

TOWN & COUNTRY PLANNING ACT 1990  
Planning and Compulsory Purchase Act 2004

## **APPEAL**

by

### **Powerfuel Portland Ltd**

against the refusal by Dorset Council of Planning Application Ref. WP/20/00692/DCC for the construction of an energy recovery facility with ancillary buildings and works including administrative facilities, gatehouse and weighbridge, parking and circulation areas, cable routes to ship berths and existing off-site electrical sub-station, with site access through Portland Port from Castletown,

**at Portland Port, Castletown, Portland, Dorset, DT5 1PP**



# **SUMMARY PROOF OF EVIDENCE**

**of Neil Williamson BA (Hons), MA, FLI, PPLI, FCMI**

on behalf of Dorset Council

**November 2023**

REFERENCES:    Planning Inspectorate:    APP/D1265/W/23/332692  
                          Local Planning Authority:    WP/20/00692/DCC

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## **1 INTRODUCTION AND SCOPE OF EVIDENCE**

- 1.1 My name is Neil Williamson. I am sole Director of Neil Williamson Associates Limited, an independent consultancy providing environment, design and management services. I am a Chartered Landscape Architect, a Fellow and Past President of the Landscape Institute, and a Fellow of the Chartered Management Institute. I have a Bachelor's degree with Honours in Psychology and Physiology, and a Master's degree in Landscape Design. I am a built environment expert with the Design Council and a member of various Design Review panels, including that of the Design Commission for Wales and Design West. I have over 30 years' experience in landscape planning including landscape and visual impact assessment and have presented expert landscape and visual evidence at public inquiries and examinations. I regularly provide advice to Bath & North East Somerset Council including on the merits of development proposals within the City of Bath World Heritage Site or affecting its setting, and within or affecting the setting of the Cotswolds and Mendips AONBs.
- 1.2 I note that this Appeal has been recovered for decision by the Secretary of State, the reason cited being the potential for adverse impact on the World Heritage Site.
- 1.3 This proof of evidence addresses landscape matters pursuant to Reason for Refusal No.2.

## **2 SITE AND PROPOSED DEVELOPMENT**

- 2.1 The Appeal Site is located within Portland Port on the north-east side of Portland. The Site and Appeal proposals are described in detail in the Council's Statement of Case (CD 11.3) and in the evidence of its planning witness.
- 2.2 The designated West Dorset Heritage Coast that includes Chesil Beach and the Jurassic Coast World Heritage Site both lie in close proximity to the site.

## **4 LANDSCAPE AND VISUAL ASSESSMENT**

### **A General considerations**

#### **Significance of landscape and visual effects**

- 4.1 The LVIA (CD 1.36j) takes the approach that any landscape, seascape or visual effects at the 'moderate to slight' level or above are judged to be significant for EIA purposes. I have reviewed the LVIA and set out below my conclusions as to the nature and level of effects on landscape and visual receptors, applying my own judgement and employing the same methodology presented in the LVIA including the degree of effect matrices as shown in Figure 9.3 for landscape effects and Figure 9.6 for visual effects.
- 4.2 In my view, additional viewpoints that could usefully have been included for assessment to provide a more complete representation of worst-case impacts would be (see Photographs A to F in Appendix 5):
- Chesil Beach, top of bank, approximately 200m W of Hamm Roundabout, within the WHS and Heritage Coast. Wireline modelling would have assisted in determining extent of visibility;
  - Chesil Beach, top of bank, level with visitor centre, within the WHS and within the Heritage Coast;
  - Jailhouse café garden, Portland (clear view looking down on the site from The Verne);
  - Royal Naval Cemetery, Portland (possible partial view, wireline would have assisted in determining extent of visibility);
  - Buxton Road, at junction with Rylands Lane (example of view from residential area of Weymouth not clearly shown on ZVT mapping);
  - Redcliff View, adjacent to the coastguard station (example of clear view from residential area not clearly shown on ZVT mapping, also on route of South West Coast Path).

## **B Landscape impacts**

4.3 A summary table comparing my assessment of landscape effects with that of the LVIA is included as Appendix 4. The LVIA did not identify any significant adverse landscape effects, but I have identified significant adverse effects on three receptors (excluding LCA1 to avoid double-counting), namely:

- Harbour/ wetland/ lagoon – moderate to slight adverse
- Chesil Beach, The Fleet and The Causeway – moderate adverse
- Portland Peninsula – moderate adverse

## **C Visual impacts**

4.4 A summary table comparing my assessment of visual effects with that of the LVIA is included as Appendix 4. The LVIA identified four receptors where there would be significant adverse effects, at the moderate or moderate/slight level. I have identified an additional seven receptors where there would be significant adverse effects, as shown in the table. In summary, I have identified significant adverse visual effects at the **substantial** level for:

- South West Coast Path;
- Sandsfoot Castle;

at the **moderate/substantial** level for:

- Residential areas of Weymouth and Portland;
- Walkers and cyclists on the A354;

at the **moderate** level for:

- Port/Marina/Harbour;
- PRow S3/68, 70, 72, 81;
- Nothe Fort;
- West Dorset Heritage Coast;
- Jurassic Coast WHS;

and at the **moderate/slight** level for:

- Weymouth beachfront;
- PRow south of Littlemoor.

## **D Effect on landscape policy and guidance**

### **National policy and guidance**

- 4.5 The Jurassic Coast World Heritage Site is a heritage asset of the highest significance and great weight should be given to its conservation, irrespective of the degree of harm caused by development.
- 4.6 The proposals do not comply with the requirement in the National Design Guide (CD 12.23) to be visually integrated into their wider surroundings (paragraph 43), to be positively influenced by the significance and setting of heritage assets (paragraph 48), and to satisfactorily consider height, scale, and massing (paragraph 53). In section I3 which deals with creating character and identity (paragraph 58), the Guide emphasises the importance of the siting of development in the wider landscape to character and place-making.

### **Bournemouth, Christchurch, Poole and Dorset Waste Local Plan 2021 (CD 7.1)**

- 4.7 Policy 14 requires proposals for waste management facilities to be compatible with their setting and to conserve and/or enhance the character and quality of the landscape. Due to their scale, mass and height, the Appeal proposals are incompatible with their setting would have adverse effects on the character and quality of the surrounding landscape.
- 4.8 The policy makes specific reference to the need to avoid unacceptable adverse impacts upon the character of the designated Heritage Coasts. In my view the adverse landscape impacts on the West Dorset Heritage Coast at the moderate level would be unacceptable.

### **West Dorset, Weymouth and Portland Local Plan 2015 (CD 7.2)**

- 4.9 Policy ENV1 sets out requirements for the protection of landscape, seascape and sites of geological interest, and makes specific reference to the need to take into account the objectives of the World Heritage Site Management Plan, and to avoid harm to the character, special qualities or natural beauty of the Heritage Coast.

**Portland Neighbourhood Plan 2020 (CD 7.4)**

- 4.10 Policy Port En7 expects development to complement the prevailing size, height, scale and mass of the existing surrounding development. The proposals would be of a significantly greater size, height, scale and mass of the prevailing development at the port, and rather than complementing the existing development would be at odds with it.

**Jurassic Coast WHS Management Plan (CD 12.9)**

- 4.11 The World Heritage Site was inscribed in 2001 for its earth science value and the wording of its Outstanding Universal Values (OUVs) reflect this. The Appeal proposals would not affect the OUVs. However, the WHS Inscription document (CD 12.6) makes clear in its preface that the beauty and character of the WHS are also recognised to be inextricably linked to its value. The opening words of the preface are that '*The Dorset and East Devon Coast is a special and beautiful place*' and that the conservation of this coast should ensure that its earth science interests are properly recognised, not only in their own right but also '*because of their important role within the coast's landscape, history and culture.*'
- 4.12 It is clear that notwithstanding its geological inscription, the landscape value of the WHS and its setting and the enjoyment and quality of experience of visitors to it are integral to the purposes of its designation and management. The Appeal proposals would have significant adverse landscape and visual effects on the WHS and its setting and would negatively affect the perception and quality of experience of visitors. They therefore conflict with the objectives of the WHS Management Plan.



## **5 CONCLUSIONS**

- 5.1 The threshold for significance of landscape and visual impacts has been appropriately set and is not in dispute.
- 5.2 It is common ground that there would be a range of significant adverse visual impacts.
- 5.3 The significant adverse impacts that would be experienced would be more than merely 'localised' or 'very localised'. They would be experienced over a wide area of land and water at distances extending to at least 4.5 km from the development.
- 5.4 The extent and degree of a number of adverse landscape and visual impacts are underestimated in the LVIA. There are multiple adverse landscape and visual impacts that are significant in EIA terms, applying the Appellant's own methodology and criteria.
- 5.5 There would be significant adverse landscape and visual impacts on parts of the designated West Dorset Heritage Coast and the Jurassic Coast World Heritage Site, both of which are in very close proximity to the site.
- 5.6 There would be significant adverse impacts on the visual amenity of large numbers of residential properties, including in south-eastern parts of Weymouth.
- 5.7 The adverse impacts on the visual amenity of users of the South West Coast Path (the England Coast Path) are seriously underestimated in the LVIA and would be substantial and adverse.
- 5.8 The development fails to comply with Policy 14 of the adopted Waste Plan, Policy ENV1 of the adopted Local Plan and Policies Port/EN7 and Port/BE2 of the Portland Neighbourhood Plan.