

ENFORCEMENT APPEAL
LAND IN THE PEAK DISTRICT NATIONAL PARK
AT MICKLEDEN EDGE, MIDHOPE MOOR
BRADFIELD, SOUTH YORKSHIRE
APP/M9496/C/18/3215789

PROOF OF EVIDENCE
LANDSCAPE AND VISUAL IMPACT

Prepared by: **NICK LEEMING BA(Hons), Dip LA (Dist), MLI**

LEEMING ASSOCIATES LTD

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1.0 Qualifications and Experience

- 1.1 My name is Nick Leeming. I hold an Honours Degree and Diploma with Distinction in Landscape Architecture and I am a Chartered Member of the Landscape Institute. I have been practicing as a Chartered Landscape Architect for nearly 30 years.
- 1.2 I worked for landscape architecture practices in Durham, Cheltenham and Kidderminster before establishing Leeming Associates in 1996. My experience of landscape planning commissions extends throughout my career working with public and private clients on a range of developments including commercial, housing, highway schemes, leisure projects and heritage schemes and I have prepared Landscape and Visual Impact Assessments for all these types of development. I have been involved with public inquiries in the North, Midlands and the south-west of England.
- 1.3 I confirm that, to the best of my knowledge, I believe the facts as stated in my evidence to be correct, and that the opinions I have expressed represent my true and professional judgement.

2.0 Background

2.1 I was commissioned by Dunlin Ltd in October 2020 to assess the landscape and visual impact of an access track at Mickleden Edge within the Peak District National Park.

2.2 An existing moorland access track was surfaced using a proprietary polyethylene reinforcement geo-textile mesh in early 2015 following large scale rutting and damage of a maintenance route to parts of Midhope Moor.

2.3 The planning background to this appeal is common ground and I will not repeat the sequence leading to this inquiry here.

2.4 I made a site visit to assess the track on 15th October 2020. The weather was clear but later cloudy with intermittent rain.

2.5 Proof References

My evidence refers to inquiry core documents. The Statement on behalf of the Peak District National Park Authority (PDNP) as Local Planning Authority will be referred to as the 'Statement' and the Peak District National Park Planning Authority as the 'Authority'. The Peak District National Park Landscape Strategy and Action Plan will be referred to as the 'Strategy'.

3.0 Scope of Landscape and Visual Evidence

3.1 My evidence will assess the Landscape Character and Visual Impact against four stages of the development of the appeal track as follows:

- i) Landscape and visual impact of the pre-existing position (i.e. the landscape and visual impact of the pre-existing route before geo-textile matting and the current log rafts were installed).
- ii) Landscape and visual impact of the route immediately after the geo-textile matting was installed without the benefit of mitigation.
- iii) Landscape and visual impact of the route 5 years after installation of the geo-textile matting and log rafts with the benefit of partial mitigation. (Current Situation).
- iv) Landscape and visual impact of the route 10 years after installation of the geo-textile matting and log rafts with the benefit of full, appropriate mitigation.

3.2 My evidence will not repeat the details of the capital works authorised by Natural England for the Higher Level Stewardship Agreement, the subsequent timeline for implementation, methodology of installation of the appeal track, ecological issues or events leading to the enforcement notice; these issues are dealt with by other expert witnesses. Where appropriate, background or historic information will be included for clarity in my evidence.

3.3 The Secretary of State (SoS) Screening Direction considered that the appeal track would not result in significant environmental effects in the National Park and therefore an EIA was not required. My Proof of Evidence will reflect the SoS Statement of Reasons, confirming that any effect on landscape character or visual amenity in the National Park '*...would be limited and temporary*' (SoS Written Statement page 4).

4.0 Responses to PDNP Statements

- 4.1 My evidence will deal with The Peak District National Park Authority's Issue 1: Landscape Character and Appearance set out in their statement dated July 2020. My evidence will demonstrate that the general statements and observations made in the Authority's Statement are not valid and lead to the flawed conclusion that the appeal track '*...fails to respect or enhance the character of its surroundings and has a significant harmful effect on the character and appearance of the landscape.*' (Authority Statement para 4.47). My evidence will further demonstrate that the appeal track does not conflict with Landscape Planning Policy, in particular the designation of the Natural Zone.
- 4.2 The Authority fails to give a recognised methodology to establish the effects on the landscape character, appearance and visual amenity of the development in line with current best practice as set out in the Guidelines for Landscape and Visual Impact Assessment Third Edition (GLVIA3) published by the Landscape Institute and Institute of Environmental Management & Assessment. (Sept 2013).
- 4.3 The Authority's use of the term landscape 'appearance' is not recognised in the GLVIA3. My evidence interprets 'appearance' as part of the scenic quality of the landscape as one of a number of elements that make a particular landscape distinctive including physical, natural and man-made features as well as aesthetic and experiential characteristics (Ref Appendix C Methodology for Landscape Character Assessment). The Authority's Statement does not make a clear distinction between the assessment of the impact, from the appeal track, on the Landscape Character and the effect on the Visual Amenity of visitors who are sensitive receptors in the National Park.
- 4.4 My evidence will therefore establish the level of significance of the effect of the appeal track with a Landscape Character and Visual Impact Assessment according to GVLIA3 guidelines using the methodologies in Appendices C and D.
- 4.5 My evidence uses appropriate landscape techniques to address the following statements that the Authority has made dealing with the separate assessments of Landscape Character and Visual Impact. (Bold highlight by Leeming Associates)

4.6 Landscape Character

- 4.6.1 The Authority states that *'When it was laid, it wasan extremely visible feature in the landscape'* and that the route *'stood out as a stridently different and significantly intrusive and incongruous man-made feature causing **significant harm** to the scenic quality of the moorland landscape'*.(Authority's Statement page 11 /12 para 4.44). The Authority then concedes that *'it must be acknowledged that the matting has been **obscured to a degree over time** by the vegetation since it was first laid....'* (Authority's Statement page 12 para 4.45).
- 4.6.1.1 My evidence will demonstrate that in the current condition (2020), the majority of the route is not highly visible along most of the length and is well assimilated into the natural moorland with the exception of some specific areas that need appropriate remedial work. The impact of the appeal track has reduced and the degree of harm is not significantly detrimental to the scenic quality and landscape character.
- 4.6.2 The Authority state that the appeal track *'appears mainly as a grass-rich, green swathe running through the very contrasting darker heather moorland vegetation either side of the route'*. (Authority's Statement page 12 para 4.45).
- 4.6.2.1 My evidence will qualify the fact that swathes of what appear to be green, grass-rich areas (that contrast to the heather and bracken) are a common feature of this part of the moorland.
- 4.6.3 The Authority state that *'the difference in appearance is marked and this green strip has become a landscape feature which detracts considerable from the established and valued character and appearance of the dark peak moorland.'* (Authority's Statement page 12 para 4.46).
- 4.6.3.1 My evidence will demonstrate that the landscape character within the study area has similar landscape features, whether natural or man-made, and that the appeal track does not constitute a significant harmful effect on the character and appearance in this part of the National Park.

4.7 Visual impact

4.7.1 The Authority state that the development '*is **clearly visible** from the Cut Gate bridleway*' and that '*the development is also visible to the public in a **much wider area***.' (Authority Statement page 11 para 4.44) however no qualification of the extent of the '*wider area*' is given.

4.7.1.1 My evidence will quantify the extent to which the appeal track is visible and qualify the level of impact within this area including the public right of way in line with current industry guidelines set out in GLVIA3.

4.8 Planning Policy Local Development Framework Core Strategy

4.8.1 My evidence deals with landscape matters rather than directly with planning policy which is dealt with by the appellant's planning consultant however it is relevant to my evidence to refer to policies that are directly related to landscape character.

4.8.2 My evidence will demonstrate that the appeal track complies with a wide range of policies encompassed in National Planning Policy Framework (Feb 2019) policies on 'Achieving well designed spaces' paragraphs 124 and 127 and 'Conserving and enhancing the natural environment' paragraphs 170.

4.8.3 Through the LVIA assessment process my evidence will demonstrate that the appeal track supports Core Strategy Policies GSP3 Development Management Principles and Policy L1 Landscape character and valued characteristics by conserving the valued landscape character.

4.8.3.1 With regard to the characteristics for inclusion in the Natural Zone designation under Policy L1, the Authority state that '*the appeal site is located in an area of high moorland which clearly includes all of these characteristics*.' (Authority Statement page 13 para 4.48).

4.8.3.2 My evidence will demonstrate that The Authority have failed to give a balanced view and that the area within which the appeal track sits does have significant man-made features which are contrary to the Natural Zone designation.

5.0 Landscape Designations

5.1 The appeal track lies in an area of high landscape value covered by a number of international, national and local designations.

- Peak District National Park National Park
- Countryside and Rights of Way Act 2000 protects rights of way and open access land
- Designated section 3 Moorland (Wildlife and Countryside Act 1981)
- Dark Peak Site of Special Scientific Interest (SSSI)
- South Pennine Moors Special Area of Conservation (SAC)
- South Pennine Moors Phase 1 Special Protection Area (SPA)

6.0 Photographic Evidence

6.1 The following aerial, archive and recent site photographs have been used to carry out the assessment for this Proof of Evidence and are included in Appendix F.

Aerial Photographs (Google Earth)

Photograph 1	Archive Aerial Photograph Midhope Moor 1999
Photograph 2	Archive Aerial Photograph Midhope Moor 2005
Photograph 3	Archive Aerial Photograph Midhope Moor 2009
Photograph 4	Archive Aerial Photograph Midhope Moor 2018

Archive Site Photographs (Davis & Bowring / Dunlin Ltd)

Photograph 5	Pre-existing condition of route from Cut Gate PRow 2014
Photograph 6	Pre-existing condition of route 2014
Photograph 7	Pre-existing condition of route with timber structures 2014
Photographs 8, 9 and 10	After installation of appeal track July 2015

Site Photographs October 2020 (Leeming Associates)

- Photograph 11 View from appeal track at the edge of Lost Lad.
- Photograph 12 View from appeal track crossing Cut Gate PRow Bridleway.
- Photograph 13 View of assimilated log raft on appeal track.
- Photograph 14 View from appeal track on western slope looking towards Lost Lad.
- Photograph 15 View east from track to Harden Moss trig point on open moor.
- Photograph 16 View north along Cut Gate PRow Bridleway on stone pavement section.
- Photograph 17 View from eastern slope of grass area adjacent to the appeal track.
- Photograph 18 View from Gilbert Hill outside the National Park towards Hingcliff Common showing green maintenance strips on the slopes.

7.0 Guidelines for Landscape Character and Visual Impact Assessment in Nationally Valued Landscapes

(Bold highlight added by Leeming Associates)

- 7.1 The Guidelines for Landscape and Visual Impact Assessment Third Edition (GLVIA3) notes under International and National Designations:

*The criteria and terms used in making statutory designations vary and may not always be explicitly stated. If a project subject to LVIA is in or near to one of them, it is important that the baseline study should seek to understand the basis for the designation and why the landscape is considered to be of value. Great care should be taken to understand what landscape designations mean in today's context. This means determining **to what degree the criteria and factors used to support the case for designation are represented in the specific study area.*** (GLVIA page 83 para 5.23).

7.2 GLVIA guidelines state that:

‘There can be complex relationships between value attached to landscape receptors and their susceptibility to change which are especially important when considering change within or close to designated landscapes. For example:

- *An internationally, nationally or locally valued landscape **does not automatically**, or by definition, **have high susceptibility to all types of change.***
- *It is possible for an internationally, nationally or locally important landscape to have relatively low susceptibility to change resulting from the particular type of development in question, **by virtue of both the characteristics of the landscape and the nature of the proposals.***
- *The particular type of change or development proposed **may not compromise the specific basis for the value** attached to the landscape.’ (GLVIA3 page 90 para 5.46)*

and that

*‘Landscapes that are nationally designated (National Parks and AONB) will be accorded the **highest value in the assessment.** If the area affected by the proposal is on the margin of or adjacent to such a designated area, thought may be given to the extent to which it demonstrates the characteristics and qualities that led to the designation of the area. Boundaries are very important in defining the extent of designated area, but they often **follow convenient physical features** and as a result there may be land outside the boundary that meets the designation criteria and land inside that does not. ‘ (GLVIA3 page 90 para 5.47)*

7.3 This assessment has been prepared in accordance with GLVIA3 using a combination of photographs (archive and recent), desk top study and field work appropriate to the context of the proposed development and study area to establish *‘the significance of and the effects of change resulting from the*

development on both the landscape as an environmental resource in its own right and on people's views and visual amenity'. (GLVIA3 page 4/1.1)

- 7.4 The assessment of landscape character must reflect the way the landscape is experienced by users of the National Park and not confined to designations on maps. The boundary of the National Park is a line drawn on a map and is often not immediately obvious, if at all, on the ground. In the character assessment for this appeal we must consider not only the character of the National Park but the character within the study area.
- 7.5 It is important to establish the level of significance of a development against set criteria that are proportionate and appropriate to the specific site issues in an area of national importance. The Authority has made a range of statements that I dispute and I quantify and qualify here to demonstrate the significance of the development on the landscape character, scenic quality and appearance and visual amenity of this area of the National Park.

LANDSCAPE CHARACTER ASSESSMENT

8.0 Landscape Character Methodology

Refer to the full methodology in Appendix C Methodology for Landscape Character Assessment and Appendix F Photographic Evidence.

8.1 My Proof of Evidence has assessed the **significance of the effect** on the landscape character of the appeal track in the study area, during different stages as follows:

- a) **Pre-existing Character (Pre-2015).** This assesses the condition of the study area using photographic evidence available, to establish the landscape character before the geo-textile matting and current log rafts were installed.
- b) **Year 1 Character of the development immediately after installation (2015).** This assesses the condition of the study area using photographic evidence and documentation available to establish the landscape character when the geo-textile matting was first installed without any mitigation.
- c) **Year 5 Character of development after 5 Years (2020).** Following a recent site visit, this assesses any change in the landscape character since the geo-textile matting and log rafts were installed with the benefit of 5 years mitigation.
- d) **Year 10 Character of development after 10 years (2025).** This assesses any change in the landscape character after a further 5 years with full, appropriate mitigation carried out in areas where the geo-textile matting has not become vegetated and log rafts are not fully assimilated.

- 8.2 The significance of any changes in the landscape character, as a result of the appeal track in the study area has been assessed against two criteria: the **value and nature** of the landscape and the **type of the effect** on the landscape. The full methodology using current industry guidelines is given in Appendix C.
- 8.3 Criteria 1 is the **value and nature** of the landscape that gives the area a degree of **sensitivity** to change. The National Park designation affords the highest status of protection in relation to conserving landscape and scenic beauty. The Criteria 1 assessment will be the same for all stages of the development.
- 8.4 Criteria 2 is the **type of the effect** on the landscape or **magnitude** of the change as a result of the development and will vary depending on the stage of the development and success of mitigation.
- 8.5 The combined assessments of Criteria 1 and 2 give an overall rating of the significance of the impact qualified for this Proof of Evidence as high, moderate or low and these ratings may be detrimental or positive and are qualified in the Matrix Table 1 overpage. (Refer Appendix C Methodology for Landscape Character Assessment).
- 8.6 To inform the assessments for Criteria 1 and 2, the baseline Landscape Character within the study area has been studied at national, regional and local level summarised in the following Sections 9 and 10. The study area is shown on drawing 2030.01 Appendix A and includes the route of the appeal track and the wider Mickleden valley. The Landscape Character Assessments for this Proof of Evidence are given in Sections 11, 12 and 13. The impact on visual amenity is assessed in Section 14 to 17 of this Proof of Evidence.

8.7 Table 1 Matrix of Significance of an Effect on the Landscape Character.

		Value and nature of the landscape / Sensitivity to change		
		Landscape criteria		
		High Sensitivity Unique/ highly valued	Moderate Sensitivity Unremarkable / common landscape	Low Sensitivity Degraded landscape
Type of effect on the landscape (Magnitude of the change)	Highly negative effect	Very significant detrimental change in landscape character	Moderately significant detrimental change in landscape character	Low significant detrimental change in landscape character
	Moderately negative effect	Significant detrimental change in landscape character	Moderately significant detrimental change in landscape character	Low significant detrimental change in landscape character
	Low negative effect	<i>Change not significant</i>	<i>Change not significant</i>	<i>Change not significant</i>
	No significant effect	<i>Change not significant</i>	<i>Change not significant</i>	<i>Change not significant</i>
	Low positive effect	<i>Change not significant</i>	<i>Change not significant</i>	<i>Change not significant</i>
	Moderately positive effect	Significant positive change in landscape character	Moderately significant positive change in landscape character	Low significant positive change in landscape character
	Highly positive effect	Very significant positive change in landscape character	Moderately significant positive change in landscape character	Moderately significant positive change in landscape character.

9.0 Landscape Character at Regional and Local Level

9.1 The Landscape Character Assessment for this Proof of Evidence has reviewed the following baseline documents:

- Natural England National Character Areas:
NCA Profile 51 Dark Peak
NCA Profile 27 Yorkshire Southern Pennine Fringe
- The Peak District National Park Landscape Strategy and European Landscape Convention Action Plan (The Strategy)

9.2 The Strategy places the site just within the boundary of the Dark Peak Character Area (Appendix B). Approximately 2 kilometres to the north and north-east the character changes to the Dark Peak Yorkshire Fringe. Within the Dark Peak Character Area, the landscape is further sub-divided in to different Landscape Types which are 'Open Moors' and 'Moorland Slopes and Cloughs'.

9.2.1 The Dark Peak is a visually prominent landscape which covers more than half the area of the National Park and is associated with the blanket peat on the higher summits at the core of the region which is described as '*a wild unsettled landscape' on an 'extensive upland plateau with steep gritstone slopes,....., that drop away to lower lying slope, wooded cloughs and deep valleys'*.

9.3 The Strategy and the Authority state that the appeal track is '*in an elevated and prominent position in an area of open moorland'* (Authority Statement page 11 para 4.44) and that it straddles two distinct Landscape Types within the Dark Peak Character Area; 'Open Moors' and 'Moorland Slopes and Cloughs'. I do not agree that this accurately reflects the character of the appeal track or the landscape in the vicinity of the site.

9.3.1 The character area boundary and sub-areas of landscape type may be conveniently drawn on the map but the Authority has failed to assess the characteristics of this specific area. The route of the track lies completely within the Mickleden valley. My fieldwork and survey indicate clearly that the site area does not demonstrate the key characteristics of the 'Open Moor' Landscape Type but is characteristic of the 'Moorland Slopes and Cloughs' Landscape

Type. This is a fundamental flaw of the Authority's assessment of the 'Landscape First' (Authority Statement page 10 para 4.38) approach against which the Authority has assessed the potential impact of the development.

9.3.2 The appeal track sits within a defined valley of the Mickleden Beck with the following key characteristics of the Moorland Slopes and Cloughs Landscape Type as described in the Landscape Strategy and Action Plan (Strategy page 46) and shown on the Peak District Policy Map (Extract Appendix B):

- *Steep slopes and cloughs rising to moorland plateaux above*
- *.....boulders and scree slopes*
- *Rough acid grassland, bracken and heather moorland grazed by sheep*
- *Exposed views over lower ground, ... limited by clough sides.*
- *Numerous springs and flushes arising on slopes and clough sides...*

9.4 To achieve the aims of the Strategy there are particular priorities for each of the different landscape character types in the Dark Peak. For the Open Moors this includes '*... to manage **obvious linear features** such as fencing to enhance the open character.*' (Strategy page 56)

9.4.1 Fencing and linear features do not constitute a priority in the Moorland Slopes & Cloughs which concentrates on the enhancement of '*....landscape integrity and connectivity, particularly of..... controlling associated localised impacts such as footpath **erosion**, within a sustainable land management system.*' (Strategy page 56)

9.5 Experiential Qualities: Tranquillity and Openness

9.5.1 The National Character Area Profiles includes the Campaign to Protect Rural England Tranquillity Map (2006) for the Dark Peak Area (NCA 51) which gives a fairly broad-brush assessment across the whole character area.

'The highest scores for tranquillity are found on the moorland plateaux, away from centres of population and road corridors. The lowest scores for tranquillity are generally found along the western and north-western boundaries of the NCA where the main

population centres are though it is clear that when compared to adjoining NCAs the tranquillity score remains relatively high'. (NCA page 29).

9.5.2 This quality of tranquillity and peacefulness is reiterated in the Dark Peak Strategy which emphasises the Sense of Place of the Open Moor and plateau as:

The Dark Peak is famed for its desolate and exposed tracts of moorland top that stretch great distances and create a sense of remoteness. (Strategy page 43)

9.5.3 The openness is most noticeable on the Open Moor described in the Strategy as 'a largely unenclosed landscape where the lack of enclosure creates dramatic and expansive open views' (Strategy page 45). Although the Moorland Slopes and Clough valleys remain largely unenclosed, the geological landform gives the Mickleden valley a more intimate and enclosed feeling which contrasts to the open moorland.

10.0 Landscape Character at Site Specific Level

(Refer to Appendix F Photographic Evidence)

10.1 The appeal track and the study area have a number of distinctive landscape characteristics which I have identified and described below:

- The valley is an intimate scale with a strong north-south alignment in contrast to the open moorland which has '*vast panoramas*'. (Strategy page 44)
- The valley is contained on 3 sides which limits the sense of place and appearance of this area of the National Park so that you are not aware of the wider, large-scale landscape of the open moorland until you reach the very top of the valley slopes.
- Cut Gate is an historic peat route and well used public right of way (PRoW) bridleway and cycle route. Sections of the path have been

surfaced with stone slabs which has created a significant man-made addition to the landscape with no other similar surfacing in this area. The PRoW is a sunken route along large sections so that it is largely hidden on the eastern slope along Mickleden Edge. The surfaced sections are unsuitable for equestrian use, incongruously visible and dominant in the landscape at the head of the valley as it climbs to the open moor. (Photograph 16)

- The valley has a mosaic of vegetation colours and textures which contrast to the predominant peat and heather of the open moor. There are swathes of green grass amongst heather and bracken giving a distinct character of a patchwork of colours and textures in the landscape. (Photograph 17 and 18)
- Maintenance tracks across the moorland, whether dark peat and heather or green-grass, have been an obvious man-made feature and an accepted part of the moorlands landscape for access and management. The route of the appeal track has been used since 1999. Man-made tracks in relatively straight lines which contrast to the natural moorland are evident throughout the National Park as illustrated on Hingcliff and Stanny Commons above the Langsett Reservoir. (Photograph 18)
- The patchwork of burning squares on the open moor impose a very unnatural, geometric man-made pattern on the landscape.
- Tracks that follow the contours are largely hidden by heather and bracken on the valley sides but are more visible where routes cut across the contours. Tracks in the landscape vary from braided pedestrian routes to wider vehicle routes.
- Timber structures to minimise erosion on ground that is water logged or to cross watercourses have been used in the National Park for many years and use appropriate natural materials which, once weathered blend naturally into the landscape.
- Grouse shooting butts on the upper stretches of the western valley slopes are conspicuous man-made features due to their height, form and mass.

11.0 **Assessment of Sensitivity to Change of the Landscape Character against Criteria 1**

(Refer to Table 2 Assessment of stages of development against Criteria 1 Magnitude of any change in Landscape Character)

11.1 Criteria 1: The **value and nature** of the landscape that gives the study area within the National Park a degree of **sensitivity** to change.

11.2 The site of the appeal track does not demonstrate the key characteristics of 'Open Moor Character Type with *'vast panoramas over surrounding hills and lower ground'* of *'unenclosed heather and grass moorland ...'* (Strategy page 44). The appeal track lies in a transition area on the fringe of the Dark Peak Landscape Character Area. It is not characteristic of the main area of open moorland or the steep gritstone slopes but has a gentler slope and valley character which links into the Dark Peak Yorkshire Fringe area to the east.

11.3 The National Park designation affords the highest status of protection in relation to conserving landscape and scenic beauty. Therefore, the value and nature of the study area within the Peak District National Park is assessed as being **highly sensitive to change** under Criteria 1 for all stages of the development.

12.0 **Assessment of magnitude of change in the Landscape Character against Criteria 2** (Refer to Table 2 Assessment of stages of development against Criteria 1 Magnitude of any change in Landscape Character)

12.1 Criteria 2 The **type of effect** on the landscape or **magnitude of change** as a result of the development in the study area within the National Park.

12.2 This assessment of the Landscape Character applies the criteria to four stages of the development:

- A. Pre-existing Character. Prior to installation of geo-textile matting and the current log rafts. (Pre-2015)
- B. Year 1 Landscape Character immediately after installation of geo-textile matting. (2015)

- C. Year 5 Landscape Character after 5 Years with benefit of partial mitigation. (2020)
- D. Year 10 Landscape Character after 10 years with full, appropriate mitigation. (2025)

12.2.1 My evidence assesses any change in landscape character within three areas within the study area which are:

- The route of the appeal track;
- The wider landscape of the Mickleden valley;
- The wider landscape beyond the Mickleden valley on the open moor.

12.2.2 The assessment of magnitude of any change for each area is given in **Table 2 Assessment of stages of development against Criteria 1 Magnitude of any change in Landscape Character** and the combined assessments of Criteria 1 and 2 are given in **Table 3 Assessment Summary of Significance of Change in Landscape Character Quantified by Matrix Table 1**. The overall significance of change uses the highest rating of Magnitude of Change from the different areas within the study area.

12.4 Table 2 Assessment of stages of development against Criteria 1 Magnitude of any change in Landscape Character.

	Stage of Development			
	A. Pre-existing Character of study area (Pre 2015)	B. Landscape Character at Year 1 Immediately after installation of matting. (2015)	C. Landscape Character at Year 5 with benefit of partial mitigation. (2020)	D. Landscape Character at Year 10 after with full, appropriate mitigation. (2025)
Impact of appeal track route	<p>Low negative effect</p> <ul style="list-style-type: none"> Established feature as a maintenance route east to west across valley. At certain points the route takes up a wide area due to numerous vehicle tracks (particularly at the ford of the beck, on steep sections and where the ground conditions are wet.) Unightly and obviously man-made vehicle erosion along the route with bare earth and lack of any vegetation. Timber structures integral part of route over wet ground including vertical poles. 	<p>Moderately negative effect</p> <ul style="list-style-type: none"> Single track route established and clearly defined at ground level due to contrasting colour and raw material of mesh. Geo-textile matting highly visible with no vegetation established through mesh. Area of previous erosion and bare earth devoid of vegetation on either side of the track in certain areas. Crossing at Cut Gate PRoW made -up ground and matting inappropriate. 	<p>No significant effect</p> <ul style="list-style-type: none"> Route of the appeal track is visible as a single green track through the vegetation in keeping with the landscape character. Geo-textile matting and log rafts are only visible in certain short sections. The mesh has been colonised by vegetation with blurred edges and successfully assimilated into the existing vegetation along the majority of the length of the track. Short sections remain bare of appropriate vegetated and are not fully integrated. (e.g. junction with the Cut Gate PRoW) 	<p>Low positive effect</p> <ul style="list-style-type: none"> Route of the appeal track can be fully integrated and vegetated and in keeping with the landscape character. Geo-textile matting and log rafts can be successfully colonised by vegetation along the entire length of the track and sides. Specific areas of matting can be removed, re-laid and re-planted as appropriate and agreed to achieve full vegetation cover and successful mitigation.

	A. Pre-existing Character of study area (Pre 2015)	B. Landscape Character at Year 1 Immediately after installation of matting (2015)	C. Landscape Character at Year 5 with benefit of partial mitigation. (2020)	D. Landscape Character at Year 10 after with full, appropriate mitigation. (2025)
Impact on wider landscape character in the Mickleden valley	<p>Low negative effect</p> <ul style="list-style-type: none"> • Obvious man-made feature due to scale of vehicle tracks and erosion. • Route is viewed in context of significant erosion along the Cut Gate PRow which is very evident on steeper sections. • Views are focused on the wider, long distance views beyond the boundary of the National Park drawn to wind farms on horizon. • Overall character of the valley is degraded by the man-made erosion along the route and heavy erosion along the PRow. • Timber structures integral part of route over wet ground including vertical poles. 	<p>Moderately negative effect</p> <ul style="list-style-type: none"> • Route of the single track across the valley is highlighted by the visibility and colour of the mesh. • Geo-textile matting emphasises the route of track across the valley when viewed from upper valley slopes. Sections of matting sit isolated in landscape with no connection to surrounding vegetation contrasting sharply with dark vegetation around. • A man-made distraction from the natural landscape character of the valley. • Detractor in mid-distance of long views beyond National Park boundary. 	<p>No significant effect</p> <ul style="list-style-type: none"> • Geo-textile matting and log rafts along the route of the appeal track are only visible in certain short sections. • The vegetation has blurred the edges of the matting and log rafts giving the route a natural character similar to the original track of pre 2015. • Distinct areas and strips of brighter green grass reflect other similar areas in close proximity to the track. • There are no areas of bare earth or large-scale erosion by vehicles to detract from landscape character. • Other man-made routes (notably Cut Gate PRow) with stone pavement are more prominent in the valley. • Appeal track does not form a detracting feature in mid - distance of views from valley sides. Long-distance views to north outside National Park boundary are not negatively affected. 	<p>Low positive effect</p> <ul style="list-style-type: none"> • Route of the appeal track is fully integrated as a single width track and in keeping with the landscape character of the Mickleden valley. • No areas of bare earth devoid of vegetation or large-scale erosion by vehicles on steep gradients or wet areas. • Appeal track does not form a detracting feature in mid -distance of views from the valley sides. Long-distance views to north outside National Park boundary are not negatively affected.

	A. Pre-existing Character of study area (Pre 2015)	B. Landscape Character at Year 1 Immediately after installation of matting (2015)	C. Landscape Character at Year 5 with benefit of partial mitigation. (2020)	D. Landscape Character at Year 10 after with full, appropriate mitigation. (2025)
Impact on landscape character beyond Mickleden valley on open moor	<p>No negative effect</p> <ul style="list-style-type: none"> • Short sections at the east and west ends of the route are visible on the valley sides but are not a distinct feature. • No timber sections visible. 	<p>Minor negative effect</p> <ul style="list-style-type: none"> • Short sections at the east and west ends of the appeal tack are visible on the valley sides due to the high visibility of the geo-textile matting. • Most of appeal track is hidden within the Mickleden valley. 	<p>No significant effect</p> <ul style="list-style-type: none"> • Short sections at the east and west ends of the appeal tack are visible as green strips in the moorland vegetation on the valley sides but are not distinct features in the panoramic view. • Short visible sections are not an unusual or incongruous pattern in the moorland vegetation in the large scale, panoramic views. 	<p>No significant effect</p> <ul style="list-style-type: none"> • Short sections at the east and west ends of the appeal tack remain visible but are not distinct features in the large-scale panoramic views.

12.5 Table 3 Assessment Summary of Significance of Change in Landscape Character Quantified by Matrix Table 1

Assessment	A. Pre-existing Character of study area (pre 2015)	B. Landscape Character at Year 1 Immediately after installation of matting (2015)	C. Landscape Character at Year 5 with benefit of partial mitigation. (2020)	D. Landscape Character at Year 10 after with full, appropriate mitigation. (2025)
Criteria 1 Sensitivity	Highly sensitive landscape	Highly sensitive landscape	Highly sensitive landscape	Highly sensitive landscape
Criteria 2 Magnitude of Change	<p>Low negative effect</p> <p>The existing landscape will be changed in a slightly detrimental way but the change is reversible. This change may be slight overall or a significant change but within a limited area only</p>	<p>Moderately negative effect</p> <p>The existing landscape will be changed in a detrimental way but development is of a size and scale, duration and reversible nature which does not completely overshadow the original features and distinct identity of the area.</p>	<p>No significant effect</p> <p>The size and scale, duration and reversibility of the development does not change the overall character of the existing landscape.</p>	<p>Low positive effect</p> <p>The change in the existing landscape will reinforce the existing landscape character or remove detracting features so that the landscape is changed in a positive way. This change may be slight overall or a significant change but within a limited area only.</p>
Combined Significance of Change in Landscape Character	Change not significant	Significantly detrimental change	Change not significant	Change not significant

12.6 Assessment of the Pre-existing Landscape Character (Pre 2015)

[Table 2: Column A]

- 12.6.1 This assesses the condition of the study area to establish the pre-existing landscape character before the geo-textile matting was installed. Refer to Photographic Evidence Appendix F Aerial Photographs from 1999, 2005, 2009 and site photographs prior to installation of the appeal geo-textile matting pre-2015.
- 12.6.2 The photographic evidence from 1999 and up to 2005 shows a single-track route which appears to be largely vegetated with no areas of significant erosion which would visually show on the aerial photographs as bare earth. The Cut Gate PRow is clearly evident as a very direct route of bare earth running north-south along Mickleden Edge. There is no sign of erosion at the junction with the route of the track. Allowing for potential seasonal variation in vegetation cover the photographic evidence indicates no significant areas of bare earth or erosion across areas of wet ground on either side of the valley or at the ford of the beck.
- 12.6.3 By 2009 the character of the route has changed dramatically. The route is a well-established feature in the landscape with areas of erosion indicated by bare soil. One section of log raft is clearly evident on the western valley slope and shown on Site Photograph 7 from pre 2015 (Appendix F).
- 12.6.4 The type of erosion shown on Aerial Photograph 3 (2009 Appendix F) is on a much larger scale than the braided pedestrian routes that are noted as characteristic of the open moors (Strategy page 45). Unrepaired these sections may have led to further more serious and unsightly erosion.
- 12.6.5 From the Aerial Photograph 3 from 2009 (Appendix F) it is evident, and not unexpected, that the vegetation patterns were different from those present today. This may have been influenced by a number of factors including the number of sheep grazing the area, the water table and water issue patterns which are not constant factors and which change over time. In the vicinity of the route there are areas of bare earth which are not associated with the track or vehicle access.

- 12.6.6 At this stage (2009), the route, along the majority of its length, presented a scar on the intimate landscape of Moorland Slope and Clough Valley Landscape Type in the Mickleden Beck valley. The aerial photographs also indicate the scale of erosion on the Cut Gate PRow showing bare earth sections on either side of the route in 2009.
- 12.6.7 The magnitude of the change in the pre-existing landscape character (pre 2015) [Table 2: Column A] before installation of the geo-textile matting has been assessed as a '**low negative effect**'. This reflects the fact that the existing landscape has been changed in a slightly detrimental way but the change is reversible. The change is significant but within a limited area only within the Mickleden valley. Beyond the Mickleden valley, on open moorland there is no negative effect.
- 12.6.8 Table 3 gives the overall assessment of the combined Criteria 1 and 2, quantified in Matrix Table 1 which concludes that there was **no significant change in the landscape character pre 2015** as a result of the access route across Mickleden valley.
- 12.7 Assessment of the Year 1 Character of the development immediately after installation (2015). [Table 2: Column B]
- 12.7.1 This assesses the condition of the appeal track to establish the landscape character when the geotextile matting was first installed without any mitigation. Refer to Photographic Evidence Appendix F Site Photographs 2014 and 2015.
- 12.7.2 The geo-textile matting defines a distinct route across the valley. The matting is highly visible and incongruous in the landscape due to the colour, the raw condition of the new plastic material and the lack of any vegetation established through the mesh. The impact of the appeal track is exacerbated by the remaining areas of erosion and bare soil adjacent to the track which have not yet had a chance to be vegetated and assimilated into the surrounding ground.
- 12.7.3 The geo-textile matting creates a clearly defined single-track route which detracts from the landscape character of the valley and impinges on the long-distance views to the north beyond the National Park boundary.

12.7.4 The magnitude of the change in the landscape character in Year 1 immediately after installation of the geo-textile matting (2015) [Table 2: Column B] has been assessed as a '**moderately negative effect**' within the Mickleden valley but '**minor negative effect**' on the open moor. This reflects the fact that the existing landscape was changed in a detrimental way but the condition of the track was of a size and scale which did not completely overshadow the original features and distinct identity of the Mickleden valley. The impact was not assessed as 'highly negative' because the appeal track is at ground level and therefore has no vertical presence to impinge on views and block out features. In addition, the single track covers a limited area and is not one of a series of tracks spreading across the valley landscape. All these factors would increase the negative impact of the appeal track in this location.

12.7.5 Table 3 gives the overall assessment of the combined Criteria 1 and 2, quantified in Matrix Table 1 which concludes that the appeal track resulted in a **significant detrimental change in the landscape character** when it was installed in 2015 but this was limited to the Mickleden valley and did not affect the open moor.

12.8 Assessment of Year 5 Character of development after 5 Years (2020).
[Table 2: Column C]

12.8.1 Following a recent site visit, this assessment looks at any change in the landscape character since the geo-textile matting and log rafts were installed with the benefit of 5 years mitigation. Refer to Appendix F Photographic Evidence Site Photographs October 2020.

12.8.2 The appeal track has restored the route to a single track. Impact from erosion on either side is reduced to a minimum and the natural moorland vegetation has been allowed to recover and re-colonised the areas on either side of the track.

12.8.3 The Authority acknowledge the benefit of the track and state that:
(Highlight added by Leeming Associates)

*'It is very likely that the existence of a newly surfaced route, which could be used all year round, will have **reduced vehicle erosion** – both on the route itself and on the adjacent areas. That is a **benefit in terms of landscape character and appearance....'***

(Statement Page 13 para 4.50)

- 12.8.4 The appeal track has successfully assimilated into the existing mosaic of vegetation and textures along the majority of the length of the track so that the straight edges are now blurred and largely indistinguishable from the natural moorland vegetation. The sections where geo-textile mesh and log rafts are not fully integrated are limited and can be successfully further mitigated, in particular at the junction with the Cut Gate PRoW.
- 12.8.5 The colour of areas of grass in contrast to the surrounding bracken and heather is not unusual in the valley and there are areas in close proximity to the track of similar colour grass as illustrated in Site Photographs 17 and 18 Appendix F. The maintenance regime required by Natural England included fertiliser and lime to be applied to the appeal track which will have contributed to the green colour of the grass.
- 12.8.6 The man-made geometry of the appeal track is not an incongruous feature in the landscape. The Cut Gate PRoW is a significant man-made feature cutting across the grain of the landscape at the southern end of the valley which is exacerbated by the surfacing of large stone slabs that create a pavement and which is not present anywhere else in the area.
- 12.8.7 The magnitude of the change in the landscape character after 5 years with the benefit of partial mitigation (2020) [Table 2: Column C] has been assessed as a '**no significant effect**' in the Mickleden valley and on the open moor. This reflects the fact that the size and scale, duration and reversibility of the development does not change the overall character of the Mickleden valley.
- 12.8.8 Table 3 gives the overall assessment of the combined Criteria 1 and 2, quantified in Matrix Table 1 which concludes that any change in the landscape character, as a result of the appeal track, is **not significant** and has not changed the overall character of the existing landscape in this area of the National Park.

- 12.9 Year 10 Character of development after 10 years (2025)
[Table 2: Column D]
- 12.9.1 Appropriate mitigation carried out in 2021 and on-going appropriate maintenance would address areas that have failed to vegetate and may require sympathetic re-laying to encourage colonisation of the mesh and log rafts. The details of appropriate mitigation can be agreed and may be subject to a planning condition. The aim with respect to the Landscape Character and Visual Amenity of the appeal development would be to achieve full, successful assimilation into the existing mosaic of vegetation and textures along the entire length of the track.
- 12.9.2 The limited short sections where the mesh is bare and log rafts are not assimilated can be addressed with appropriate mitigation and on-going plug planting and monitoring to ensure 100% coverage of the appeal track route.
- 12.9.3 The appeal development has restored the landscape character across the Mickleden valley by ensuring that the access is limited to the defined single-track. Vehicles do not need to deviate from the route and cause unacceptable erosion thereby helping to protecting the wider landscape character.
- 12.9.4 The current vegetated track may be considered an improvement in the landscape character by restoring the track route, particularly on steep sections, to a single track, naturally vegetated condition rather than a multiple rutted and eroded track devoid of any vegetation. The Authority have acknowledged that the appeal track has reduced erosion and benefitted the landscape character and appearance (Statement page 13 para 4.50).
- 12.9.5 The magnitude of any change in the landscape character after 10 years with full mitigation (2025) [Table 2: Column D] has been assessed as a '**low positive effect**' in the Mickleden valley and '**no significant effect**' on the open moor. This reflects the potential change in the existing landscape that will reinforce the existing landscape character and **remove detracting features** so that the landscape is changed in a **positive way**. This change may be slight overall or a significant change but within a limited area only.

12.9.6 Table 3 gives the overall assessment of the combined Criteria 1 and 2, quantified in Matrix Table 1 which concludes that any change in the landscape character, as a result of the appeal track, is **not significant** and has not changed the overall character of the existing landscape in this area of the National Park.

13.0 Assessment of Significance of Impact on Landscape Character

13.1 The significance of the combined assessment of Criteria 1 and 2 given in Tables 2 and 3 above have been quantified using the Matrix Table 1 (page 12) in line with the guidance given in Appendix C Methodology of Landscape Character Assessment.

13.2 The assessment concludes that the pre-existing condition of the route (pre 2015) did **not constitute a significant change** in the landscape character of the Mickleden valley or open moor.

13.3 The most **significant detrimental change** in the landscape occurred when the geo-textile matting was initially laid in 2015 due to the high visibility of the mesh which was incongruous in the landscape due to the colour and lack of vegetation in the mesh.

13.4 However with partial mitigation after 5 years (2020), the appeal track has achieved a degree of assimilation into the landscape and does not significantly change the landscape character of the Mickleden valley. Assessed against the pre-existing landscape character prior to 2015, the appeal track in its current condition has made **no significant change in the landscape character** of the Mickleden valley or the open moor in the National Park.

13.5 It is evident that with further appropriate mitigation the appeal track can achieve a **positive improvement** in the landscape character of the Mickleden valley and therefore there will be **no overall significant change** in the character of the landscape in the Mickleden valley.

13.6 I therefore strongly refute The Authority's conclusion that the appeal development '*has a significant harmful effect on the character and appearance of the landscape*' in this area of the National Park.

VISUAL IMPACT ASSESSMENT

14.0 Visual Impact Methodology

Refer to the full methodology in Appendix D Methodology for Visual Impact Assessment and Visual Envelope Map Appendix E.

14.1 My Proof of Evidence has assessed the **significance of potential visual impact** on receptors in the National Park during four stages of the appeal development as follows:

- a) **Pre-existing Situation (pre-2015).** This assesses the visual impact of the appeal track before the geo-textile matting was installed using photographic evidence available.
- b) **Year 1 Development immediately after installation (2015).** This assesses the visual impact of the appeal track when the geo-textile matting was first installed without any mitigation using photographic evidence and documentation available.
- c) **Year 5 Development after 5 Years (2020).** Following a recent site visit this assesses the visual impact of the appeal track since the geo-textile matting and log rafts were installed with the benefit of 5 years mitigation.
- d) **Year 10 Development after 10 years (2025).** This assesses the visual impact of the appeal track after a further 5 years with full, appropriate mitigation carried out in areas where the matting has not become vegetated and log rafts are not fully assimilated.

14.2 The Proof of evidence assessment of the visual impact of the appeal track should not be completely introverted and concerned only with the values and visual aesthetics within the designation boundary. GLVIA3 states that boundaries can be largely an instrument for administration but visitors to the National Park (receptors) look beyond and over boundary lines on the ground. The appeal track must therefore be assessed, not just within the highly

valued landscape of the National Park but in the context of the wider area that it is actually viewed and experienced by receptors. The full Visual Impact Assessment Methodology is given in Appendix D.

14.3 The significance of the impact on people's views and visual amenity has been informed by two criteria:

Criteria 1: The receptors' **susceptibility** to change and value attached to particular views.

Criteria 2: The **magnitude** of the change to the person's view and visual amenity as a result of the proposed development.

14.3.1 Criteria 1 the susceptibility to change of the receptor in the landscape depends on the occupation or activity at a particular location. Within the National Park, all receptors are classed as highly sensitive as users of the public rights of way (PRoW) and anyone on the open access land. In a valued landscape GLVIA 3 states that: (Bold highlight added by Leeming Associates)

*'The value of the landscape receptors will to some degree reflect landscape designations and the level of importance which they signify, although there **should not be over-reliance on designations as the sole indicator of value**. Assessments should reflect...nationally valued landscapes (National Parks, AONB..... '*
(GLVIA3 page 89 para 5.45)

14.3.2 Criteria 2 is the **magnitude** of the change to the person's view which will vary depending on the stage of the development and success of mitigation.

14.3.3 The Visual Envelope establishes the area within which the appeal development can be seen. The views of receptors within this area are then assessed for their significance and level of visual impact which are qualified as high, moderate or low and these ratings may be detrimental or positive. (Refer Appendix D Methodology for Visual Impact Assessment).

15.0 The Visual Envelope

Ref Appendix E Visual Envelope Map

- 15.1 The visual envelope is contained by the Mickleden valley extending approximately 0.5km to the south-west across the open moor to a high point at approximately 513m AOD. Beyond this, the appeal track is completely hidden from view by landform.
- 15.2 South and along the PRow Cut Gate bridleway and cycle route, views extend for approximately 0.5km and are limited to the section of the appeal track on the edge of Lost Lad. The rising landform across Lost Lad limits views of the appeal track to the east until the bridleway user is in close proximity to the head of the track.
- 15.3 To the north down the Mickleden Beck the valley slopes curtail views of the appeal track on the valley floor but long-distance views of the Langsett area and windfarms in the north form a focus to the view. The visual assessment of this area of the National Park cannot be viewed in isolation to the surrounding countryside and settlements outside the National Park boundary. Views north from this edge of the National Park connect with the varied landscape of heavily agricultural land – field boundaries, major road network, man-made reservoirs (Underbank and Midhope) and windfarms at Carlecotes and Whitley Road.

16.0 Visual Impact Assessment of Receptors within the Visual Envelope

- 16.1 Referring to the methodology in Appendix D and the Visual Envelope Map in Appendix E, I have identified three zones within the Visual Envelope where receptors may have views of the appeal track from public rights of way and under the right to roam across open countryside. These are:
- Receptors using the appeal track or in close proximity
 - Receptors 0.5 km from the appeal track.
 - Receptors on the open moorland above the Mickleden valley.
- 16.2 A summary of the assessment is given in **Table 4 Assessment of stages of development against Criteria 2 Magnitude of potential visual impact** below.

16.3 Table 4 Assessment of stages of development against Criteria 2 Magnitude of potential visual impact.
Refer Appendix E Visual Envelope Map

	Stage of Development			
	A. Pre-existing of study area (Pre 2015)	B. Visual Impact at Year 1 Immediately after installation of matting (2015)	C. Landscape Character at Year 5 with benefit of partial mitigation (2020)	D. Landscape Character at Year 10 after with full, appropriate mitigation (2025)
Zone 1 Receptors on the route of appeal track	<p>Medium negative visual impact.</p> <ul style="list-style-type: none"> Established feature as a maintenance route east to west across valley. Unsightly and obviously man-made vehicle erosion along the route. Detracts from natural vegetation across valley Sections of timber rafts are very visible on route with vertical poles and no vegetation. 	<p>Major negative visual impact.</p> <ul style="list-style-type: none"> Geo-textile matting highly visible with no vegetation established through mesh. Receptors can potentially view the entire length of the track across the valley. Area of previous erosion and bare earth devoid of vegetation on either side of the track in certain areas. Crossing at Cut Gate PRoW made -up ground and matting inappropriate. 	<p>Medium negative visual impact.</p> <ul style="list-style-type: none"> Majority of the track is vegetated and assimilated into the existing moorland vegetation. Geo-textile matting and log rafts clearly visible in some sections and ahead as the route climbs the valley sides. Crossing at Cut Gate PRoW made -up ground and matting inappropriate. Receptors can potentially view the entire length of the track across the valley. 	<p>Minor negative visual impact.</p> <ul style="list-style-type: none"> Geo-textile matting and log rafts can be successfully colonised by vegetation along the entire length of the track and sides. Specific areas of matting can be removed, re-laid and re-planted as appropriate and agreed to achieve full vegetation cover and successful mitigation.

	A. Pre-existing of study area (Pre 2015)	B. Visual Impact at Year 1 Immediately after installation of matting (2015)	C. Landscape Character at Year 5 with benefit of partial mitigation. (2020)	D. Landscape Character at Year 10 after with full, appropriate mitigation. (2025)
<p>Zone 2</p> <p>Receptors within 0.5km of track within the valley landform where views are enclosed by the valley sides</p>	<p>Medium negative visual impact.</p> <ul style="list-style-type: none"> • Obvious man-made feature due to scale of vehicle tracks and erosion un-like pedestrian scale braided routes on open moor. • Route is viewed in context of significant erosion along the Cut Gate PRow which is very evident on steeper sections. • Views are focused on the wider, long distance views beyond the boundary of the National Park drawn to wind farms on horizon. • Sections of timber rafts are very visible on route with vertical poles and no vegetation. 	<p>Major negative visual impact.</p> <ul style="list-style-type: none"> • Geo-textile matting and log rafts highly visible across the valley when viewed from upper valley slopes. The matting is isolated in landscape with no connection to surrounding vegetation contrasting sharply with dark vegetation around. • A man-made distraction from the natural landscape. • Detractor in mid-distance of long views beyond National Park boundary. 	<p>Minor negative visual impact.</p> <ul style="list-style-type: none"> • Geo-textile matting and log rafts are only visible in certain short sections. • Appeal track does not form a detracting feature in mid - distance of views from valley sides. Long-distance views to north outside National Park boundary are not negatively affected. • Other man-made routes (PRow) with stone pavement are prominent in the valley. 	<p>No negative visual impact.</p> <ul style="list-style-type: none"> • Route of the appeal track is fully integrated as a single width track and in keeping with the landscape character of the Mickleden valley. • No areas of bare earth devoid of vegetation or large-scale erosion by vehicles on steep gradients or wet areas. • Appeal track does not form a detracting feature in mid - distance of views from the valley sides. Long-distance views to north outside National Park boundary are not negatively affected.

	A. Pre-existing of study area (Pre 2015)	B. Visual Impact at Year 1 Immediately after installation of matting (2015)	C. Landscape Character at Year 5 (2020) with benefit of partial mitigation.	D. Landscape Character at Year 10 after (2025) with full, appropriate mitigation.
Zone 3 Receptors beyond 0.5km of the track on open moor within the Visual Envelope.	No negative visual impact. <ul style="list-style-type: none"> • Panoramic views. Route of the track not discernible. • Majority of the route is hidden within the valley landform. Views are limited to the top sections at either end of route. 	Minor negative visual impact. <ul style="list-style-type: none"> • Panoramic views. Track discernible in a small section of the overall view due to the contrasting colour of the new geo-textile mesh. • Views are limited to short sections of the track at the top of either end of the route. 	No negative visual impact. <ul style="list-style-type: none"> • Panoramic views. Route is discernible in a small section of the overall view as a green grass track at top of valley slopes. 	No negative visual impact. <ul style="list-style-type: none"> • Panoramic views. Route is no longer discernible in a small section of the overall view.

17.0 Assessment of Significance of Impact on Visual Amenity

17.1 The significance of the combined assessments of Criteria 1 (Susceptibility of a receptor) and Criteria 2 (magnitude of change in a view) give an overall outcome shown in Table 4 above and summarised below.

17.2 Zone 1: Receptors using the appeal track or in close proximity.

17.2.1 The assessment concludes that the level of visual impact is most significant for people using the route of the track or in close proximity to it. When the appeal track geo-textile matting was installed (2015), the negative impact on users increased to a **'major negative visual impact'** due to the high visibility of the new mesh and the potential to view the entire length of the track across the Mickleden valley.

17.2.2 The present condition (2020) of the appeal track geo-textile matting has significantly mitigated the visual impact with substantial vegetation and assimilation into the surrounding landscape so that it is only visually obvious in certain areas.

17.2.3 The visual impact of the route will be further mitigated with appropriate planting so that in a further 5 years the potential negative visual impact will be **minor**.

17.3 Zone 2: Receptors 0.5 km from the appeal track.

17.3.1 The visual impact of the appeal track was initially high when the geo-textile matting was first installed (2015).

17.3.2 In the appeal track's current condition, the visual impact on users within half a kilometre is reduced to medium due to the surface-level nature of the development and lack of any vertical mass or bulk. Views of the Mickleden valley are not impeded nor are long-distance views north to Penistone and areas outside the National Park boundary. Views are focused on the panorama to the north outside the National Park and the track forms part of the valley floor in the foreground of these views or in the context of the valley sides.

- 17.3.3 By 2025 the appeal track will not result in any visual impact within half a kilometre of the route.
- 17.4 Zone 3: Receptors on the open moor above the Mickleden valley.
- 17.4.1 As receptors move away from the appeal track route, visual impact is significantly reduced.
- 17.4.2 When the geo-textile matting was first installed (2015) minor negative visual impact was assessed from the open moorland due to the visibility of the new mesh although the track was a very small feature in the panoramic view.
- 17.4.3 Currently receptors may view a limited section at the top at either end of the route. To the east this would be viewed in the context of the higher ground around Candlerush Edge and Pike Lowe with heather marked by the burning squares. From this location, on the open moor, the appeal track is viewed in the context of the panoramic expansive views on the open moor.
- 17.4.4 With further mitigation of the appeal track there will be no visual impact to users on the open moorland in the National Park.

LANDSCAPE PLANNING POLICY ASSESSMENT

18.0 Landscape Planning Policy

My evidence deals with landscape matters rather than directly with planning policy which is dealt with by the appellant's planning consultant however it is relevant to refer to policies that are directly related to the landscape character and visual amenity.

18.1 National Planning Policy Framework; Landscape

18.2 The key aim of the NPPF is to encourage sustainable development through three overarching objectives; economic, social and environmental. Although these three objectives are interdependent this LVIA mainly focuses on the environmental objective which the NPPF states aims:

'...to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'

18.3 The following NPPF policies are relevant to the landscape of the application site and the compliance of the proposed development with these policies is detailed in Section 19 below. (Bold highlight added by Leeming Associates)

18.4 Achieving well designed spaces

18.4.1 Paragraph 124 (Extract)

*The creation of **high quality buildings and places** is fundamental to what the planning and development process should achieve. **Good design** is a key aspect of **sustainable development**, creates **better places** in which to live and work and helps make development acceptable to communities.*

18.4.2 Paragraph 127

Planning policies and decisions should ensure that developments:

- a) will **function well** and add to the **overall quality of** the area, not just for the short term but over the **lifetime** of the development;
- b) are **visually attractive** as a result of good architecture, **layout and appropriate and effective landscaping**;
- c) are **sympathetic to local character and history**, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong **sense of place**, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- f) create places that are safe, inclusive and **accessible** and which promote health and well-being, with a **high standard of amenity for existing and future users**; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

18.5 Conserving and enhancing the natural environment

18.5.1 Paragraph 170

*Planning policies and decisions should contribute to and **enhance the natural and local environment** by:*

- a) **protecting and enhancing valued landscapes**, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) **recognising the intrinsic character and beauty of the countryside**, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

and

- d) **minimising impacts** on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- e) **preventing new and existing development from contributing to**, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution **or land instability**. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- f) **remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land**, where appropriate.

19.0 Compliance with the National Planning Policy Framework: Landscape

19.1 The appeal development complies with a wide range of policies covered by the wide scope of the NPPF policies relating to landscape.

1. The **good design** of the appeal track using geo-textile matting and log rafts to be vegetated and assimilated in to the existing landscape demonstrates appropriate and **sustainable** design acknowledged by the Authority ‘...*the matting has been obscured to a degree over time by the vegetation since it was first laid in 2014*’ (Authority Statement page 12 para 4.46). Failure of successful vegetation in specific discrete areas along the track is to be expected in any landscape works, particularly on challenging steep slopes where erosion was heavy. Small scale remedial work should successfully mitigate these areas. NPPF Paragraph 124.
2. The appeal development has addressed the unacceptable scale of erosion caused by vehicles, particularly on steep sections of the valley slopes. The rutted bare earth has been replaced, along the majority of its length, by a vegetated track which is in keeping with the landscape character and appropriate in this part of the National Park. The appeal development therefore complies with NPPF Paragraph 127:

- **function well** and added to the **overall quality of the area**
- **is visually attractive** (with the exception of discrete area to be mitigated)
- the track has been **appropriate and effective**
- is **sympathetic to the local character** and maintained the **sense of place** as demonstrated in Section 13 of this Proof of Evidence
- provide appropriate **access and amenity** for existing and future users

3. The appeal development complies with NPPF Paragraph 170 by **conserving, protecting and enhancing the valued landscape in the National Park** and **recognising the intrinsic character and beauty of the countryside** through design, extent and choice of materials and appropriate planting species along the route which have ensured (with the exception of short sections) that **detrimental impacts** on the landscape character and visual amenity have been minimised as demonstrated in this Proof of Evidence.

20.0 Local Development Framework Core Strategy

20.1 Overview of Core Strategy planning policy most relevant are:

- General Spatial Policy GSP3 Development management principles
- Core Strategy Policy L1 Landscape character and valued characteristics
- Development Management Policy Document DMC1

20.2 Core Strategy Policy GSP3 Development management principles aims to ‘...establish both principles and finer criteria for judging impacts on valued characteristics.’ The policy states (in part) that:

‘All development must conform to the following principles:

*Development must **respect, conserve and enhance all valued characteristics of the site** Particular attention will be paid to:*

A. impact on the character and setting of buildings

- B. *scale of development appropriate to the character and appearance of the National Park*
- C. *siting, landscaping and building materials*
- G. *impact on access and traffic levels*
- I. *use of sustainable building techniques*

20.3 Core Strategy Policy L1 Landscape character and valued characteristics states that:

- A. *Development must **conserve and enhance valued landscape character**, as identified in the Landscape Strategy and Action Plan, and other valued characteristics.*
- B. *Other than in exceptional circumstances, proposals for development in the Natural Zone will not be permitted*

And the citation states that:

To qualify for inclusion in the Natural Zone, areas must substantially include:

- *a quality of 'wilderness';*
- *relatively natural vegetation which is largely self-sown;*
- *few obvious signs of human influence such as field boundaries;*
- *'open country' which has particular importance for certain types of recreation associated with adventure and contact with nature;*
- *high wildlife value; comprising habitats falling within the statutory Section 3 Map (or limestone dale) definition;*
- *natural beauty, which in the opinion of the National Park Authority, is particularly important to conserve.*

20.4 Development Management Policy Document DMC1 states the requirement for 'any development proposal with a wide scale landscape impact must provide a landscape assessment with reference to the Landscape Strategy and Action Plan. The assessment must be proportionate to the proposed development and clearly demonstrate how valued landscape character, including natural beauty, biodiversity, cultural heritage features and other valued characteristics will be conserved and, where possible, enhanced taking into account:

- (i) *the respective overall strategy for the following Landscape Strategy and Action Plan character areas:Dark Peak;*

21.0 Compliance with Local Framework Policy

21.1 The appeal track has complied with Core Strategy Policy GSP3 Development Management principles through minimising impact on the character, being of appropriate scale and sitting on the line of an existing track and using sustainable building techniques with the ultimate goal that the geo-textile matting is completely covered with appropriate vegetation and the log rafts are assimilated with vegetation as far as practical. Adhering to these principles ensures that the appeal track respects, conserves and enhances the valued characteristics in this part of the National Park.

21.2 Core Strategy Policy L1 Landscape character and valued characteristics gives the criteria for an area to be included in the designated Natural Zone within the National Park. This includes the requirement of '*few obvious signs of human influence such as field boundaries*'. Whilst the Mickleden valley may include many of the criteria to be included in the Natural Zone, it is undeniably not completely devoid of man-made features and is not open moorland as demonstrated in landscape Character Assessment of this Proof of Evidence.

21.2.1 The Authority appears to consider that the appeal track represents a man-made feature that threatens the natural and remote character that is essential in the Natural Zone. However, the Authority fail to state that:

- a) The track is not a new feature and has been present in the same location across Mickleden Beck since at least 1999 and therefore has long been present as a feature in the Natural Zone.
- b) Prior to installation of the matting and logs the route of the appeal track had large areas of significant erosion and damage from vehicles which covered substantial areas of rutted, un-made track devoid of any vegetation. Unlike the small scale braided pedestrian routes found on the open moor, this erosion, particularly on the steep slopes, was an obvious and unsightly man-made feature.
- c) The Cut Gate PRow is visually and physically a far more obvious and prominent feature in the Natural Zone. The PRow has partly been surfaced with large stone slabs.

- 21.2.2 The present condition of the track (with the exception of three sections), over-laid on the original route, has greatly improved the appearance. Along the majority of the route it appears a natural part of the surface fabric partly covered by heather, bracken and a range of moorland flora and fauna. In my opinion this has reinstated the 'natural beauty' of this area of the National Park that Policy CSL1 aims to conserve.
- 21.3 This proof and LVIA complies with the requirement of Development Management Policy Document DMC1 to provide proportionate assessment of the appeal track to demonstrate the effect on the valued landscape character.


22.0 Conclusion

- 22.1 My Proof of Evidence has demonstrated through assessment, that the appeal track in its present condition (2020) does not constitute a significantly detrimental impact on the landscape or visual amenity in the Mickleden valley or the wider landscape including areas on the Dark Peak open moorland.
- 22.2 There are specific areas that have been unsuccessful where the matting has not bonded with the ground and colonisation has not achieved a satisfactory coverage of the mesh or log rafts, however this is only a small percentage of the entire track (approximately 10%). These areas can be successfully assimilated with appropriate mitigation.
- 22.3 The assessment of potential impact in a further 5 years (2025) demonstrates that the entire length of the appeal track can be successfully integrated into the Mickleden valley landscape and vegetation patterns. There would therefore be no long-term impact on the landscape character or visual amenity within the National Park.
- 22.4 Man-made tracks, strips of green sward contrasting to dark heather and bracken and timber structures are all familiar features on the fringe areas of the open moor and in valleys within the National Park. The Authority's objection concerning the appearance of the appeal track is, in my opinion unfounded and contrary to the evidence of existing landscape character.

- 22.5 My evidence has demonstrated that the nature and appearance of the appeal track is in keeping with the landscape character of the National Park and respects, conserves and enhances the intrinsic character and beauty of the National Park. The appeal track therefore complies to NPPF Policies 124, 127, 170 and Local Development Core Strategy policies L1, CSL1 and DMC1.
- 22.6 Removing the appeal track would, in my opinion, create a significant detrimental impact on the landscape character and visual amenity in this area of the National Park. This would be a major retrograde decision that would inevitably result in significant erosion on steep sections and where the ground conditions are waterlogged. The scale of erosion as seen in the pre-existing condition of the route (Pre-2015) had a significantly negative impact on the landscape character and visual amenity in the Mickleden valley.
- 22.7 Any decision regarding the next step for the appeal track must consider the impact of future erosion and balance the options. In this situation there is an achievable option that will result in a route that has been part of the valley landscape for over 20 years. Full vegetation cover over the matting would mean that there was no visual evidence of the mesh. The log rafts, which have been a feature along the route for at least 20 years, would be fully assimilated with vegetation between the logs and sides, timbers would be weathered and would not be a highly visible feature in the valley landscape.
- 22.8 The Peak District Landscape Strategy and European Landscape Convention Action Plan states that the National Park *'is a treasured landscape that has been shaped and continues to evolve through the interaction of natural and cultural forces.* '(Strategy page 5).
- 22.9 In conclusion my Proof of Evidence demonstrates that the impact on the landscape character and visual amenity as a result of the appeal track within the National Park is not significantly detrimental in its present condition. If the option of further appropriate mitigation is adopted, in a further 5 years the appeal track would conserve and positively improve the landscape character and visual amenity of the Mickleden valley and would actively prevent erosion causing detrimental impacts in the future.



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 Route of Appeal Track (Indicative only)

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43 Cleveland Terrace
Darlington
DL3 7HD
01325 481511

Client
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Project
**Appeal Mickleden Edge
Peak District National Park**

Drawing
**Appendix A
Location Plan and Study Area**

Date
Oct 2020

Scale
Not to Scale

Drawing Number
2030.01

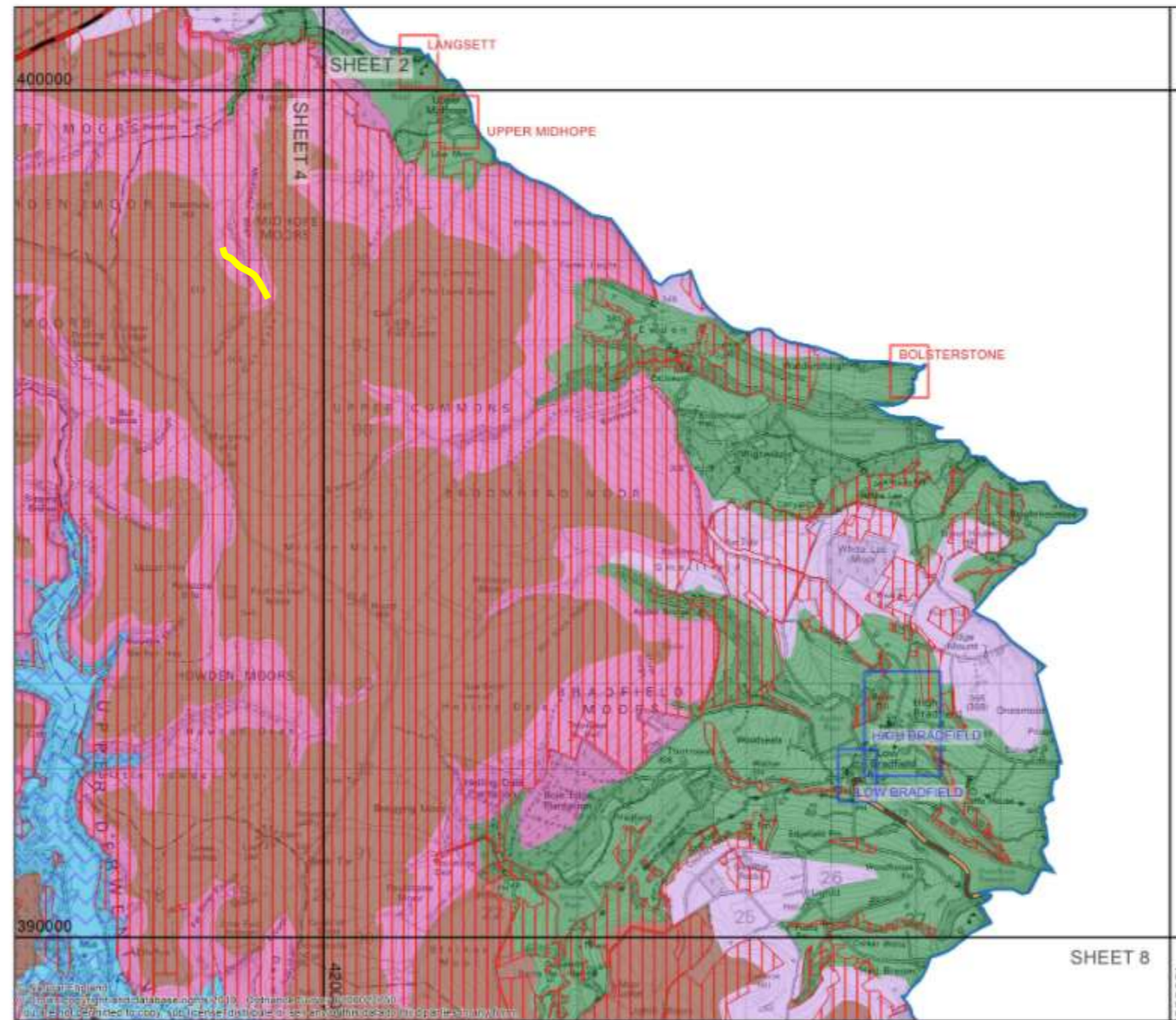
Notes:
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Appendix B Peak District National Park Interactive Policy Map: Dark Peak Character Area and Landscape Character Types (Extract from Landscape Strategy and Action Plan)

Landscape character

[Switch to other constraints](#)

Style	Legend	Policies
	DS1 Settlement	DS1
	Not DS1 Settlement	DS1
	Open Moors	
	Moorland hills and ridges	
	Moorland slopes and cloughs	
	Enclosed gritstone upland	
	Densely enclosed gritstone upland	
	Slopes and valleys with woodland	
	Reservoir valleys with woodland	
	Limestone hills and slopes	
	Limestone dales	
	Limestone plateau pastures	
	Limestone village farmlands	
	Gritstone village farmlands	
	Estatelands	
	Village farmlands on shale ridges	
	Upland pastures	
	Upper valley pastures	

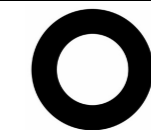


For more detail please refer to the Inset Map or the Policies Map found at www.peakdistrict.gov.uk/planning/policies-and-guides

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Route of Appeal Track (Indicative only)

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Darlington
DL3 7HD
01325 481511

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Drawing
**Appendix B Landscape
Character Assessment Extract**

Date Oct 2020	Scale Not to Scale
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Drawing Number
2030.02

Notes:
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Note: (Screen shot October 2020) Maximum enlargement.

Appendix C Methodology for Landscape Character Assessment

C1.0 Methodology

- C1.1 The scope of the Landscape Character Assessment for this Proof of Evidence has been prepared in accordance with GLVIA3 to establish *'the significance of and the effects of change resulting from the development on both the landscape as an environmental resource in its own right and on people's views and visual amenity'*. (GLVIA3 page 4/1.1)
- C1.2 The Landscape Character Assessment deals with the impact of the development in the landscape as a resource and encapsulates all the elements that make a particular landscape distinctive including physical, natural and man-made features as well as aesthetic and experiential characteristics. The assessment uses a combination of desk top study including archive photographs and field work appropriate to the context of the proposed development and study area.
- C1.3 The significance of changes on the landscape, as a result of the development in the study area have been informed by two criteria:
- Criteria 1: The **value and nature** of the landscape gives the area a degree of **sensitivity** to change;
 - Criteria 2: The **type of the effect** on the landscape or **magnitude** of the change as a result of the proposed development.
- C1.4 The judgements of criteria 1 and 2 (i.e. value and effect on the landscape) are combined to give an overall rating of significance qualified for this Proof of Evidence as high, moderate or low. The assessment of magnitude uses the highest value rating where different areas, within the study area, are assessed. These ratings may be detrimental or positive and are further explained in the following Tables 5, 6 and 7 below.

C1.5

Table 5. **Criteria 1 Value and nature** (sensitivity) of the landscape to change has been assessed against the following criteria:

Rating	Criteria
HIGH SENSITIVITY	
Unique and highly valued landscape that is highly sensitive to change	A landscape that contains rare features recognised nationally, regionally or locally which are not found in areas adjacent to the area.
	The overall character of the landscape would be greatly changed by new development so that the special features in the landscape are no longer the dominant elements that give the landscape its character and identity (baseline).
Example	Nationally designated National Parks , AONB, local authority designated Area of Special Landscape Value, Conservation Areas.
MODERATE SENSITIVITY	
Unremarkable or common landscape that is moderately sensitive to change	A landscape that has no special designated features that deserve national, regional or local recognition.
	A landscape that has a number of elements which detract from the natural elements of the countryside.
	A landscape within which new development would not result in a significant change in the character of the existing (baseline) landscape.
Example	Undesignated or designated countryside around a built-up area with detracting features such as electricity pylons.
LOW SENSITIVITY	
Degraded landscape that has low sensitivity to change	A landscape with few distinctive features that make it different to adjacent areas, unremarkable in the local area.
	A landscape subject to piecemeal development so that there is no distinct character or identity.
	A landscape with a number of elements that detract from the countryside including transport routes, pylons, large man-made structures.
	A landscape within which new development would not result in a noticeable change in the character of the existing (baseline) landscape.
Example	Brown field sites on the edge of settlement.

C1.6 The assessment of the **type of effect** on the landscape may be detrimental or positive and include a judgement on the size and scale, duration and reversibility of the proposed development.

C1.6.1 Table 6. **Criteria 2 Type of effect** (magnitude) of the change in the existing or pre-existing landscape has been assessed against the following criteria:

Rating	Criteria
Highly negative effect	The existing landscape will be changed significantly in a detrimental way due to the loss or introduction of elements that are out of size and scale, permanent and have limited opportunity to restore the existing landscape on expiry.
Moderately negative effect	The existing landscape will be changed in a detrimental way but development is of a size and scale, duration and reversible nature which does not completely overshadow the original features and distinct identity of the area.
Low negative effect	The existing landscape will be changed in a slightly detrimental way but the change is reversible. This change may be slight overall or a significant change but within a limited area only.
No significant effect	The size and scale, duration and reversibility of the development does not change the overall character of the existing landscape.
Low positive effect	The change in the existing landscape will reinforce the existing landscape character or remove detracting features so that the landscape is changed in a positive way. This change may be slight overall or a significant change but within a limited area only.
Moderately positive effect	The existing landscape will be changed in a positive way balanced with retention of its original features.
Highly positive effect	The change in the existing landscape will reinforce the existing landscape character, remove detracting features and /or restore lost features so that the landscape is changed over a wide area in a permanent and positive way.

- C1.7 The combination of the above criteria; **value and nature** (sensitivity) of the landscape and **type of effect** (magnitude), are used to give an overall assessment of significance of change on the landscape character. Only ratings of high or moderate are considered to give rise **to a significant outcome** which would have a discernible impact on the landscape.
- C1.8 The landscape character assessment looked at potential significance of the effect on the landscape during different stages as follows:
- a) **Pre-existing Character (Pre 2015)**. This assess the condition of the study area using photographic evidence available, to establish the landscape character before the geo-textile matting was installed.
 - b) **Year 1 Character of the development immediately after installation (2015)**. This assesses the condition of the study area using photographic evidence and documentation available to establish the landscape character when the geo-textile matting was first installed without any mitigation.
 - c) **Year 5 Character of development after 5 Years (2020)**. Following a recent site visit, this assesses any change in the landscape character since the geo-textile matting and log rafts were installed with the benefit of 5 years mitigation.
 - d) **Year 10 Character of development after 10 years (2025)**. This assesses any change in the landscape character after a further 5 years with full, appropriate mitigation carried out in areas where the geo-textile matting has not become vegetated and log rafts are not fully assimilated.
- C1.9 Table 7. In this LVIA the significance of an effect on the landscape is quantified in the matrix on the following page: (This table is repeated in the main body of my Proof of Evidence as Table 1)

		Value and nature of the landscape / Sensitivity to change		
		Landscape criteria		
		High Sensitivity Unique/ highly valued	Moderate Sensitivity Unremarkable / common landscape	Low Sensitivity Degraded landscape
Type of effect on the landscape (Magnitude of the change)	Highly negative effect	Very significant detrimental change in landscape character	Moderately significant detrimental change in landscape character	Low significant detrimental change in landscape character
	Moderately negative effect	Significant detrimental change in landscape character	Moderately significant detrimental change in landscape character	Low significant detrimental change in landscape character
	Low negative effect	<i>Change not significant</i>	<i>Change not significant</i>	<i>Change not significant</i>
	No significant effect	<i>Change not significant</i>	<i>Change not significant</i>	<i>Change not significant</i>
	Low positive effect	<i>Change not significant</i>	<i>Change not significant</i>	<i>Change not significant</i>
	Moderately positive effect	Significant positive change in landscape character	Moderately significant positive change in landscape character	Low significant positive change in landscape character
	Highly positive effect	Very significant positive change in landscape character	Moderately significant positive change in landscape character	Moderately significant positive change in landscape character.

Appendix D Methodology for Visual Impact Assessment

D1.0 Methodology

D1.1 This Visual Impact Assessment deals with the potential visual impact of the development on people's views and visual amenity through a combination of desk top study, archive photograph evidence and field work appropriate to the context of the development and study area.

D1.2 A site visit was carried in October 2020 to establish the visual envelope which provides the theoretical zone within which the development may be seen and has the potential to result in an impact on a view from a particular location or impact on the visual amenity of a receptor.

D1.2.1 The visual impact, as a result of the development, must be of a degree to be 'significant' and change the view so that the difference can be detected and visible to the receptor with the naked eye. The significance of the impact on people's views and visual amenity has been informed by two criteria:

Criteria 1: The receptors **susceptibility** to change and value attached to particular views.

Criteria 2: The **magnitude** of the change to the persons view and visual amenity as a result of the proposed development.

D1.3 Susceptibility of receptors

D1.3.1 Visual impact was assessed from all potential locations of receptors within the visual envelope on public rights of way and on open access land. The high susceptibility of visual receptors within the Visual Envelope reflects the recreational activity of people visiting the National Park and the extent to which their attention and interest is focused on views and visual amenity at a particular location.

D1.3.2 Receptors are considered to be highly susceptible to changes in views and visual amenity if they are residents at home, users of public rights of way, bridleway and outdoor recreation areas, visitors to heritage assets and attractions and users on scenic transport routes.

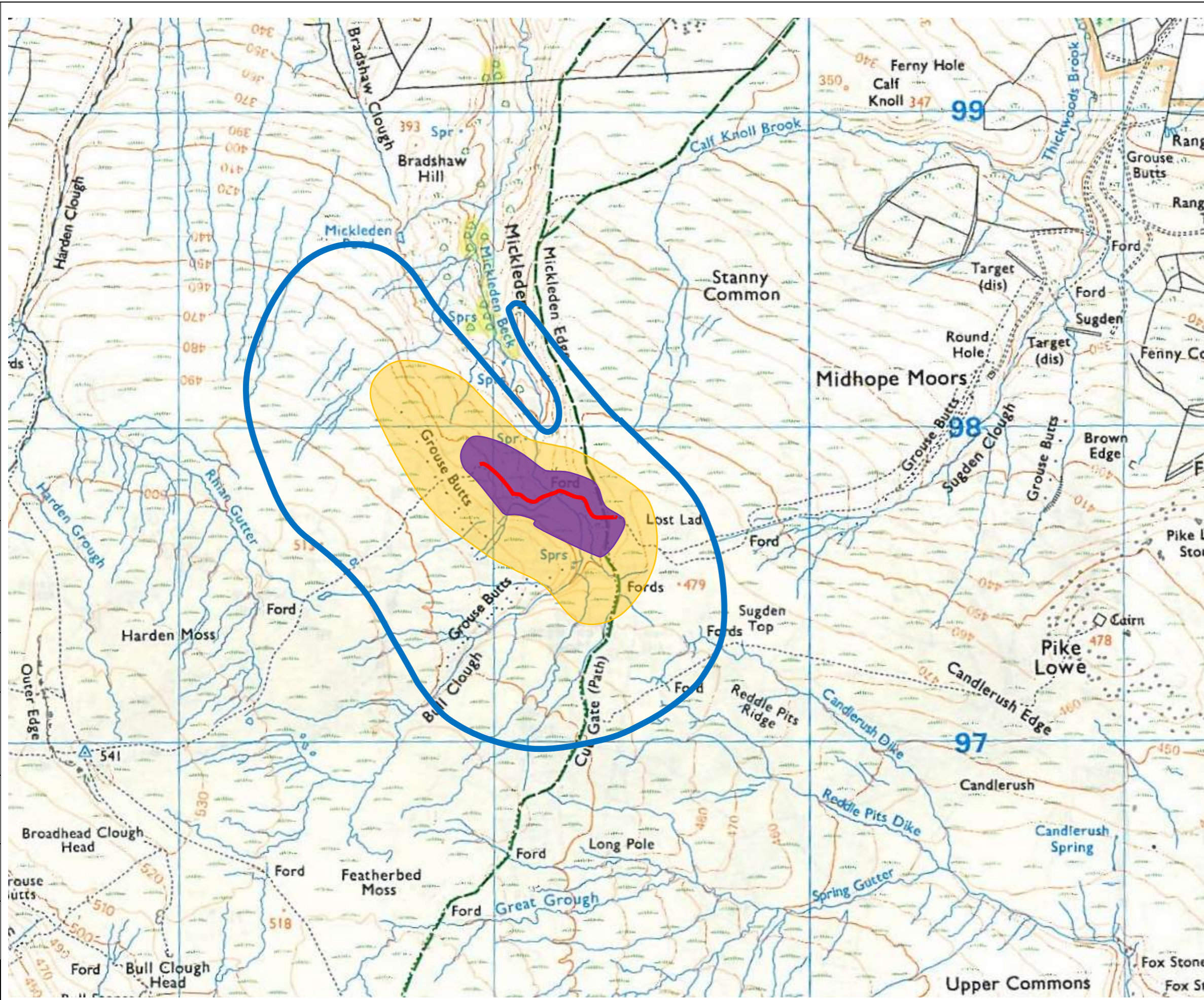
- D1.3.3 In contrast the following receptors are considered less susceptible; people at work, people taking part in outdoor activities not dependent on views in the landscape and commercial vehicle transport users.
- D1.4 Magnitude of change in view or visual amenity
- D1.4.1 Views of the development were identified during the site visit and the view was assessed for the **magnitude of change**. This may be detrimental or positive as follows:
- **Major negative visual impact:** The existing view will be significantly changed in character in a detrimental way with the introduction of objects that are not natural or characteristic of the area.
 - **Medium negative visual impact:** The existing view will be changed in character in a detrimental way but only a limited view is affected.
 - **Minor negative visual impact:** The existing view will be changed slightly in character in a detrimental way. This change may be slight overall due to distance from the site or a significant change but within a limited view only.
 - **No visual impact.** No change in visual character of existing views.
 - **Minor positive visual impact.** The change from the existing view will be altered significantly in character in a positive way.
 - **Medium positive visual impact.** The change from the existing view will be altered in character in a positive way but only within a limited view.
 - **Major positive visual impact.** The existing view will be changed slightly in character in a positive way.
- D1.5 The combination of the criteria of **susceptibility of the receptor** and the **magnitude of the change** to the view and visual amenity, are used to give an overall assessment of significance of the visual impact. Only judgements of major or moderate are considered to give rise to a **significant outcome** which would have a discernible impact on the receptor.

D1.6 The visual impact assessment used the following parameters in accordance with GLVIA3 guidance.


- The assessment reflects winter vegetation which is seasonally the worst-case scenario with lack of foliage on deciduous trees
- Potential views from users of public rights of way were assessed from approximately 1.5 to 1.7 metres and horse riders, on dedicated public bridleways, from approximately 2.4 metres above ground level. Public rights of way were not assessed for potential night time intrusion from illumination.

D1.7 The visual assessment has assessed the **significance of potential visual impact** on receptors in the National Park during different stages of the development as follows:





- a) Pre-existing Situation (pre 2015).** This assesses the visual impact of the route before the geo-textile matting was installed using photographic evidence available.
- b) Year 1 Development immediately after installation (2015).** This assesses the visual impact when the geo-textile matting was first installed without any mitigation using photographic evidence and documentation available.
- c) Year 5 Development after 5 Years (2020).** Following a recent site visit this assesses the visual impact of the appeal track since the geo-textile matting and log rafts were installed with the benefit of 5 years mitigation.
- e) Year 10 Development after 10 years (2025).** This assesses the visual impact of the appeal track after a further 5 years with full, appropriate mitigation carried out in areas where the geo-textile matting has not become vegetated and log rafts are not fully assimilated.



KEY

 Route of Appeal Track (Indicative only)

Visual Impact Assessment

-  Visual Envelope
Theoretical zone within which development may be seen.
-  Zone 1: Receptors on the appeal track or in close proximity.
-  Zone 2: Receptors within 0.5km of the appeal track.
-  Zone 3: Receptors beyond 0.5km of the appeal track.



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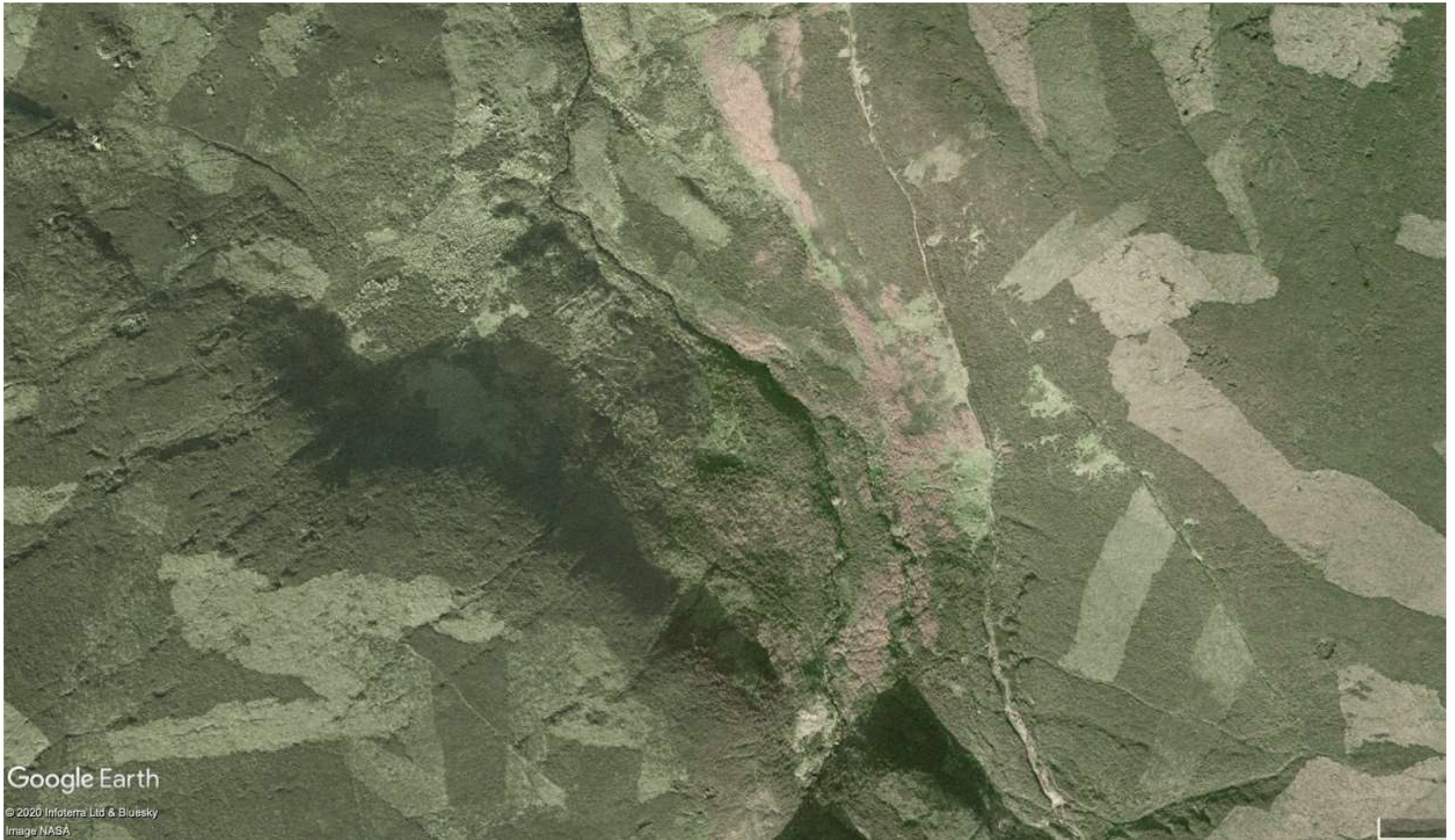
Drawing
**Appendix E Visual Envelope
Map & Photograph Locations**

Date
Oct 2020

Scale
Not to scale

Drawing Number
2030.03

Notes:
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Photograph 1 Archive Aerial Photograph Midhope Moor 1999 (Google Earth)



Photograph 2 Archive Aerial Photograph Midhope Moor 2005 (Google Earth)



Photograph 3 Archive Aerial Photograph Midhope Moor 2009 (Google Earth)



Photograph 4 Historic Aerial Photograph Midhope Moor 2018 (Google Earth)



Photograph 5 Pre-existing condition of route from Cut Gate PRoW Pre 2015 (Photograph by Davis & Bowring / Dunlin Estate)



Photograph 6 Pre-existing condition of route Pre 2015 (Photograph by Davis & Bowring / Dunlin Estate)



Photograph 7 Pre-existing condition of route with timber structure Pre 2015 (Photograph by Davis & Bowring / Dunlin Estate)



Photograph 8 After installation of appeal track July 2015 (Photograph by Davis & Bowring)



Photograph 9 After installation of appeal track September 2015 (Photograph by Davis & Bowring)



Photograph 10 After installation of appeal track July 2015 (Photograph by Davis & Bowring)



Photograph 11 View from appeal track at the edge of Lost Lad (Oct 2020)



Photograph 12 View from appeal track crossing Cut Gate PRow Bridleway (Oct 2020)



Photograph 13 View of assimilated log raft on appeal track (Oct 2020)



Photograph 14 View from appeal track on western slope looking towards Lost Lad (Oct 2020)



Photograph 15 View east from track to Harden Moss trig point on open moor (Oct 2020)



Photograph 16 View north along Cut Gate PRow Bridleway showing stone pavement section. (Oct 2020)



Photograph 17 View from eastern slope of grass area adjacent to the appeal track (Oct 2020)



Photograph 18 View from Gilbert Hill outside National Park towards Hingcliff Common showing green maintenance strips on the slopes (Oct 2020)