

The National Trust launches legal challenge against landmark wind farm decision

Submitted by: pr-sending-enterprises

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The National Trust, English Heritage and East Northamptonshire Council have made a joint legal challenge against planning permission for a wind farm that would be built within one mile of a Grade I listed building and registered park and garden.

The proposal would see four 126.5m wind turbines built within the setting of the Lyveden New Bield (<http://www.nationaltrust.org.uk/what-we-do/news/view-page/item772836/>) site, a place described by the Planning Inspector who granted approval for the plans as "probably the finest example of an Elizabethan garden [with a] cultural value of national if not international significance".

After planning permission was initially refused by the local Council, the development was given consent on appeal in March 2012. The three organisations started legal proceedings on 23 April under section 288 of the Town and Country Planning Act 1990. It is extremely rare for English Heritage and the National Trust to pursue legal action and it is the first time that East Northamptonshire Council has ever taken a case to this level.

Fiona Reynolds, Director-General of the National Trust (<http://www.nationaltrust.org.uk/>) explained the decision to take the matter to the Administrative Court: "We fully support renewable energy (<http://www.nationaltrust.org.uk/what-we-do/big-issues/energy-and-climate-change/>) and have made our own commitment to halve our dependence on fossil fuels by 2020. We have also backed a number of wind proposals where scale and setting have been considered appropriate.

"However, the decision to allow a development of this size so close to one of the country's most treasured historic places is both damaging to Lyveden New Bield and could have serious implications for other heritage sites across the UK."

As a Grade I listed building, registered park and garden and scheduled ancient monument, Lyveden New Bield's unfinished Elizabethan lodge and gardens have the highest heritage designation possible. The wind turbines would be prominent, modern structures in a landscape that still evokes the character of Lyveden New Bield's historic Rockingham Forest surroundings. The turbines would be visible from almost everywhere on the property.

Simon Thurley, Chief Executive of English Heritage, said: "Our challenge to his decision is not simply about the balance of professional judgement between heritage and renewable energy. The Inspector did not adequately take into account the contribution that Lyveden New Bield's historic and rural surroundings make to its immense significance."

Leader of East Northamptonshire Council, Steven North added: "It is regrettable that it has come to this, but we fully support this legal challenge and will be working closely with the National Trust and English Heritage to protect this heritage site."

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Notes to Editors:

Section 288 provides a legal right for people who are affected by a planning permission to apply to the courts for redress if they can show that the decision maker made an erroneous decision in law. A challenge brought under section 288 is designed to put under judicial scrutiny the way in which the decision maker reached their decision rather than the merits of the decision.

Further information on the planning application (case reference 2156757) can be found at:
www.pcs.planningportal.gov.uk/pcsportal/ViewCase.asp?caseid=2156757&coid=32833

The National Trust's response to the planning appeal can be seen at:
www.nationaltrust.org.uk/press/press-releases/view-page/item772786/

The National Trust's position on wind energy can be viewed at:
www.nationaltrust.org.uk/what-we-do/big-issues/energy-and-climate-change/our-views/view-page/item749709/

About English Heritage:

English Heritage is the Government's statutory advisor on the historic environment. They provide advice on how best to conserve England's heritage for the benefit of everyone. They work with landowners, businesses, planners and developers, national, regional and local government, the Third Sector, local communities and the general public to help them understand, value, care for and enjoy England's historic environment.

About National Trust:

The National Trust looks after more than 250,000 hectares of countryside, 710 miles of coastline and hundreds of historic places across England, Wales and Northern Ireland. More information can be found at:
www.nationaltrust.org.uk.

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