

Chapter 2

Review of the Applicant's LVIA

2.1 This section presents a review of ES Chapter 10 Landscape and Visual Impact and its supporting appendices and figures. The review follows the approach set out in the Landscape Institute's Technical Guidance Note 1/20.

Structure and navigability of LVIA

2.2 The LVIA is structured as follows:

- Introduction (page 130);
- Policy Context (page 130 to 131);
- Assessment Methodology and Significance Criteria (page 132);
- Baseline Conditions (page 132 to 138);
- Identification and Valuation of Key Impacts (page 138 to 151);
- Cumulative Effects (page 151 to 154); and
- Residual Effects (page 155).

2.3 The LVIA is supported by a number of appendices including:

- Appendix 10.1 – LVIA Appraisal Plans;
- Appendix 10.2 - LVIA Methodology and Assessment Tables; and,
- Appendix 10.3 – Photomontages.

Methodology, scope and process

2.4 This section identifies whether the methodology, scope and process of undertaking the LVIA is sufficient and complete.

Scoping responses

2.5 An EIA Scoping Report was submitted to NWBC alongside a request for a formal Scoping Opinion, in accordance with Regulation 15(1) of the EIA Regulations 2017. A list of consultees consulted is provided in paragraph 5.3.1 of the ES. The Scoping Opinion from NWBC highlights that a response was received from eight consultees (Highways England; the Warwickshire County Ecologist, Warwickshire County Council as Lead Local Flood Authority, The Environment Agency, HS2 Ltd, Cadent, BPA Pipelines

and Mainline Pipelines). None of these consultees address matters relating to landscape and visual impact.

2.6 The Scoping Opinion outlines that viewpoints to inform the LVIA were agreed with NWBC.

Guidance

2.7 The methodology used to prepare the LVIA is presented in Appendix 10.2 and reference to the other relevant guidance documents including the Third Edition of the Guidelines for Landscape and Visual Impact Assessment (GLVIA3) is made in paragraph 10.3.1 of the main LVIA chapter and throughout Appendix 10.2.

Methodology

2.8 The methodology is summarised in Chapter 10, with a more detailed version set out in Appendix 10.2.

2.9 The methodology acknowledges the relevance of GLVIA3 as guidance for undertaking LVIA's, and the components of the report generally align with the broad principles set out in GLVIA3. It provides separate consideration of landscape and visual effects, and uses terminology consistent with GLVIA3.

2.10 The criteria used to make judgements are clearly set out throughout the methodology. In accordance with GLVIA3, this includes for the sensitivity of landscape and visual receptors (including consideration of both value and susceptibility); and magnitude of change to receptors (with reference to size/scale of change, geographical extent, duration and reversibility). The criteria for determining these aspects are set out in Tables 10.1 to 10.7 for landscape receptors, and tables 10.8 to 10.11 for visual receptors. This is an acceptable approach.

2.11 Figures 10.3 and 10.6 illustrate the overall significance of landscape and visual effects, respectively. The subsequent paragraphs (10.1.28 and 10.1.54) outline that major and major/moderate effects by virtue of the more sensitive receptors and the greater magnitude of effects, are generally considered to be the significant landscape and visual effects, with those falling outside these categories generally considered not significant.

2.12 For landscape and visual receptors, the assessment tables consider size and scale of change under two scenarios: 'at construction' and 'after 15 years' when proposed planting is semi-mature. However, the magnitude of change is assessed 'after construction' and 'after 15 years'. The overall landscape and visual effects are identified 'at construction' and 'after 15 years'.

2.13 The term 'at construction' and 'after construction' appears to be used interchangeably within the assessment

tables. It is unclear whether these represent the same scenario (e.g., during construction and straight after development completion), or if these are separate scenarios.

2.14 If the latter, the assessment of landscape and visual effects tables in Appendix 10.2 should have extra columns to display the size and scale of change and magnitude of change under each of the three scenarios (during construction, after construction, and after 15 years).

2.15 If 'at construction' and 'after construction' represent the same scenario, there appears to be no reasoning or explanation as to why this approach was taken in the methodology. This should be clarified.

Thresholds for significance

2.16 The methodology provides diagrams used to determine significance thresholds, using both magnitude of change and sensitivity.

2.17 Paragraphs 10.1.28 and 10.1.54 outline that major and major/moderate effects by virtue of the more sensitive receptors and the greater magnitude of effects, are generally considered to be the significant landscape and visual effects, which is appropriate. Those falling outside these categories, including moderate effects, are generally considered not significant.

2.18 The methodology acknowledges that professional judgement is an important part of the LVIA, and is applied on a case by case basis in determining the sensitivity of receptors, magnitude of change, and overall significance of effect. This is appropriate and follows advice given in GLVIA3.

2.19 In relation to moderate effects, the methodology states that these are considered on a case-by-case basis, to determine whether each effect is considered to be significant or not significant.

Study area

2.20 The LVIA does not provide a description of the study area or specify its size. Paragraph 10.1.6 of the ES states the study area is illustrated on figures within Appendix 10.1. However, upon examination no defined study area is visible on these figures. In addition, the extents of the maps provided in Appendix 10.1 all vary, making it difficult to determine what the study area extents are.

2.21 Paragraph 10.1.7 of the ES goes on to state that the study area was identified through desk-top analysis and computer modelling of theoretical visibility which was refined by field survey. Whilst overall this is an acceptable approach, it is recommended that a defined study area is provided.

2.22 The lack of defined study area makes it difficult to understand which landscape and visual receptors are being considered, as well as the likely geographical extent of effects.

2.23 Considering the ZTV provided in the Figure LAJ-3 we suggest a study area of 2-3km radius would be appropriate.

Landscape and visual receptors

2.24 The methodology makes a clear distinction between the assessment of landscape and visual effects as recommended in GLVIA3, and this is carried through to the assessment.

2.25 The LVIA identifies landscape and visual receptors that have the potential to be affected by the Proposed Development.

2.26 Landscape receptors include:

- Mixed, native boundary hedgerows and woodland copses within and around the site;
- A single large-scale, irregular, arable field;
- Gently rising landform;
- Influence of large-scale commercial buildings and prominent settlement edge;
- Large scale fields with a moderate sense of enclosure provided by large-scale commercial buildings and a prominent, elevated settlement edge;
- Generally simple forms and colours with diversity and complexity provided by road infrastructure, large-scale commercial buildings and the settlement edge;
- Largely still, but strongly influenced by peripheral road noise and movement; and
- Affected by lighting from adjacent infrastructure and commercial uses.

2.27 Visual receptors include:

- Residential receptors: the views of residents on the edge of Birchmoor, Polesworth, Dordon and Freasley;
- Public Rights of Way: the views of walkers on public rights of way including AE45, AE46, AE48, AE52 and AE55;
- Vehicular Users: the views of vehicular users along Birchmoor Road, the M42 and the A5;
- Open Space: the view of recreational areas of open space including Kitwood Avenue Recreation Ground, Site Allocation OS1 and the services.

Baseline information

2.28 This section identifies whether the baseline information provided for the study area is sufficient and complete.

2.29 The baseline information is provided in Section 10.4 of the main LVIA. The landscape baseline focusses on the site itself, and does not include a description of the baseline for the study area. The visual baseline includes areas within vicinity of the site, focussing on nearby residential receptors, walkers and cyclists, road users, and users of nearby open space.

2.30 The viewpoints were agreed with HWBC at during the Scoping process (as set out in the Scoping Opinion and paragraph 10.4.36 of the LVIA). We feel that most of the viewpoints selected are appropriate, and represent a variety of views from the surrounding area. However, the LVIA does not appear to include any reference as to why the viewpoints included in the LVIA were selected. It is also noted that the ZTV in Figure LAJ-3 appears to have considered existing built form and proposed vegetation (including those off-site), as opposed to bare-earth which is usually considered appropriate. We suggest a ZTV with none of the proposed vegetation planting is provided to show the worst-case scenario, i.e. at year of opening when newly planted vegetation will not serve a screening function because of its immature nature. This may identify other visual receptors and viewpoints which need to be considered in the assessment.

Landscape baseline

2.31 The LVIA provides an overview of the published landscape character assessments relevant to the study area at a National and Local level. It summarises the key characteristics for NCA97 (National Character Assessment), LCT Wooded Estatelands (Warwickshire Landscape Guidance) and LCA 5 Tamworth Fringe Uplands (North Warwickshire Landscape Character Assessment). However, the baseline only includes reference to the local level LCT/LCAs in which the site is located, and does not provide any baseline for the surrounding study area. Whilst the baseline highlights the key characteristics for these various character areas, it does not refer to the recommendations or guidelines for each LCT and LCA, which should inform any proposed landscape and visual related mitigation/design. Maps illustrating the national and local character areas are included in Figures LAJ-2A and LAJ-2B within Appendix 10.1.

2.32 The baseline section includes details on the landscape of the site and its context. This section appears to focus on the landscape of the site, and whilst it references the immediate surroundings in relation to the site, it does not provide a thorough baseline for the study area as a whole. Although the baseline identifies that the site exhibits characteristics of LCA 5, it does not explain how the site fits within the wider context

of the LCT and NCA (i.e. how representative it is of the published LCT and NCA).

2.33 The baseline identifies the key landscape receptors likely to be affected by the development, including individual elements and features, and aesthetic and perceptual aspects.

Visual baseline

2.34 Baseline information in relation to visual receptors is provided in Section 10.4 of the LVIA. The LVIA does not appear to include any reference as to why the viewpoints included in the LVIA were selected, however the types of receptors and value of the view are identified in Table 10-16 along with the overall sensitivity judgements. The viewpoints are also shown in Figure LAJ-4 Viewpoint Location Plan in Appendix 10.1.

2.35 A total of 21 viewpoints are used within the visual assessment and these represent a suitable range of recreational receptors, residential receptors and road users. Generally, they are considered to be appropriate, however it is noted that several of the viewpoints are afforded screening of the Proposed Development site by mature vegetation with viewpoints 12 and 15 having 'no view' at all. These viewpoints should be amended to locations with views.

2.36 The LVIA states overall visibility has been informed by the Zone of Theoretical Visibility (ZTV) map provided in Figure LAJ-3. However, it is noted that this ZTV takes account of the effects of proposed mitigation planting within and around the site. As previously mentioned, we suggest a ZTV with no vegetation planting is provided to show the worst-case scenario. This is considered a more appropriate approach and may identify other visual receptors and viewpoints which need to be considered in the assessment.

2.37 The baseline section provides some basic analysis on the residential, recreational and road receptors in the immediate surroundings of the site.

Assessment of effects

2.38 This section provides a review of the assessment of landscape and visual effects of the Proposed Development.

2.39 The assessment of landscape and visual effects is presented in Appendix 10.2.

Landscape effects

2.40 The assessment of landscape effects is presented in Tables 10.12 to 10.15 of Appendix 10.2.

2.41 In identifying the sensitivity of landscape receptors, Table 10.13 sets out the value attached to the features, aesthetic and perceptual aspects, and character, and identifies their susceptibility to the Proposed Development. It

is noted in relation to some elements that reference is made to the effects of the Proposed Development. For example, in relation to *"mixed, native boundary hedgerows and woodland copse within and around the site"* the table notes that historic field boundaries would be reinstated, woodland copses extended and that large areas of new woodland would be introduced. It concludes that *"a net gain of native hedgerow and woodland would be achieved overall which reduces the susceptibility to change."*

2.42 Overall sensitivity judgements (based on value and susceptibility) should not be formed based on the proposed effects of the development, which should be assessed as part of the magnitude of change. The LVIA finds that the value of the site and its immediate context is of Community importance overall with an elevated value for the PRoW. This seems appropriate.

2.43 The assessment for each landscape receptor is supported by only limited narrative text ('notes') and would benefit from a more detailed justification of the judgements made, which should align with the methodology. The size and scale of change, and magnitude of change is provided and considers change 'at construction' and 'after 15 year', whilst the overall effect is identified 'at construction' and 'after construction'. Clarity on these three terms/scenarios should be sought.

2.44 We feel that some of the effects during the at/after construction phase have been under reported. For example, construction activities across the 'single largescale, irregular, arable field' are assessed as having a medium magnitude of change and medium/low sensitivity, resulting in a moderate effect overall (not significant). Construction activities across a site of this size which is very open would likely result in a larger magnitude of change, and have an overall moderate/high effect (significant).

2.45 Whilst most of the assessment ratings set out seem reasonable, this section would benefit from a much more detailed and clear narrative text explaining/justifying the ratings in respect to the criteria set out in the methodology.

2.46 It is noted that only the immediate site area was assessed in the landscape assessment, and for example, no adjoining landscape character areas have been assessed.

Visual effects

2.47 The assessment of visual effects is presented in Tables 10.16 to 10.18 of Appendix 10.2.

2.48 In identifying the sensitivity of visual receptors at viewpoints, Table 10.16 sets out the value attached to the view and identifies the receptors and their susceptibility to changes in the view. Whilst some text is provided in the table setting out why certain receptors are more/less susceptible to

changes in the view, no explanation is provided as to why each viewpoint has the value of view it has been assigned. This should be expanded on, as it will help feed through the assessment process and determine the overall level of effect and significance.

2.49 The assessment for each viewpoint is supported by only limited narrative text set out in the 'notes' column and would benefit from a more detailed justification of the judgements made, which should align with the methodology. The size and scale of change, and magnitude of change is provided and considers change 'at construction' (it is uncertain if this is the same as 'after construction') and 'after 15 years' when mitigation planting is semi-mature. It is noted that the 'after 15 years' takes into account off-site planting mitigation, however it is not explained in the LVIA how this will be secured, and therefore a level of uncertainty is attached. This should be clarified.

2.50 Just three viewpoints are assessed as having significant negative effects 'at construction' and this is reduced to zero viewpoints experiencing significant effects 'after 15 years'. Whilst some (relatively basic) commentary was provided in relation to identifying the sensitivity and magnitude of change for each viewpoint, there was no commentary setting out how these elements formed the overall visual effect and significance.

2.51 The methodology sets out how moderate effects will be considered on a case-by-case basis to determine the level of significance, however there is no evidence of this happening, and it is unclear how the judgement was made. Further explanation should be provided to clarify how these judgements were reached, especially as so many viewpoints were identified as having moderate effects 'at construction'.

2.52 It is noted that some of the viewpoints (Viewpoint 12 and 15) have 'no view' at both the construction and after 15 years phase. It is not relevant to include viewpoints in the LVIA assessment which would have no view of the Proposed Development at all. It is suggested these viewpoints are replaced.

2.53 Additionally, uncertainty over the application of the methodology is raised in the significance of effects table, where viewpoints with no view are identified as having negative effects. If the Proposed Development results in no change of view, the effect would be neutral.

LUC judgement on significant visual effects

2.54 Upon review of the LVIA, and through a desk-based review, LUC is of the opinion that some of the visual effects have been underemphasised.

2.55 It is considered very unlikely that a development of this scale would result in zero significant visual effects after 15

years (to include the effects of mitigation planting), and that only three viewpoints would experience significant negative effects at or just after (see query of this above) construction.

2.56 Based on the desk-based review, we would expect the following viewpoints to result in significant negative effects:

- Viewpoint 1;
- Viewpoint 3;
- Viewpoint 4;
- Viewpoint 10; and
- potentially Viewpoint 8.

Cumulative effects

2.57 Section 10.6 of the LVIA chapter outlines the cumulative effects of the Proposed Development alongside six other schemes. The six schemes and their details (site, planning reference, development and status) are provided in Table 10.1 of the main chapter. The LVIA does not explain how or why these schemes were selected to be included in the LVIA, nor does it expand on the methodology for identifying cumulative effects. The LVIA includes no explanation of terminology used (e.g. cumulative sequential effects) in the cumulative assessment.

2.58 It is noted that four of these schemes have already been constructed, one is an allocation and the other has no status. As four of these schemes have already been constructed, they form part of the existing baseline of the study area, and should not be included in the cumulative assessment. Therefore, the approach to the cumulative assessment is not in line with guidance within GLVIA3 (paragraph 7.13).

2.59 Schemes with planning consent and those with a valid planning application should be considered in the cumulative assessment (under different scenarios). As the remaining two sites (E2 and Birch Coppice Industrial Estate in Table 10.1) do not have consent or a valid planning application. They each have a high level of uncertainty and if they are to be included, this needs to be recognised. Overall, the approach to cumulative assessment is not in line with that set out in GLVIA3.

2.60 Unlike the landscape and visual assessment tables, there are no clear tables setting out the process for assessing the cumulative effects. Therefore, it is not clear how the assessor has come to this judgement, as the narrative text to explain this judgement lacks detail and does not consider a sensitivity and magnitude of change, yet has provided a judgement of the overall effect. It is assumed the significance threshold is the same as that for landscape and visual effects, but this is not made clear.

2.61 No figure is provided showing schemes included in the cumulative assessment. This would be useful to understand the relationship between the Proposed Development and the identified cumulative schemes.

2.62 In terms of the findings, the cumulative assessment tends to focus on visual effects, with very little mentioned of the cumulative effects on the landscape. This should be addressed.

Mitigation and Design

2.63 Information on landscape and visual mitigation is provided in Section 10.7 of the main LVIA chapter. The LVIA does not differentiate between primary and secondary mitigation measures, and does not provide an indication of effectiveness of the stated measures.

2.64 Principle landscape mitigation measures are summarised below as follows:

- Siting building in southern end of site to minimise visual effects on residents at Birchmoor and maintain a sense of separation between the settlement and Proposed Development;
- Provision of a local park extending along the eastern boundary of the off-site area;
- Provision of parkland and mixed native trees/ shrubs in the north of the site to filter views from Birchmoor;
- Reinstatement of historic field boundaries to reinforce the rural character of the landscape;
- Provision of publicly accessible landscape along the western edge of Dordon to screen existing housing and to create a soft green edge to the settlement;
- Provide copses of mixed native trees at the corners of existing fields to reinforce the rural character and help to filter views from the settlement and PRoW;
- Creation of earth mounds along the eastern edge of the site which would be densely planted with mixed, native trees to help screen and filter views of the Proposed Development and to reinforce the sense of openness within the remaining arable landscape to the east;
- Reinforcement of existing native tree and shrub planting along the western boundary;
- SuDS to be provided at the southern end of the site, which would be planted.

2.65 Mitigation measures primarily relate to planting of vegetation within and around the site (within the blue line boundary) and are considered appropriate. This will help to screen the Proposed Development, however, is largely dependent on the detailed design of the scheme, and

confirmation of how any off-site mitigation planting will be secured (e.g. by Section 106 agreement). The LVIA and ES does not specify how off-site mitigation planting will be secured, and therefore the certainty surrounding the effectiveness of planting on proposed visibility is reduced. The applicant should confirm how off-site mitigation will be secured, as well as how it will be managed and maintained in the future to ensure it becomes and remains effective.

2.66 The siting of main building (Plot A1) in the south of the site is identified as helping to minimise visual effects on residents at Birchmoor. Given the scale of the building in relation to the site, and the presence of Plot A2 further north, it is uncertain how effective this mitigation measure will be.

Visualisations

2.67 GLVIA3 states that *"The predicted changes must be described in the text but should also be illustrated by means of visualisations from representative viewpoints"* (para 8.16) and *"where the scheme is not fully developed visualisations must be based on clearly stated assumptions"* (para 8.22).

2.68 The LI Technical Guidance Note 06/19 indicates that the intended Purpose of the visualisation; the anticipated Users; the stage in the planning application process; the Sensitivity of the context / host environment, having regard to the landscape and visual receptors; and the likely overall Magnitude of effect of the development in terms of its 'size and scale', 'geographic extent' and 'duration and reversibility' all help determine the appropriate Visualisation Type.

2.69 The LVIA notes that the viewpoints were identified on site, in publicly accessible locations, following a desktop review of baseline data to illustrate the range of views available and in discussion with an NWBC planning officer. The Scoping Opinion confirms viewpoints were agreed with NWBC.

2.70 Viewpoint photography presented in Appendix 10.3. is useful in illustrating the baseline view from each representative viewpoint. It is stated in Appendix 10.3 that the photography is 'Type 3 Photography' taken in summer, when deciduous vegetation was largely in leaf. According to LI Technical Guidance Note 06/19, Type 3 visuals *'encompasses photomontages and photowires which will commonly be produced to accompany planning applications, LVAs and LVIAs'*. Whilst the majority of the baseline photography may have been produced to Type 3 standard, the visualisation itself has not been produced to Type 3 level, as no photowires/ photomontages are included. Furthermore, there should be an acknowledgement that visibility of the Proposed Development will be greater in winter, when trees are not in leaf.

2.71 The illustrative visual material provided in Appendix 10.3 is limited to basic baseline photography, with no annotation which forms the requirement of Type 1 level visualisations. Nonetheless, the baseline photography is helpful in displaying the character and context of each view.

2.72 Given this is an outline application, provision of baseline photography is considered appropriate, however, the lack of visualisations (which could for example extend to simple colour shaded blocks being incorporated into each view, to indicate height and massing) makes it difficult to understand the potential visibility of the parameters for which planning permission is being sought.

2.73 It is recommended that Type 3 visuals (Photomontage/ Photowire) are provided for all the viewpoints where significant effects are identified and notably the more sensitive viewpoints of 1, 3, 4, 8 and 10. Visuals should be provided at years 1 and 15, to show the likely effectiveness of planting. As this is an outline planning application, photomontages/ photowires do not need to be overly comprehensive, however a simple 3D model showing the scale and form of the Proposed Development would assist the decision maker in understanding the nature of the potential changes.

2.74 Annotated photographs are sufficient for the viewpoints from which the changes are anticipated to be minor.

2.75 The baseline photographs presented in Appendix 10.3 are each specified as having a 90-degree horizontal field of view and are for viewing on pages at A1 size. However, it appears that some of the photograph sizes are inconsistent, so we query the accuracy of the of the viewpoint information.

Summary of Requests for Clarification / Regulation 25

2.76 Based on this review of the LVIA, it is suggested that the following requests are made for clarification:

- Clarification as to the methodology of the cumulative assessment, and why the cumulative schemes identified were included;
 - Provide greater detail on the likely landscape and visual cumulative effects;
 - Provide further information on how the judgements of overall landscape and visual effects were undertaken; and,
 - Provide further information on why the viewpoints within the LVIA were selected.
- Clarification as to what the defined study area is, both in the text and on illustrations supplied in Appendix 10.1;
 - Descriptive overview of the extent of the area outside of the Proposed Development site area that is being considered within the LVIA, i.e. the study area;
 - Clarification as to why baseline photography varies in size;
 - Provision of visuals showing the Proposed Development modelled into views (Type 3 visualisation), as opposed to baseline photography only, particularly for viewpoints identified as significant;
 - Further information on how off-site mitigation will be secured (e.g. through S106 agreement, or Planning Conditions);