



Proof of Evidence of Mark Steele BA DipLD CMLI (for the Applicants) on Landscape and Visual

Call-in by the Secretary of State of an application made by Omega St Helens / TJ Morris Limited

Land to the West of Omega South & South of the M62, Bold, St Helens

Local Planning Authority Reference: P/2020/0061/HYBR

Planning Inspectorate Reference: APP/H4315/V/20/3265899

CD38.1

March 2021

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1.0 Introduction

1.1 Experience

1.1.1 My name is Mark Steele BA DipLD CMLI and I am a fully qualified landscape architect and a chartered member of the Landscape Institute. I have over thirty years' experience of landscape planning and design in Great Britain, Ireland, Australia and Hong Kong.

1.1.2 I established Mark Steele Consultants Limited (MSC) in 2007 and have given landscape and visual evidence at over eighty planning inquiries relating to commercial, retail, residential, windfarm and mineral planning applications.

1.2 Appointment and Scope

1.2.1 Barton Howe Associates (BHA) prepared the Landscape and Visual Impact Assessment (LVIA) for ES Chapter 10: *'Landscape and Visual'* (**CD33.58**) in accordance with *'Guidelines for Landscape and Visual Impact Assessment – 3rd Edition'* (GLVIA3) (**CD4.131**).

1.2.2 BHA and MSC (as well as PlaceOnEarth, who prepared the Omega Zone 8 landscape drawings and management plans) are part of the LEEF Landscape Network, a group of independent chartered landscape architects who work together to offer collective experience, skills and resources. With a view to potentially preparing evidence and appearing at this call-in inquiry, I was asked by BHA to review ED Chapter 10: *'Landscape and Visual'* (**CD33.58**) and relevant associated documents as well as undertake an initial virtual visit to the site so as to understand the potential landscape and visual impact of the proposed Omega Zone 8 development.

1.2.3 I subsequently undertook fieldwork on 17th February 2021 and visited the site, ES Chapter 10 Photo Viewpoints, visualisation locations and representative landscape/visual receptors (from publicly accessible locations). I undertook a second visit on 11th March.

1.2.4 The evidence which I have prepared and provide for this called-in planning application proof of evidence is true to the best of my knowledge and has been prepared and is given in accordance with the guidance of my professional institute. I also confirm that the opinions expressed are my true and professional opinions.

1.3 *Proof of Evidence Structure*

1.3.1 Following this introduction, Section 2 of my Proof of Evidence will address the existing landscape resource. It will also identify agreed landscape and visual matters as well as landscape and visual concerns raised in the St Helens Council Committee Report (**CD35.1**).

1.3.2 Section 3 will address points of clarification as well as the landscape and visual concerns raised in the St Helens Council Committee Report (**CD35.1**).

1.3.3 Finally, Section 4 will summarise the PoE findings, provide an overview and draw conclusions.

1.3.4 Appendix A (**CD38.1C**) will include graphic material and photographs that illustrate the issues discussed in sections 2 and 3.

1.4 *Documents*

1.4.1 My Proof of Evidence will refer to the following documents in particular:

- **CD33.58** 'OPP DOC.11.10 For Approval ES VOL 1 CHAP 10 LANDSCAPE & VISUAL' (WSP, December 2019);
- **CD33.94** 'OPP DOC.11.23A For Approval ES VOL 2 APPENDIX 10.1 SCHEDULE OF VISUAL EFFECTS' (WSP, December 2019);
- **CD33.95** 'OPP DOC.11.23B For Approval ES VOL 2 APPENDIX 10.2 LVIA PHOTOSHEETS' (WSP, December 2019);
- **CD33.150** 'OPP DOC.15 For Approval OMEGA ZONE 8 VISUALISATION METHOD STATEMENT' (WSP, December 2020);

- **CD33.149** ‘OPP DOC.14 For Approval Landscape Strategy’ (WSP, December 2019);
- **CD33.79** ‘OPP DOC.11.22D For Approval ES VOL 2 APPENDIX 09.05 TREE PRESERVATION ORDERS’ (WSP, December 2019);
- **CD2.1** ‘St Helens Unitary Development Plan’ (SHC, September 2007);
- **CD3.18** ‘St Helens Submission Draft Local Plan (2020-2035)’ (SHC, January 2019);
- **CD43.7** ‘St Helens Borough Local Plan 2020-2035 Submission Draft Policies Map’ (SHC, January 2019);
- **CD3.5** ‘St Helens Borough Local Plan 2020-2035 Green Belt Review’ (SHC, December 2018);
- **CD43.1** ‘Bold Forest Park Area Action Plan’ (SHC, July 2017);
- **CD43.1** ‘Bold Forest Park Policies Plan’ (SHC, July 2017);
- **CD35.1** ‘St Helens Council Committee Report’ (SHC, 27th October 2020);
- **CD4.133** ‘National Character Area 60: Merseyside’ (Natural England, 2013);
- **CD4.134** ‘Landscape Character Assessment for St Helens’ (SHC/LUC, 2006);
- **CD3.15** ‘Warrington: A Landscape Character Assessment’ (Warrington Borough Council, 2007);
- **CD43.6** ‘Merseyside Historic Characterisation Project’ (Museum of Liverpool/English Heritage, December 2011);
- **CD43.55** ‘Tree Preservation Orders and Trees in Conservation Areas Guidance’ (Ministry of Housing, Communities and Local Government, 6th March 2014); and
- **CD4.131** ‘Guidelines for Landscape and Visual Impact Assessment – 3rd Edition’ (LI & IEMA, 2013).

2.0 ES Chapter 10 and St Helens Council Committee Report

2.1 Existing Landscape Resource

2.1.1 ES Chapter 10: ‘Landscape and Visual’ (**CD33.58**) section 10.3 ‘Baseline Conditions’ provides a comprehensive description of the existing landscape resource with reference to:

- National Landscape Character 60: ‘Mersey Valley’;

- Borough Landscape Character Type 5: *'Wooded Former Estate'* (specifically Landscape Area WFE 4 Hold Hall);
- Borough Landscape Character Type 7: *'Floodplain Farmland'* (specifically Landscape Areas FF3 *'Clock Face Farming'* and FF4 *'Bold Heath'*);
- the Local Landscape Character (as described in ES Chapter 10 **(CD33.58)** table 10-2); and
- the *'Merseyside Historic Landscape Characterisation Project'*.

2.1.2 The extent of the Borough Landscape Character Types is defined in *'Landscape Character Assessment for St Helens'* **(CD4.134)** Figure 8.

2.1.3 Regarding the *'Landscape Character Assessment for St Helens'* **(CD4.134)** analysis for Landscape Area WFE 4 Hold Hall, ES Chapter 10 **(CD33.58)** paragraph 10.3.6 quotes comments on negative features including:

- *'separation and fragmentation...by route of M62'*; and
- that *'whilst the towers at Fiddlers Ferry form a series of dramatic features in views from the landscape, they do impose an industrial character on the rural landscape'*.

The Fiddlers Ferry 114m high cooling towers and 200m high chimney are visually prominent features within the landscape (ES Appendix 10.2 **(CD33.95)** Photo Viewpoints P8 and P9 and PoE Appendix A **(CD38.1C)** Figure G). However, since the preparation of the ES, the Fiddlers Ferry power Station has closed and is due to be demolished by 2027.

2.1.4 *'Landscape Character Assessment for St Helens'* **(CD4.134)** Figure 8 also illustrates the limited scale of development to the west of LCT WFE4 in 2006 within the area now occupied by the Omega Business Park, as discussed in ES Chapter 10 **(CD33.58)** paragraph 10.6.2.

2.1.5 PoE Appendix A (**CD38.1C**) Figures B and C illustrate the scale of change to the landscape resource that has occurred following the development of the Omega Business Park.

The *'St Helens Borough Local Plan 2020-2035 Green Belt Review Appendix B-C part 5'* (**CD3.5**) acknowledges this change, where the Green Belt Sub-Parcel GBP_076_C assessment for Green Belt Purpose 3: *'To assist in safeguarding the countryside from encroachment'* confirms that *'The sub-parcel contains no inappropriate development and has open views across the sub-parcel, but is bordered by large scale built development at Omega South and the M62, therefore only has a moderate countryside character.'*

This point is reiterated in the assessment of *'Overall significance of contribution to Green Belt Purposes'*.

PoE Appendix A (**CD38.1C**) Figures D to F illustrate the *'large scale build development at Omega South'* in views from the Warrington Road to Gorse Lane Public Right of Way (PRoW) and the proposed development site.

2.1.6 In addition, further changes to the characteristics of the LCT are anticipated by the green belt release proposed by the *'St Helens Borough Local Plan 2020-2035 Green Belt Review'* (**CD3.5**) and the *'St Helens Submission Draft Local Plan (2020-2035)'* (**CD3.18**). When developed, the eastern part of the LCT will have the same characteristics as the adjacent commercial development within Omega South. The anticipated change to the green belt boundary will similarly have an effect on the character of the LCT by reason of that change and the built development that it will entail.

2.1.7 The landscape character context of the proposed development site has changed substantially due to the development of the Omega Business Park and this has had an indirect effect on the baseline landscape characteristics of the host LCT. The existing woodland belt on the western boundary of Omega South largely screens the visually

intrusive service areas surrounding the buildings but does not fully screen the buildings (which are visible from the PRoW at ES Appendix 10.2 **(CD33.95)** Photo Viewpoint P4: Footpath F7, Bold Heath, ES Appendix 10.2 **(CD33.95)** Visualisation: Additional View 4 and PoE Appendix A **(CD38.1C)** Figure D).

2.1.8 Furthermore, the development of the proposed green belt release would have a direct effect on the baseline landscape characteristics of the host LCT. The proposed green belt release area is relatively narrow. The extent of any proposed mitigation is presently not clear, but it may reasonably be anticipated that the mitigation planting between existing woodlands would not be materially greater in width and efficacy to the existing woodland planting adjacent to Omega South. The extent of the landscape buffer indicated on the ES Landscape Strategy **(CD33.149)** is substantially greater than the existing landscape buffer to Omega South or the potential landscape buffer for the current green belt release.

2.1.9 In my opinion, the effects of the proposed development should be considered in the context of this substantial existing and proposed change to the landscape resource.

2.2 *Environmental Statement Chapter 10: 'Landscape and Visual'*

2.2.1 ES Chapter 10 **(CD33.58)** paragraphs 10.2.14 to 10.2.25 set out the methodology for the assessment of landscape and visual effects. Committee Report **(CD35.1)** paragraph 3.44 (page 60, first paragraph) concludes that *'The methodology for this assessment has been carried to the industry standard guidelines and is of an acceptable standard.'*

2.2.2 Following the completion of the Landscape and Visual Impact Assessment, additional photomontages were produced by the applicant at the request of St Helens Council. These visualisations were produced in accordance with the submitted Method Statement for Preparation of Certified Views **(CD33.150)** rather than Landscape Institute guidance. Nevertheless, Committee Report **(CD35.1)** paragraph 3.44 (page 60, first paragraph)

confirms that they *'...are a representative sample of views to give an accurate picture of the proposed development.'*

2.2.3 ES Chapter 10 (**CD33.58**) paragraph 10.1.3 concludes that *'The following residual effects have been identified:*

- *Permanent and enduring effects upon both landscape character and landscape features arising from construction of the Proposed Development. Similarly, enduring residual effects upon landscape character and landscape features as a result of operational activity.*
- *Residual visual effects upon a range of receptors, temporary effects during construction, but permanent effects arising from operation. During operation, the anticipated effect upon receptors would reduce over time as mitigation planting matures.*
- *There are likely to be both direct, and indirect, permanent effects upon landscape character and landscape features, assessed to be moderate/major adverse (significant) upon landscape features and major adverse (significant) upon landscape character arising from construction. Such effects are assessed to be of moderate adverse (significant) for both landscape character and landscape features during the operational stage.*
- *In respect of visual receptors, a range of effects have been assessed with significant, or potentially significant, adverse residual impacts identified at a relatively low number of locations.'*

2.2.4 The detailed landscape and visual findings of significance are set out in ES Chapter 10 (**CD33.58**) Table 10-16 (page 25).

2.2.5 Committee Report (**CD35.1**) paragraph 3.44 (page 60, first paragraph) concludes that *'The assessment of impacts is comprehensive in scope and generally, the conclusions on the severity of impacts can be accepted as accurate'*.

2.2.6 I have reviewed ES Chapter 10 (**CD33.58**) and agree with this conclusion.

2.3 *Countryside Development and Landscape Officer Landscape and Visual Concerns*

2.3.1 Landscape and visual concerns are raised in the consultation responses by Michael Roberts, the St Helens Council Countryside Development and Landscape Officer.

These concerns are set out in the Committee Report (**CD35.1**):

- initial comments dated 18/02/2020 (paragraph 3.44, page 53);
- comments on amendments dated 18/05/2020 and amended 22/05/2020 (paragraph 3.45, page 63); and
- final comments on amendments dated 26/08/2020 (paragraph 3.46, page 66).

2.3.2 While St Helens Council do not dispute the ES Chapter 10 methodology, visualisations, scope or conclusions on the severity of impacts, the initial comments at Committee Report (**CD35.1**) paragraph 3.44 (page 60, first paragraph) qualifies this by stating that *'We do though have some concerns about the overall conclusions, which seem to place an over reliance on the ability of the landscape measures proposed as part of this development to mitigate the impacts of the proposed development. There are a number of major / adverse effects from properties and areas of open space such as Griffin Wood and also key routes in Bold Forest Park. It is though clear from a number of the photomontage images provided that regardless of how tall new woodland areas and landscaping get they will have limited impact on mitigating these major / adverse effects.'*

Section 3 of my Proof of Evidence will address whether there has been *'...an over reliance on the ability of the landscape measures proposed as part of this development to mitigate the impacts of the proposed development.'*

2.3.3 Committee Report (**CD35.1**) paragraph 3.44 (page 60, first paragraph) goes on to suggest that *'What has not been considered within any of the proposed mitigation measures is the scale of the proposed building in the full application part of the site. It is clear from the photomontages provided that from many of the viewpoints the views of the existing buildings are limited whilst the proposed building is clear visible within the landscape. Many of the existing buildings are around 30 metres in height and this clearly indicates that the scale of the proposed building is of a magnitude beyond these (41.6 metres). Clearly a reduction in this height would be a highly effective way in reducing these major / adverse impacts.'*

Section 3 of my Proof of Evidence will refer to the Committee Report, which explains why a reduction in the scale of the building and, in particular, its height cannot be considered as a viable mitigation option.

2.3.4 The initial comments, Committee Report (**CD35.1**) paragraph 3.44 (page 62, fourth paragraph) go on to raise concerns relating to *'...the impacts on protected woodlands, as well as other associated habitats such as ponds and streams and believe there will be a detrimental impact on the area designated as Bold Forest Park, as well as greenbelt, including key landscape features such as the medieval deer park area.'*

The following should be noted:

- in this context the importance of the protected woodlands and associated habitats to nature conservation are ecological issues that are addressed in ES Chapter 09 and the evidence of Mark Morgan;
- green belt (and the associated Bold Forest Park) is a planning issue that is addressed in the evidence of Sean Bashforth; and
- the *'medieval deer park'* is a cultural heritage issue that is addressed in ES Chapter 08 (**CD33.56**) (where it is referred to as the *'Site of Medieval and Post-Medieval park'*) and Subject Statement: Cultural Heritage.

2.3.5 Existing woodlands are addressed in ES Chapter 10 (**CD33.58**) Section 10.3 'Baseline Conditions' (page 5) and Table 10-2 'Land Cover' (page 11) and effects on woodland areas as landscape features are assessed in ES Chapter 10 (**CD33.58**) Tables 10-3 & 10-4 (pages 16 & 17).

These woodland landscape features are discussed in Section 3 of my PoE.

2.3.6 The Bold Forest Park is not assessed as a separate landscape entity in ES Chapter 10 (**CD33.58**). However, landscape features within the Bold Forest Park (i.e. woodlands) are addressed in the ES Chapter 10 (**CD33.58**) landscape assessment and visual effects on users of recreational areas and paths within the park are addressed in the ES Chapter 10 (**CD33.58**) visual assessment and ES Appendix 10.1 (**CD33.94**).

The landscape and visual receptors relevant to the Bold Forest Park are discussed in Section 3 of my PoE.

2.3.7 Regarding the comments on amendments (18/05/2020) and amended comments (22/05/2020), the summary to Committee Report (**CD35.1**) paragraph 3.45 (page 66, fifth paragraph) acknowledges that '*...there have been improvements to the details within the landscape plans and landscape / ecology management plans submitted*' but sustains the concerns as set out above.

2.3.8 Regarding the final comments on amendments (26/08/2020), the summary to Committee Report (**CD35.1**) paragraph 3.46 (page 68, eleventh paragraph) acknowledges that '*...Many of the specific details that we raised have been addressed in relation to the plans and supporting information submitted*' but continues to sustain the concerns set out above.

2.3.9 Section 3 of my Proof of Evidence will address the identified landscape and visual concerns raised by the St Helens Council Countryside Development and Landscape Officer, where they relate to:

- the efficacy of the proposed landscape and visual mitigation;
- effects on woodlands as landscape features and their contribution to the character and appearance of the landscape;
- effects on the landscape as well as users of paths and recreational areas within the Bold Forest Park; and
- whether the medieval deer park can be described as a ‘*key landscape feature*’.

2.4 Representations

2.4.1 Committee Report (CD35.1) paragraph 4.4 summarises the ‘*Landscape and Listed*’ issues raised in objections to the planning application.

2.4.2 The landscape and visual issues referred to in these representations reiterate the concerns raised by the St Helens Council Countryside Development and Landscape Officer.

3.0 Points of Clarification and St Helens Council Landscape and Visual Concerns

3.1 Points of clarification

3.1.1 Committee Report (CD35.1) paragraph 2.119 refers to ‘*12 viewpoints*’ rather than the thirteen Photo Viewpoints in ES Appendix 10.2 (CD33.95).

3.1.2 For clarity, the following schedule sets out the ES Photo Viewpoints alongside the equivalent ES Visualisations:

ES Appendix 10.2 Photosheets (CD33.95)	Omega Zone 8 Visualisations (CD33.150)
ES Photo Viewpoint P1: Bold Heath	Camera Position 2
ES Photo Viewpoint P2: Clock Face Road, Bold Heath	
ES Photo Viewpoint P3: Old Hall Farm	Additional View 3
ES Photo Viewpoint P4: Footpath F7, Bold Heath	Additional View 4
ES Photo Viewpoint P5: M62 Overbridge	Camera Position 3

ES Photo Viewpoint P6: Footpath F7 / Griffin Wood	Camera Position 4
ES Photo Viewpoint P7: Clock Face Country Park	
ES Photo Viewpoint P8: Gorsey Lane	Camera Position 6
ES Photo Viewpoint P9: Joy Lane	Camera Position 5
ES Photo Viewpoint P10: Lockheed Road	Additional View 10
ES Photo Viewpoint P11: Catalina Drive	Additional View 11
ES Photo Viewpoint P12: Public Open Space adjacent to Bembridge Close	Camera Position 1
ES Photo Viewpoint P13: Public Open Space adjacent to Park View/Bembridge Close, Lingley Green	

3.1.3 It is recommended that the ES Appendix 10.2 **(CD33.95)** Photosheets, Omega Zone 8 Visualisations and PoE Appendix A **(CD38.1C)** Figures are printed at A3 size for the purposes of a site visit. It should also be noted that the visualisations do not illustrate the mitigation planting and represent effects at the commencement of operation.

3.1.4 The Committee Report **(CD35.1)** and ES Appendix 9.5 **(CD33.79)** refer to the areas of woodland by the Tree Preservation Order (TPO) reference numbers, while ES Chapter 10 **(CD33.58)** refers to the areas of woodland by name.

3.1.5 For clarity, the following schedule sets out the ES Appendix 9.5 **(CD33.79)** TPO references alongside the equivalent ES Chapter 10 woodland names:

Woodland Names (ES Chapter 10)	TPO Reference (ES Appendix 9.5)
Finch's Plantation	W4
Duck Wood	W5
Woodland South of Big Wood Belt	W6
Big Wood Belt	W7
Booth's Wood	W8
Old Hall Plantation	W9
Old Hall Plantation	W10
Plain Plantation	W16
Woodland adjacent to the M62 overbridge	W17

3.2 The Efficacy of the Proposed Landscape Mitigation

- 3.2.1 The landscape mitigation measures are described in ES Chapter 3 (**CD33.51**) paragraph 3.3.9 which states that *'The Proposed Development also includes the provision/creation of two landscape and ecology mitigation buffer areas within the application site. The larger of which is referred to as the "Green Wedge" and is situated in the north west corner of the application site immediately south of the M62 and west of Unit 1. This green infrastructure area, covering approximately 7 ha, offers opportunities for extensive habitat creation, specifically for biodiversity action plan (BAP) species. The second area will line the western boundary of the application site adjacent to Units 2 and 4 for approximately 730 m' and are illustrated by the Landscape Strategy (**CD33.149**).*
- 3.2.2 Regarding landscape effects, ES Chapter 10 (**CD33.58**) paragraph 10.6.4 states that *'At operation, it is considered that there would be little difference in the significance of effect from the construction stage of the Proposed Development. The proposed 'embedded' (environmental design) mitigation would be at an immature stage with minimal contribution to the replacement of key landscape features hence a residual effect of moderate/major adverse significance is assessed for landscape character, with a residual effect of major adverse significance upon landscape features; both are considered to be significant.'*
- 3.2.3 ES Chapter 10 (**CD33.58**) paragraph 10.6.5 goes on to conclude that *'As the mitigation measures mature there is likely to be a partial replacement of some lost features e.g. woodland areas, which together with a maturing new landscape infrastructure would make a limited contribution to landscape character. The effect arising from a loss of characteristic features, including historical field pattern and key open characteristics, and introduction of uncharacteristic built form, including scale, would be permanent. Residual effects, associated with the subsequent operation of the application site, are hence assessed to be at the moderate adverse level i.e. significant, for both landscape character and landscape features.'*

3.2.4 Regarding landscape effects, I disagree with the Committee Report (**CD35.1**) concern that there is *'...an over reliance on the ability of the landscape measures proposed as part of this development to mitigate the impacts of the proposed development'*, as ES Chapter 10 (**CD33.58**) acknowledges that characteristic landscape features would be lost, that permanent uncharacteristic built form would be introduced and that residual landscape effects would remain significant.

However, it should be noted that the similar built form has become characteristic of the adjacent Omega South (as illustrated by the PoE Appendix A (**CD38.1C**) Figure C aerial photograph and discussed in the evidence of Sean Bashforth paragraph 6.9) and will become characteristic of the part of the site proposed as green belt release. Furthermore, the proposed landscape strategy provides an extensive area of landscape (as illustrated by the landscape Strategy (**CD33.149**)).

3.3 *The Efficacy of the Proposed Visual Mitigation*

3.3.1 ES Chapter 10 (**CD33.58**) paragraph 10.6.6 acknowledges that *'Given the scale and duration of construction activity, it is accepted that the actual effect of the proposed 'embedded' (environmental design) mitigation, namely planting, is unlikely to offer significant screening during both the construction phase and initial years of operation at several receptors.'*

3.3.2 ES Chapter 10 (**CD33.58**) Table 10 confirms significant visual effects for the following receptors at Year 0 and Year 15:

- **Residential properties:** twenty-one receptors reducing to fourteen at Year 15;
- **PRoWs:** three receptors reducing to two at Year 15;
- **Public open space / recreational areas:** five receptors reducing to three at Year 15;
- **Commercial properties:** four receptors reducing to two at Year 15; and

- **Highways:** two receptors remaining at two at Year 15.

3.3.3 In each case the ES Chapter 10 **(CD33.58)** Table 10 assessment finds that visual effects remain significant for the majority of visual receptors at Year 15 and in my opinion the 'Field Observation Comments' in ES Appendix 10.1: 'Schedule of Visual Effects' **(CD33.94)** give proper consideration to the scale of the proposed buildings and the ability of the proposed mitigation measures to mitigate the visual impacts of the proposed development.

3.3.4 In addition, the proposed mitigation measures (as illustrated by the Landscape Strategy **(CD33.149)**) would, with maturity, increasingly screen the visually intrusive service areas surrounding the buildings. PoE Appendix A **(CD38.1C)** Figure F illustrates the screening effect of the existing tree belt adjacent to Omega South, as well as the visibility of service areas where the tree belt has been removed at the end of Catalina Drive.

3.3.5 Regarding visual effects, I disagree with the Committee Report **(CD35.1)** concern that there is '*...an over reliance on the ability of the landscape measures proposed as part of this development to mitigate the impacts of the proposed development*', as the majority of visual receptors that are subject to significant visual effects at Year 0 (the implementation of the mitigation planting) are still subject to significant visual effects at Year 15 (when the mitigation planting has matured).

However, at Year 15 the mitigation planting will contribute to the screening of visually intrusive service areas.) that will enhance accessibility and the amenity of users of the Bold Forest park.

3.3.6 Committee Report **(CD35.1)** page 60 (first paragraph) states that '*What has not been considered within any of the proposed mitigation measures is the scale of the proposed building in the full application part of the site. It is clear from the photomontages provided*

that from many of the viewpoints the views of the existing buildings are limited whilst the proposed building is clear visible within the landscape. Many of the existing buildings are around 30 metres in height and this clearly indicates that the scale of the proposed building is of a magnitude beyond these (41.6 metres). Clearly a reduction in this height would be a highly effective way in reducing these major / adverse impacts.'

Committee Report **(CD35.1)** page 66 (first paragraph) also states that *'Whilst we acknowledge the applicants have very specific requirements for the proposed building this should not be the only factor that defines the design of the building as this proposal is defined as having significant and adverse in terms of the landscape impacts and so cause significant harm. The design of the building should work within the constraints of the locality within the Bold Forest Park and so be designed to reduce the impacts or consider a site where they will not have such adverse impacts. As such our previous comments on this issue still remain our position.'*

The scale of the proposed building is determined by operational requirements, as described in the evidence of James Clark and Sean Bashforth.

3.3.7 This point is acknowledged by the Committee Report which states that *'...the applicants have very specific requirements for the proposed building...'*. These are set out in Planning Report paragraphs 2.57, 2.71 and 2.72.

3.3.8 The Committee Report assessment at paragraph 7.111 also acknowledges that this is not a situation where there is an opportunity to mitigate effects by a reduction in building height as *'The applicant has also demonstrated the requirement for the height and footprint of the warehouse, which is to accommodate the high bay racking area and internal operational requirements and storage capacity to support the number of proposed new stores. Based on the information provided, it is considered that the applicant has demonstrated it would not be feasible to disaggregate unit 1 into a smaller footprint or onto smaller sites. Furthermore, given the height and scale of the building this*

location is a sufficient distance away from residential receptors.' This last point is of particular relevance due to the relatively small number of residential properties that would be the subject of significant effects (particularly in the context of extensive areas of recent residential development to the south and east of Omega South). The height and scale of the proposed development is discussed in the context of adjacent Omega South commercial development in the evidence of Sean Bashforth paragraph 6.9. It should also be noted that substantial visually prominent structures currently exist within the landscape baseline, namely the Fiddlers Ferry Power Station.

3.4 Effects on Woodlands as Landscape Features

3.4.1 My Proof of Evidence is confined to observations on the effects on woodland (which are all the subject of Tree Preservation Orders) as landscape features.

3.4.2 Committee Report **(CD35.1)** paragraph 3.44 (page 54, second paragraph) states that the affected woodlands '*...are an important part of the landscape character of the area being of value not just for their individual merit but as part of a wider network of parkland / farmland landscape. The proposals as they stand will require the removal of protected woodland W17 and the partial removal of W7 for the full application part of the hybrid site and the removal of the rest of woodland W7, all of woodland W6 and most of woodland W5 for the outline part of the site'* (refer to ES Appendix 9.5: Tree Preservation Orders **(CD33.79)**).

3.4.3 Effects on woodlands are assessed in ES Chapter 10 **(CD33.58)** Table 10-3 (page 16), Table 10-4 (page 17) and paragraphs 10.6.2 to 10.6.5.

The Table 10-3 assessment of effects during construction (including effects on woodlands) concludes that '*The magnitude of effect upon Landscape Character is assessed to be 'medium'. There would be permanent, direct and indirect effects upon landscape character. Mitigation measures would re-create some elements of landscape character but would take time to mature and would not contribute to landscape character over the*

period of construction. There would be a permanent loss of key features of the existing agricultural landscape, leading to a major/moderate adverse residual effect (significant).'

The Table 10-4 assessment of effects during construction (including effects on woodlands) concludes that *'The magnitude of effect upon Landscape Features is assessed to be 'high'. Mitigation measures would replace some key landscape features however, these would take some time to mature and are unlikely to make a substantive contribution during the period of construction. The structure and pattern of the existing landscape would be permanently altered leading to substantial, permanent, direct effects and giving rise to a major adverse residual effect (significant).'*

ES Chapter 10 **(CD33.58)** paragraph 10.6.3 acknowledges that *'Landscape features, including mature woodland, hedgerows, open fields and ditches, would be lost within the application site with limited opportunities for replacement. A number of features that are considered to be key characteristics would be lost, namely mature woodland and the historic field pattern hence a number of potentially direct effects are noted.'*

Regarding the operational phase, paragraph 10.6.5 concludes that *'As the mitigation measures mature there is likely to be a partial replacement of some lost features e.g. woodland areas, which together with a maturing new landscape infrastructure would make a limited contribution to landscape character'* and that effects would be permanent and significant.

- 3.4.4** ES Chapter 10 **(CD33.58)** acknowledges that effects on woodlands would be significant, as features within the landscape as well as elements that contribute to landscape character.
- 3.4.5** In addition to their contribution to landscape character, *'Tree Preservation Orders and Trees in Conservation Areas Guidance'* **(CD43.55)** stresses the importance of *'visibility'*

when determining the amenity value of the trees and woodlands subject to a TPO and states that *'The Trees, or at least part of them, should normally be visible from a public place, such as a road or footpath, or accessible by the public'*.

3.4.6 However, the woodlands that are proposed to be removed are not publicly accessible and are not widely visible due to the screening effect of other foreground woodlands and trees:

- An existing tree belt screens views of the affected woodlands from the east, apart from where the belt has been removed at the entrance to the proposed development site (ES Appendix 10.2 **(CD33.95)** Photo Viewpoint P11 and Additional View 11 **(CD33.150)**);
- Finch's Plantation (W4) partially screens views from residential areas to the south (ES Appendix 10.2 **(CD33.95)** Photo Viewpoint P12 and Camera Position 1 **(CD33.150)**);
- Duck Wood (W5), Booths Wood (W8), Old Hall Plantation (W9 & W10), Plain Plantation (W16) (ES Photo Viewpoints as well as Lady's Walk Plantation (ES Appendix 10.2 **(CD33.95)** Photo Viewpoint P6 and Camera Position 4 **(CD33.150)**) and Dog Kennel Plantation (both to the north of the M62) partially screen views from the PRow to the west; and
- Where there are more open views from Gorsey Lane to the north, the woodland belts are viewed 'end on' and at a distance (ES Appendix 10.2 **(CD33.95)** Photo Viewpoint P8: Gorsey Lane and Visualisation Camera Position 6 **(CD33.150)**). The views from the M62 are fleeting and are partially screened by roadside trees as well as the overbridge embankments for eastbound traffic.

3.4.7 In my opinion, while the landscape effects of the removal of the affected woodlands would be significant, the visibility of these effects would be restricted by the foreground screening of other woodlands and trees (as illustrated by PoE Appendix A **(CD38.1C)**)

Figure D). This reduces the amenity value of the TPO woodlands affected by the development.

3.5 Effects on the Landscape and Users of Footpaths and Recreational Areas within Bold Forest Park

3.5.1 The extent of the Bold Forest Park is indicated on the ‘*Bold Forest Park Policies Plan*’ (**CD43.1**) and ‘*Bold Forest Park Area Action Plan*’ (**CD43.1**) Figure 1 (page 4).

3.5.2 Bold Forest Park is closely related to the green belt and is a spatial planning policy matter that is addressed in Planning Statement (**CD33.36**) paragraphs 5.28 to 5.31 and the planning evidence submitted by Sean Bashforth. However, the ‘*Bold Forest Park Policies Plan*’ (**CD43.1**) and PoE Appendix A (**CD38.1C**) Figure A indicate that the Bold Forest Plan extends beyond the Green Belt boundary to include development areas such as the Reginald Road, Abbotsfield Road and Bold Industrial Parks.

3.5.3 My Proof of Evidence will be confined to effects on landscape features as well as users of paths and recreational areas within the Bold Forest Park area.

3.5.4 The ‘*Landscape Character Assessment for St Helens*’ (**CD4.134**) indicates that the Bold Forest Park lies within LCT7: Floodplain Farmland (FF4 Bold Heath) and LCT5: Wooded Former Estate (Bold Hall WFE4). These LCTs are addressed in ES Chapter 10 (**CD33.58**) paragraphs 10.3.2 to 10.3.22 and the local landscape character is described in paragraphs 10.3.23 and 10.3.24.

3.5.5 ES Chapter 10 (**CD33.58**) paragraphs 10.6.2 to 10.6.5 have been previously discussed regarding woodland. However, it is noted that ES Chapter 10 (**CD33.58**) Table 10-3 finds the following (which also relate to the landscape character of the Bold Forest Park):

- ‘LCT 7 – loss of large scale arable landscape and remnant hedgerows, loss of woodland blocks, loss of hedgerows, encroachment of urban elements and increased prominence of ‘developed edge’ visible over some distance’;
- ‘LCA FF 4 – introduction of further commercial development and extension of ‘developed edge’;
- ‘LCT 5 – loss of characteristic agricultural landscape/field pattern, mature woodland, and context of remainder historical landscape features i.e. assemblage of features such as small ponds’; and
- ‘LCA WFE 4 – loss of characteristic woodland features, and site activity during construction would affect perception of relatively uninhabited area.’

3.5.6 ‘Bold Forest Park Area Action Plan’ (**CD43.1**) (page 27) Figure 6: ‘Key Diagram – Strategic Infrastructure Plan of Bold Forest Park’ and the ‘Bold Forest Park Policies Plan’ (**CD43.1**) and indicate the location of five ‘recreational hubs’ within the Bold Forest Park Area:

1. Brickfields;
2. Sutton Manor;
3. Clock Face Country Park;
4. Colliers Moss Common; and
5. Mersey Valley Golf and Country Park.

3.5.7 Brickfields and Sutton Manor are outwith the ES Chapter 10 study area and only a small part of the Colliers Moss Common is within the study area (ES Chapter 10 (**CD33.58**) Figure 2), where views are screened by woodland to the north of Gorse Lane.

3.5.8 Regarding users of the Mersey Valley Golf and Country Park, ES Appendix 3: ‘Schedule of Predicted Visual Effects’ finds that visual effects would be major adverse and significant during construction and at completion but would reduce to moderate adverse and not significant beyond year 15. I have not been able to verify these findings, as the golf course has been closed due to current Covid19 restrictions.

3.5.9 Regarding users of the Clock Face Country Park, ES Appendix 3: *'Schedule of Predicted Visual Effects'* finds that visual effects would be moderate adverse and significant during construction and at completion but would reduce to minor adverse and not significant beyond year 15. This is due to the screening effect of maturing woodland planting within the Clock face Country Park.

3.5.10 Regarding users of Griffin Wood (part of the Clock Face Country Park), ES Appendix 3: *'Schedule of Predicted Visual Effects'* finds that visual effects would be major adverse and significant during construction and at completion but would reduce to moderate adverse and significant beyond year 15. This is due to the screening effect of maturing woodland planting within Griffin Wood.

3.5.11 *'Bold Forest Park Area Action Plan'* (CD43.1) Figure 12: *'Key Walking Routes in Bold Forest Park'* and the *'Bold Forest Park Policies Plan'* (CD43.1) indicate the walking routes subject to Local Plan policies. These routes are assessed at ES Appendix 10.1 (CD33.94) (*'Footpaths and Bridleways'*) and the findings are summarised in Chapter 10 (CD33.58) Table 10-6.

3.5.12 The assessment finds significant visual effects at two PRoW receptor locations:

- F4: Joy Lane (not identified as a key walking route in the Bold Forest Park); and
- F7: From Warrington Road to Gorse Lane (identified as a key walking route in the Bold Forest Park).

3.5.13 Views from Footpath F4: Joy Lane are represented by ES Chapter 10 (CD33.58) Photo Viewpoint P9: Joy Lane as well as ES Visualisation Camera Position 5 (CD33.150). However, I note that views of the proposed development from this location are likely to be screened by development of the proposed green belt release (Reference 1ES)

indicated on 'St Helens Borough Local Plan 2020-2035 Submission Draft Policies Map' **(CD43.7)** page 24.

3.5.14 Views from Footpath F7: From Warrington Road to Gorse Lane are represented by ES Appendix 10.2 **(CD33.95)** Photo Viewpoints P1, P3, P4, P5 and P6, as well as ES Visualisation Camera Positions **(CD33.150)** 2, 3 and 4, as well as Visualisation Additional Views 3 and 4.

The view from the Warrington Road to Gorse Lane PRoW is also illustrated by PoE Appendix A **(CD38.1C)** Figure D.

3.5.15 The ES Chapter 10 Appendix 10.1: 'Schedule of Visual effects' **(CD33.94)** assessment for PRoW F7 states that *'Southern section of footpath from Warrington Road and adjacent to Mersey Valley Golf & Country Club, views east are screened by mature vegetation. From Golf Club north to Old Hall Farm, footpath passes along the farm access track with hedgerow boundaries. Clear views east to site across tops of hedges where southern part of development would be visible between woodland blocks, drainage works to western part of site would be visible and TJM building visible over Booth's Wood. Close to Old Hall Farm, closer and more direct views east. Section of footpath immediately east of farm is screened by Old Hall Plantation. North of Old Hall views east partially screened by Booth's Wood and Plain Plantation, however TJM building would be visible in gap between woodland and over tops of trees. This section of footpath is influenced by high levels of traffic noise from M62. Footpath passes through western tip of site; extends to south and north. Elevated views from overbridge at M62, existing view includes buildings at OMEGA North and South. North of M62 views east tend to be limited by Ladies Walk Plantation; views of and noise from, M62 are key features. Partial view between woodland at point where footpath enters Griffin Wood towards Hall Lane. Section of footpath in Hall Lane is screened by mature woodland and boundary walls to lane. Mitigation planting to western boundary and north -western corner of site would, over time, ameliorate views to*

development, footpath would be routed through the new planting area, but some views in winter months and roofline of TJM building would be on skyline.'

The ES Chapter 10 Appendix 10.1: 'Schedule of Visual effects' (CD33.94) acknowledges that visual effects from this PRoW would be very major adverse and significant during construction, at completion and beyond year 15.

3.5.16 Bold Forest Park Area Action Plan (CD43.1) Figure 13: 'Existing and Proposed Forest Park Cycleway Network' indicates cycleways that seek to compliment the cycling hub at Clock Face Country Park. None of these routes pass through or near the proposed Omega Zone 8 site.

3.5.17 However, I note that the cycleway proposed as part of the Landscape Strategy (CD33.149) improves links between Clock Face Country Park and residential areas to the south of Omega South, as well as residential areas within St Helens to employment opportunities in the proposed development site and Omega South.

3.5.18 Bold Forest Park Area Action Plan (CD43.1) Figure 14: 'Existing and Proposed Bridleway Network' and the 'Bold Forest Park Policies Plan' (CD43.1) indicate a proposed bridleway passing through the proposed development site. However, this route is not viable as it is not supported by the landowner.

3.5.19 Bold Forest Park Area Action Plan (CD43.1) Figure 16: 'Heritage Trail Route' indicates the 'Heritage Trail Route' which includes PRoW F7 From Warrington Road to Gorsey Lane.

3.5.20 ES Chapter 10 (CD33.58) Table 10-1 confirms that St Helens Council were consulted and agreed the selection of the ES viewpoints and visualisations, the majority of which represent views from within the Bold Forest Park.

3.5.21 I conclude that the proposed development will have significant and adverse effects on the landscape character of the Bold Forest Park as well as users of the PRoW between Warrington Road to Gorse Lane (including in the vicinity of Griffin Wood).

However, I note that the part of the landscape (including the woodlands subject to a TPO) that is directly affected by the proposed development site is not accessible to users of the park, which limits its contribution to the experience of the park (and the amenity of the woodlands subject to a TPO). I also note that the proposed development would improve accessibility and the potential future amenity of retained woodlands.

3.6 *The Medieval Deer Park as a Landscape Feature*

3.6.1 The extent of the Medieval and Post Medieval Park is indicated on ES Figure 8.2 (CD33.118).

3.6.2 The medieval deer park is a cultural heritage matter that is addressed in ES Chapter 8: 'Cultural Heritage' (CD33.56), where it is described as a non-designated Medieval and Post Medieval Park.

3.6.3 Committee Report (CD35.1) paragraph 3.44 (page 54, second paragraph) states that '*Historic maps show these woodlands being more or less in place as illustrated in these plans (circa 1849) and clearly show woodlands that would have been well established as woodland features by this date, indicating they are most likely to be a remnant of the historic medieval deer park*'.

3.6.4 This statement may be supposition, as there is no evidence I have seen that the affected woodlands are a '*...remnant of the historic medieval deer park*' as:

- ES Chapter 9: 'Biodiversity' (CD33.57) does not identify the affected woodlands as '*Ancient Woodland*';

- ES Chapter 10 (**CD33.58**) paragraph 10.3.28 confirms that *‘The woodland plantation areas within the application site are considered, within the Historic Landscape Characterisation Project, to be post-industrial in origin i.e. the period 1836 to 1900...’* (*‘Merseyside Historic Landscape Characterisation Project’* (**CD43.6**)); and
- The *‘Landscape Character Assessment for St Helens’* (**CD4.134**) does not mention the medieval deer park in the description of LCT5: Wooded Former Estate (Bold Hall WFE4).

3.6.5 Committee Report (**CD35.1**) paragraph 3.46 also describes the medieval deer park as a *‘key landscape feature’*.

In my opinion, the medieval deer park should not be described as a *‘key landscape feature’* as it does not exhibit the principal landscape characteristics that are consistent with a deer park (i.e. a single enclosed area with a distinctive landscape character comprising pasture, trees and woodland).

3.6.6 This is confirmed by Subject Statement: Cultural Heritage paragraph 2.1.9, which finds that *‘...there is no remaining above-ground evidence of the features that would normally signify the presence of a deer park...’*

4.0 Summary and Conclusions

4.1 Summary of Landscape and Visual Concerns

4.1.1 The landscape and visual concerns identified in the St Helens Council Committee Report relate to:

- the efficacy of the proposed landscape and visual mitigation;
- effects on woodlands as landscape features;

- effects on the landscape as well as users of paths and recreational areas within the Bold Forest Park; and
- whether the medieval deer park can be described as a *'key landscape feature'*.

4.1.2 Having reviewed the relevant documents and visited the ES study area I find that:

- ES Chapter 10 does not overstate the efficacy of the landscape mitigation measures, as it is acknowledged that the majority of landscape and visual receptors subject to significant effects at 'year 0' will still be subject to significant effects at 'year 15' and the Committee Report acknowledges that there is no opportunity to mitigate effects by a reduction in building height;
- ES Chapter 10 acknowledges that there will be significant and permanent effects on landscape features including woodland areas subject to TPOs. However, while the landscape effects of the removal of the affected woodlands would be significant, the amenity of these woodlands is limited as they are not publicly accessible and their visibility from publicly accessible locations is restricted by the foreground screening of other woodlands and trees;
- While not assessed as a separate entity within ES Chapter 10, the effects of the development upon the landscape and users of the Bold Forest Park are nevertheless assessed in the relevant ES Chapter 10 landscape and visual impact assessments. It is concluded that the proposed development will have significant and adverse effects on the landscape character of the Bold Forest Park as well as users of the PRoW between Warrington Road to Gorsey Lane. However, the current limited public access to the proposed development site reduces its contribution to the amenity of the Bold Forest Park. In addition, the proposed cycleway will enhance accessibility; and
- the *'medieval deer park'* should not be described as a *'key landscape feature'*, as there is no evidence I have seen that the affected woodlands are a *'...remnant of the historic medieval deer park'*.

4.1.3 Having addressed the St Helens Council Committee Report landscape and visual concerns, I conclude that the findings of ES Chapter 10 can be relied upon when determining consent for the proposed development.

4.2 Overview and Conclusions

4.2.1 ES Chapter 10 and my Proof of Evidence conclude that the proposed development of the application site will give rise to significant landscape and visual effects beyond maturity of the landscape mitigation measures.

However, the contribution of the woodland affected by the proposed development to perceptions of landscape character, as well as visual amenity, is limited by a lack of accessibility and restricted visibility.

Furthermore, the change to the landscape and visual resource should be considered in context, as the proposed development is sited within a landscape that has been (and continues to be) the subject of substantial change. The 2004 aerial photograph (PoE Appendix A Figure A), when compared to the aerial photograph for 2019 (PoE Appendix A Figure B), clearly demonstrates that considerable change that has occurred. This change is also illustrated by the photographs in PoE Appendix D, E and F and will be evident during the site inspection. The landscape character has been influenced by the Omega South development to the east of the application site. This material change to the context of the application site needs to be adequately reflected in any judgements on the acceptability of the proposed development.

I recognise that matters relating to the planning balance are engaged and those are matters dealt with by Mr Bashforth.

Mark Steele – March 2021

Appendix A Figures

(see separate A3 Document)

Figure A: Location and Context Plan

Figure B: Aerial Photograph Illustrating 2004 Landscape Baseline

Figure C: Aerial Photograph Illustrating 2019 Landscape Baseline

Figure D: View from Public Right of Way (Photo Viewpoint P4 & Visualisation Camera Position 4)

Figure E: View from Northeastern Corner of Woodland Area W16 (Plain Plantation)

Figure F: View from Northeastern Corner of Woodland Area W7 (Big Wood Belt)

Figure G: View from Clock Face Country Park