

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 - SUMMARY
LANDSCAPE AND VISUAL IMPACT

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For: THE APPELLANT

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1.0 Introduction

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 was commissioned by Dunlin Ltd in October 2020 to assess the landscape and visual impact of the appeal development within the Peak District National Park.

2.0 Scope of Landscape and Visual Evidence

2.1 My evidence will assess the Landscape Character and Visual Impact against four stages of the development using archive and recent photographic evidence, documentation and site survey, as follows:

- i) **Pre-existing (Pre-2015).** This assesses the condition of the study area before the geo-textile matting and the current log rafts were installed.
- ii) **Year 1 Appeal track immediately after installation (2015).** This assesses the condition of the study area when the geo-textile matting was first installed without any mitigation.
- iii) **Year 5 Appeal track after 5 Years (2020).** Following a recent site visit, this assesses any change since the geo-textile matting and log rafts were installed with the benefit of 5 years mitigation.
- iv) **Year 10 Appeal track after 10 years (2025).** This assesses any change 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.

2.2 My evidence has assessed the significance of the effect of the appeal track on the landscape character and visual amenity in accordance with current best practice with particular reference to assessment in a nationally valued landscape.

2.3 The Secretary of State did not consider that the appeal track would 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 and visual amenity '*...would be limited and temporary*' (SoS Written Statement page 4).

3.0 Responses to PDNP Statements

3.1 My evidence will deal with The Peak District National Park Authority's Issue 1: Landscape Character and Appearance set out in their Statement (July 2020) and 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 results in significant harm. My evidence will further demonstrate that the appeal track does not conflict with Landscape Planning Policy, in particular the designation of the Natural Zone.

4.0 Landscape Character Assessment

4.1 My Evidence has assessed the significance of the effect on the landscape character of the appeal track against the combined assessments of two criteria: **the value and nature** that gives the area a degree of **sensitivity** to change and the **type of the effect** on the landscape or **magnitude** of the change as a result of the development.

4.2 Regionally the site lies within the Natural England National Character Area 51 Dark Peak which is encapsulated in The Peak District National Park Landscape Strategy and European Landscape Convention Action Plan Strategy.

4.2.1 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'. I do not agree with the Authority's assessment that the appeal track straddles these two distinct Landscape Types. In my opinion the appeal track is contained within the Mickleden valley landform and is not characteristic of the open moor.

4.2.2 The **value and nature** of the landscape is reflected in the National Park designation and is therefore assessed as being **highly sensitive to change**.

4.3 The **type of effect** on the landscape or **magnitude** of change as a result of the appeal track was assessed against four stages of the development as follows:

4.3.1 Pre-existing Character (Pre-2015).

Low negative effect reflecting the fact that the existing landscape will be changed in a slightly detrimental way but that change is within a limited area.

4.3.2 Year 1 Landscape Character immediately after installation of geo-textile matting (2015).

Moderately negative effect reflecting the fact that 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.

4.3.3 Year 5 Landscape Character with benefit of partial mitigation (2020).

Low negative effect reflecting the fact that the size and scale, duration and reversibility of the development does not change the overall character of the existing landscape.

4.3.4 Year 10 Landscape Character with full, appropriate mitigation (2025).

Low positive effect reflecting the fact that 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 and that this change is within a limited area only.

4.4 The **significance of the effect** of the combined assessments of the above criteria conclude that:

4.4.1 The pre-existing condition of the route (pre 2015) did **not constitute a significant change** in the landscape character of the Mickleden valley.

4.4.2 When the appeal track was initially laid in 2015 the effect of the raw geo-textile matting, devoid of vegetation resulted in a **significant detrimental change** in the landscape character in the Mickleden valley.

4.4.3 After 5 years with partial mitigation (2020) the appeal track has achieved a degree of assimilation into the landscape and has made **no significant change in the landscape character** of the Mickleden valley.

- 4.4.4 It is evident that with further appropriate mitigation the appeal track can achieve a **positive improvement** in the landscape character and therefore there will be **no overall significant change** in the landscape character in the Mickleden valley.
- 4.4.5 I therefore strongly refute The Authority's conclusion that the appeal track *'has a significant harmful effect on the character and appearance of the landscape'*.

5.0 Visual impact Assessment

- 5.1 My evidence has established the Visual Envelope and the views of receptors have been assessed during four stages of the appeal development.
- 5.2 Within the National Park, all receptors are classed as highly sensitive as users of the public rights of way (PRoW) and anyone on open access land.
- 5.3 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. South and along the Cut Gate PRoW, views extend for approximately 0.5km and are limited to the section of the appeal track on the edge of Lost Lad. To the north, down the Mickleden 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.
- 5.4 My assessment has identified three zones within the Visual Envelope where receptors have views of the appeal track and concludes that:
- 5.4.1 Zone 1: Receptors using the appeal track or in close proximity.
The level of visual impact is most significant in this zone. When the geo-textile matting was installed (2015), the negative impact increased to a **'major negative impact'** due to the high visibility of the mesh and the view along the entire length of the track. The present condition (2020) of the geo-textile matting with substantial vegetation colonisation has significantly mitigated the visual impact. The visual impact will be further mitigated with appropriate planting so that in a further 5 years the potential negative visual impact will be **minor**.

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

The visual impact was initially high when the geo-textile matting was first installed (2015) but has significantly reduced in the current condition. Views are focused on the panorama to the north outside the National Park. By 2025 the appeal track will not result in any visual impact within this zone.

5.4.3 Zone 3: Receptors on the open moor above the Mickleden valley.

When the track 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. Currently receptors may view a limited section at the top at either end of the route. With further mitigation there will be no visual impact to users on the open moorland in the National Park.

6.0 In conclusion my evidence demonstrates that the impact on the landscape character and visual amenity 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.