should not be regarded as a mechanistic ‘test’ and has no status in terms of being part of statutory documentation or planning policy or guidance. However, it seems to me that a logical, transparent and objective approach to assessing visual impact should be adopted*”. The Inspector went on to state that there can be no substitute for site visits to individual properties so that any likely impacts can be judged in the particular and unique circumstances of each case. He added that “*Nevertheless, it is helpful to consider the factors and thresholds of acceptability which have guided decision makers in other cases*”. The Inspector stated that serious harm to living conditions which might lead to a recommendation for planning permission to be refused, in the public interest is a more stringent requirement than the identification of a significant adverse impact. He added that “*I consider that when assessing the effect on visual outlook, it is helpful to pose the question ‘would the proposal affect the outlook of these residents to such an extent i.e. be so unpleasant, overwhelming and oppressive that this would become an unattractive place to live?’*”

2.11 In considering these and other appeal decisions, the visual impact of the development has to be commonly described as ‘unacceptably overbearing’, ‘over powering’, ‘oppressive’ or ‘unpleasantly overwhelming and ‘unavoidably present in main views’ for there to be a potential unacceptable adverse impact on living conditions, and such impacts should also “outweigh the wider public benefits which the Development is designed to achieve.”

2.12 Therefore, if the Development is unavoidably present in main views, then this in itself does not demonstrate material harm to living conditions. However, a judgement requires to be made ‘in the round’ considering all available views and other factors. These factors include consideration of distance from the Development; orientation size and layout of the dwelling; the focus and context of the existing view, and if there are other directions in which residents can look that are not affected; the degree to which overall available views will be affected; the extent of the Development which will be seen and, availability of screening and other factors.

¹¹ Carland Cross Windfarm, Appeal Decision APP/D0840/A/09/2103026 19th Jan 2010

¹² Land North of Burnthouse Farm, Appeal Decision APP/D0515/A/2123739. 6th July 2011

2.13 Consideration of these factors allow a judgement to be made within the assessment of each property as to whether the presence or visual components of the development will be visually dominant, overbearing or oppressive “*to such an extent i.e. be so unpleasant, overwhelming and oppressive that this would become an unattractive place to live*”.

2.15 The ministerial decision letter dated 17 October 2014 with respect to Afton Windfarm states that “*With regards to impacts on residential properties, Ministers agree with the assessment in the ES and subsequent SEI3 and consider that that the Development would not result in any overbearing visual effects on residential amenity to a degree that any property might be considered an unattractive place in which to live.*” Error! Bookmark not defined.

2.16 In the report to Scottish Ministers with respect to the Fauch Hill Windfarm Error! Bookmark not defined. the Reporters (Richard Dent and Dan Jackman) state: “*We consider that a significant change to a local resident’s outlook from their property does not mean a wind farm proposal is necessarily unacceptable. Significant changes are likely to be inevitable for the closest properties. We agree that a ‘higher’ test is relevant. We agree with the conclusions from previous decisions that this means a wind farm would have to be overbearing or dominant*”. And later: “*We agree that a number of properties would experience significant effects. However, bearing in mind the combination of predominant outlook, screening and distance, in no case would the impacts be so unacceptable as to justify refusal of consent*”. In respect of Harburnhead Windfarm, the Reporters state: “*The overall analysis by the applicant in respect of residential properties has not been challenged and, following various site inspections we are prepared to accept that the residential properties within two kilometres of the wind farm would not fail the Lavender test.*” Error! Bookmark not defined.

2.17 This Residential Visual Amenity Assessment Guidance draws on the general approach applied by Reporters in Scotland and by Inspectors in England and Wales. There are differences in the planning system between England, Scotland and Wales and there are subtle differences in the approach used by Inspectors in England and Wales and by Reporters in Scotland. For example, inspectors in England and Wales may refer to a certain decision and the wording used in that decision as a planning ‘test’. Most Reporters in Scotland do not tend to use the word ‘test’ but have regard to very similar issues to come to the planning recommendation. While it does not constitute a formal requirement or process, findings by Reporters and Inspectors, some of which are cited above, nevertheless confirm that there is a widely used and fairly common approach to informing a judgement with respect of the visual amenity component of Residential Amenity. This is reflected in the terminology used and the factors with regard to which the Inspector or Reporter sets the reasons when drawing conclusions.

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