



Town and Country Planning (Inquiries Procedure) (England)

Rules 2000

Appeal

Redevelopment of the Department Of Work And Pensions Docs Distribution Centre,
Manchester Road, Heywood, OL10 2PZ

On behalf of Trammell Crow Company Logistics (Heywood) Limited

LOCAL PLANNING AUTHORITY APPLICATION REFERENCE: 22/01410/FUL

SECRETARY OF STATE'S REFERENCE: XXX

PLANNING INSPECTORATE'S REFERENCE: XXX

Kit Patrick BA(Hons) Dip La/CMLI

Landscape and Visual Impacts

March 2024

ISSUE 7

INDEX

Introduction

Qualification & Experience

Proof of Evidence

- 1.0 Introduction and Scope of Evidence
- 2.0 Planning Policy Context
- 3.0 Landscape and Visual Impact Assessment: Baseline Site Context and Landscape Character
- 4.0 The Proposal, the Design Process and Mitigation.
- 5.0 Landscape and Visual Impact Assessment: Landscape and Visual Effects
- 6.0 Officer's Report to Committee and The Reason for Refusal
- 7.0 Summary and Conclusions

Annex 1: LVIA Review correspondence between TPM Landscape and Rochdale Borough Council (A4 colour document)

Annex 2: Plans (A3 colour document)

Annex 3: LVIA Addendum 1 – Visual amenity from adjacent future residential land

Annex 4: Supporting Information - LVIA Methodology



Qualifications and Experience: (see also Annex 4)

My name is Kit Patrick. I hold a Bachelor of Arts degree with Honours in Landscape Architecture and a Graduate Diploma in Landscape Architecture. I am a Member of the Landscape Institute and a Chartered Landscape Architect. I have approximately 30 years experience as a practicing landscape architect within both Public and Private organisations. I have provided evidence at Inquiry previously assessing the landscape and visual impacts of development.

I am currently a Director of TPM Landscape, Chartered Landscape Architects and have experience in the field of landscape and visual assessment. My company, TPM Landscape Ltd, is a practice of landscape architects based in central Manchester. We are a Registered Practice of the Landscape Institute, governed by the LI Code of Conduct. We currently employ 14 staff, 13 of which are landscape architects/ architects/ designers experienced in landscape assessment, design and masterplan preparation. TPM Landscape Ltd is an Employee Owned Trust.

Whilst I am instructed by Trammell Crow, I recognise that in providing evidence to an inquiry my duty is to provide my impartial professional view to the inquiry irrespective of by whom I am instructed.

TPM Landscape has worked over many years designing landscapes for residential and commercial development and have worked with almost all of the top house builders and developers across the whole of the UK. I have been a Director of the firm from its establishment in 2001 and have led the development of both landscape and visual assessment and residential Masterplanning during this time.



1.0 INTRODUCTION

- 1.1 TPM Landscape Ltd were commissioned to provide landscape design proposals for the redevelopment of the proposal site by Trammell Crow Company Logistics (Heywood) Limited (the "**Appellant**"). The proposed development is referred to in this proof as the '**Proposal**'. The scope of works for TPM Landscape included landscape design proposals and landscape and visual impact assessment, in order to identify potential landscape and visual effects, and to incorporate mitigation into the design proposals in order to reduce effects where necessary.
- 1.2 My evidence will address landscape and visual matters relating to the appeal; the submitted landscape proposals and assessment for the site; and the reporting and determination by the Council.
- 1.3 My evidence will discuss and seek to support both planning and design evidence to the Inquiry, but it will be restricted to matters of landscape and visual amenity.
- 1.4 I have visited the site on several occasions both during the development of the Proposal, and also following its submission, and I am therefore very familiar with both the proposed development site, and the wider landscape area. My visits have been at different times of year and in different weather conditions.

Duty to the Inquiry

- 1.5 I understand my duty to the Inquiry and have complied with, and will continue to comply with, that duty. I confirm that this evidence identifies all facts which I regard as being relevant to the opinions that I have expressed and that the Inspector's attention has been drawn to any matter which would affect the validity of those opinions. I believe that the facts stated within this evidence are true and that the opinions expressed are correct.

The Application Proposal

1.6 The application description is as follows:

“Redevelopment of site comprising the demolition of all existing units and erection of new storage and distribution units (Use Class B8) with ancillary office space, vehicular, pedestrian and cycle access, external yards, parking, landscaping and associated works.”

1.7 The planning application had the following key dates:

- Initial pre-application meeting (TCC and LPA) – 04 April 2022
- Application Submission – 1st November 2022
- Application Validated – 9th November 2022
- Committee Date – 21 December 2023
- Decision Notice issued – 22 December 2023

1.8 During the planning application process, further iterations were made to the design proposals and to the landscape and visual assessment, in order to address concerns of both the local authority and also local residents where objections were made to the application. Additional mitigation was incorporated into the design proposals and any potential effects were able to be reduced to a level that was assessed as being acceptable by the planning officer, such that the planning officer made a recommendation to the planning committee to approve the proposed development. However the planning application was refused by the planning committee with the following single reason for refusal:

1 By virtue of its size, scale and form, the proposed development is not well designed and would represent an overdevelopment of the site which is not compatible with surrounding land uses due to the detrimental and unacceptable impacts on the noise environment and the visual amenity of surrounding residents, with particular regard to future residents adjacent the site. Due to this overbearing and unacceptable relationship with surrounding land uses the application fails to accord with Policy DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 1.9 The proposal site was fully assessed by TPM Landscape as part of the planning application, and the following drawings and reports were included in the planning application, to accompany the information provided by the other technical consultants:

<u>Document</u>	<u>Reference</u>	<u>Revision</u>
Landscape Masterplan	4146 101	R
Planting Plan	4146 201	I
Planting Plan	4146 202	I
Planting Plan	4146 203	I
Planting Plan	4146 204	I
Planting Plan	4146 205	I
Planting Plan	4146 206	I
Planting Plan	4146 207	I
Planting Plan	4146 208	I
Tree Pit Details	4146 306	-
Landscape Sections	4146	F
Landscape and Visual Impact Appraisal	4146 501	E
Landscape Management Plan	4146 502	A

The above information is referenced in this evidence in order to illustrate points where necessary.

- 1.10 With regard to the LVIA, the original LVIA was prepared in October 2022, and revisions A to D were made between February 2023 and May 2023, which were part of an iterative process of reviewing the assessment with the council. Revision D of the LVIA was subject to the review by the council's external landscape consultant (Ryder Landscape Consulting), and Revision E was then updated and included with the final submission of documents for the application.
- 1.11 Following the refusal for the planning application, TPM Landscape were appointed to provide evidence to describe the process which was undertaken to support the planning application for the proposed development, and to

provide a response to the Reasons for Refusal of planning application, which was arrived at contrary to the planning officer's recommendation to committee to grant approval.

Scope of Evidence

- 1.12 As part of the preparation of this proof of evidence I have examined relevant application documents and the comments and observations made to date. I confirm that I stand by my previous work in this regard which provides a robust basis for decision making.
- 1.13 In support of this process I have visited the site and carried out my own assessment of both the landscape of the appeal site and the surrounding area, and visited and recorded views from receptors.
- 1.14 In this proof I intend to briefly summarise the key aspects of relevant landscape-related policies with which the proposals should align.
- 1.15 I then set out my analysis of the landscape and visual baseline against which any landscape change and change to views and visual amenity are to be judged.
- 1.16 My evidence will include an analysis of the landscape and visual assessment work to date and the apparent design rationale demonstrated in the proposed layout offered.
- 1.17 I will also consider the observations and reports of the Local Authority officers on the relevant planning applications and any comments and representations of local people and groups as well as providing my own professional opinion.

2.0 PLANNING POLICY CONTEXT

- 2.1 Planning matters are dealt with by Mr Harry Spawton (planning consultant of Gerald Eves) and I set out the planning background that I consider relevant to the development and assessment of the appeal site and proposals. I rely upon his views as to the overall planning balance and the interpretation of policy.

National Planning Policy Framework

- 2.2 The National Planning Policy Framework (NPPF) sets out the government's planning policies for England and how these are expected to be applied. It was published 27 March 2012 and the latest update was 20 December 2023.
- 2.3 Specific NPPF policies relevant to landscape character have been considered with the Landscape and Visual Assessment submitted as part of the planning application (note that NPPF Reference numbers within the LVIA may relate to earlier versions of the NPPF current at the time of writing, but I have used the up to date numbering in this proof). With regard to conserving and enhancing the natural environment, Chapter 15 of the NPPF (Paragraph 180 -selected extracts relevant to the Proposal and this evidence) states:

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

- a) Protecting and enhancing valued landscapes ... (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, ...including the economic and other benefits....., and of trees and woodland.*
- 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;*
- f) remediating and mitigating despoiled, degraded, derelict, contaminated land and unstable land, where appropriate.'*

- 2.4 I deal with matters of landscape value and character in sections 3 and 5 of this proof. I conclude in these sections that the proposals do not lead to any conflict with National Policy and that the proposal site and its surroundings are not a valued landscape as paragraph 180. The proposals have been developed through a process which has included a careful consideration of the constraints and opportunities and an assessment which has led to the identification of potential impacts and their mitigation. The character and value of the countryside has been a key part of this assessment and the proposals have been designed to protect and enhance the surroundings of the site and reduce impacts where they occur.
- 2.5 The proposals take the opportunities available to enhance the existing commercial site, and to provide a comprehensive landscaping scheme in order to integrate the Proposal in its setting. The proposals will seek to minimise impacts upon the existing bio-diversity, by retaining existing trees, woodland and hedgerow where possible, and by creating new habitats through woodland planting, meadow grassland and wetland areas. The proposals will make efficient use of the land in accordance with paragraphs 128 and 129 of the NPPF.
- 2.6 Paragraphs 181 to 184 of the NPPF identify landscapes which should be given special consideration in decision making, from international to local importance, and identifies specific examples of conserving and enhancing landscape and scenic beauty, such as areas defined as National Parks or Areas of Outstanding Natural Beauty. The Proposal will have no impact on any identified areas of special consideration, either for the site itself or the wider landscape.

National Planning Policy Guidance (NPPG)

- 2.7 The National Planning Policy Guidance (NPPG) comprises of web-based guidance categories first published from March 2014. The NPPG supports and informs the NPPF and sets out further specific planning guidance. NPPG categories relevant to the proposed development include: Design: process and

tools (2019) and Natural Environment (2019). Design and Natural Environment categories emphasise a character based approach to design and proposed development.

Rochdale Borough Council Local Plan

- 2.8 The current status of the Rochdale Borough Council Local Plan will be addressed by Mr Spawton and is described in the Statement of Case, and comprises of:

Adopted plans:

Core Strategy

Greater Manchester Joint Waste Development Plan

Greater Manchester Joint Minerals Development Plan

1996-2016 Local Plan – (Unitary Development Plan)

Rochdale Borough Unitary Development Plan and Policies -

Maps for Rochdale Borough Unitary Development Plan

Places for Everyone Joint Development Plan for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2022 to 2039 (a long-term plan for new jobs, homes, and sustainable growth.) Adopted 21 March 2024

Plans in progress:

Allocations Plan

Neighbourhood plans

- 2.9 The following policies of the Core Strategy are considered to be of particular relevance to the proposed development site, and were considered in further detail with the Landscape and Visual Impact Appraisal which accompanied the planning submission:

SP3	The Spatial Strategy for the townships – Heywood
Sp3/H	The Strategy for Heywood
E3	Focusing on economic growth corridors and areas

G4 Protecting Green Belt Land

- 2.10 Policy DM1 is also relevant to the Proposal and cited by the Council in the reason for refusal. I consider this in Section 6 of this proof.

South Heywood Masterplan

- 2.11 The proposal site adjoins the northern boundary of the eastern end of the South Heywood Masterplan site, which is approved through the Planning Approval reference 16/01399/HYBR. This is a major, allocated, mixed use development in Rochdale granted to Russell Homes (UK) Limited. Russell Homes submitted several objections to the Proposal with regards to the impact that they consider it would have on their scheme, and therefore for clarity within this report I refer to it as the "Russell Homes Scheme". Further background on the Russell Homes Scheme is included in Mr Spawton's evidence.
- 2.12 The wider site masterplan is considered within this evidence as it has been referred to in the council's Reason for Refusal where it refers to impacts to 'surrounding land uses' and 'future residential land'.
- 2.13 TPM Landscape have prepared design proposals for many phases of the masterplan, including Green Infrastructure between the phases (described further below), and I am therefore familiar with wider site issues, however my evidence only relates to information prepared for the Proposal, or as publicly available on the Council planning website for the wider masterplan site. The planning applications for the South Heywood Development Masterplan which TPM Landscape have been involved with are listed below.
- 2.14 The South Heywood Development Masterplan (the Russell Homes Scheme) and adjacent land has many planning applications which relate to the individual plots, addressed further by Mr Spawton. TPM Landscape have been involved in preparing detailed proposals for the following applications, highlighted in bold below:

Planning Ref	Site	Applicant (Abbrev)	TPM Ref
13-00500-AM	Hareshill Road	AYL/ Russells	
14-01440-REM	Hareshill Distribution Park	AIPL/Graftongate	
19-01374-FUL	Lineage Ph 7 Heywood	Russell Homes	3406
20-1524-REM	South of Hareshill Road	Russell Homes	
21-00909-REM	Heywood Phase 1	Bellway Homes	3688
22-00130-REM	Manchester Rd East	Anwyl Homes	4051
22-00467-REM	Sth Heywood Green Corridor	Russell Homes	3768
22-00787-REM	SHP1 – South Heywood	Russell LDP	3595
22-00967-DOC	South Heywood Phase 2	Anwyl Homes	
22-01569-OUT	Plot 3 South Heywood	Russell's (commercial)	

The above approvals are referenced on a composite plan prepared by TPM Landscape, in order to easily reference their location for this evidence (Annex 2: Plans – Plan 2). This plan also includes the land identified as the 'Future Residential Development' which has not yet been subject to a detailed planning application, and the plan also identifies the land which forms the wider South Heywood Masterplan site (Ref 16/01399/HYBR).

3.0 LANDSCAPE AND VISUAL IMPACT ASSESSMENT: BASELINE SITE CONTEXT AND LANDSCAPE CHARACTER

- 3.1 The proposed development site and its wider landscape context were assessed by TPM Landscape and a Landscape and Visual Impact Appraisal (LVIA) prepared to assess the existing baseline situation, and the potential impacts of the Proposal on the landscape and visual resource. The LVIA was prepared by chartered landscape architects, experienced in landscape assessment, and in accordance with the Landscape Institute Guidelines for Landscape and Visual Impact Assessment (3rd Edition), which is the professional landscape industry standard LVIA reference document. The submitted LVIA follows an

established process, and is accompanied by a Methodology which provides tables and definitions in order for an assessment to be made for the following:

- The 'Sensitivity and Susceptibility', and 'Value' of the landscape or visual receptor
- The 'Magnitude of Change' caused by the proposed development
- The resulting 'Effects' on the receiving landscape or visual receptor

The Methodology for the LVIA is appended to this evidence for easy reference (Annex 4).

- 3.2 The existing proposal site and wider landscape character are described in Section 3, referred to as the 'baseline' situation, the Proposal is described in Section 4 of this proof, and the potential landscape and visual impacts are described in Section 5 of this evidence. The LVIA provides a full description of the landscape and visual baseline situation and effects, however key aspects of the assessment have been extracted in order to illustrate specific points relevant to this evidence.
- 3.3 The LVIA (Rev D) was reviewed on behalf of the council by external landscape consultants (Ryder Landscape Consultants) as part of the planning application, and to provide expert opinion with regard to landscape and visual impacts of the Proposal. The 'Review of Heywood Stores Landscape and Visual Impact Assessment Information' is appended to this proof (Annex 1), however I note the following with regard to the assessment and review process and methodology:

'Methodology

The Landscape Institute's Technical Guidance Note 2/20 - Reviewing Landscape and Visual Impact Assessments (LVIAs) and Landscape and Visual Appraisals (LVAs) has been used to assess the May 2023 Revision D version of the Application LVIA.'

And states further in the Section 'Report the Review':

'7. A summary statement by the reviewer in respect of appropriateness, quality, comprehensiveness, compliance and conformity with relevant guidance and regulations;

I consider the LVA to be appropriate and of sufficient quality to allow the landscape and visual effects of the proposed logistic buildings to be reported upon. It could be more comprehensive with regards to considering a finer grain of landscape receptors and in describing the mitigation proposals more thoroughly. I consider that it does comply with GLVIA3.'

The above comments relate to Revision D of the LVIA. TPM Landscape provided a full response to all the comments made in the 'Ryder Review' (Refer to Annex 1), and also had a meeting with Mr. Ryder and the Council to go through the comments in detail, and TPM Landscape then carried out further assessment work and update the LVIA to Rev E, which provided a full response to all the points raised, and was submitted as part of the application for the Proposal. The planning officer was therefore fully informed of the potential landscape and visual impacts of the Proposal when they wrote their recommendation for approval to the planning committee.

Site Context

- 3.4 The site context is described in the LVIA as follows, and reproduced here as it provides a useful baseline of the existing condition of the landscape, which is relevant to the potential changes which may be brought about by the Proposal and which are considered in this evidence:

'1.2 Site Description: The site is an existing industrial estate comprising a series of large warehouse units, car parking and associated building facilities. There are large areas of grassland, individual mature trees and perimeter vegetation throughout the site. The site is located approximately 450m to the north west of the M62 motorway.'

The site sits on the edge of existing settlement and adjoins a large scale development area which has outline planning approval for new industrial, retail/ mixed use, residential development and areas of green space.

The site is located to the southern edge of Heywood where other industrial buildings are prevalent in the surrounding area, notably Heywood Distribution Park located approximately 250m from the north western boundary.

The existing access into the site is via Manchester Road. The majority of site boundaries, including the access from Manchester Road, contain dense bands of mature tree cover. The south western boundary has a series of individual trees which are gappy in places giving views through to the existing buildings.

Boundary treatments throughout the site, comprise of close boarded fencing (varying quality and condition), chain link and mesh fencing, and palisade fencing.'

Site Surroundings: The proposal site is located on the southern edge of Heywood, Rochdale and is an existing industrial estate comprising several warehouse buildings, ancillary buildings associated with the industrial park, service yards, car parking, internal road infrastructure and landscaping.

Existing trees are located around the perimeter of the site as mature bands of vegetation and individual specimens. A number of large individual trees are located internally.

Manchester Road is located to the south east of the proposal site, existing settlement is located to the north east and north, with areas of agricultural land to the north west/ west. To the south west, a new link road associated with the adjacent outline approved masterplan is currently in construction. The immediate wider landscape to the north west and south west is approved for residential development and areas of green public open space.

The site appears relatively flat, however, there is a gentle fall of approximately 5-6m from the north east towards the south west.

It should be noted that the land within the masterplan site is in the process of being redeveloped, and the existing baseline situation is therefore in the process of changing as consented schemes are being constructed.

Landscape Character

3.5 The proposal site lies within land defined within the following published landscape assessments:

- The National Character Area (NCA) 54 Manchester Pennine Fringe (Source: Natural England) (see paragraphs 5.1 and 5.2 of the LVIA).
- The Greater Manchester Landscape Character and Sensitivity Assessment (prepared by LUC to inform the Greater Manchester Spatial Framework, see paragraph 5.3 of the LVIA).
- The Greater Manchester Landscape Character and Sensitivity Assessment, (the Site is included within the 'Urban Fringe Farmland' Landscape Character Type, and the Simister, 'Slattock and Healds Green' Landscape Character Area).

There were no potential impacts to key defining characteristics of the above character areas assessed within the LVIA, and it is further noted that since the publication of these assessments were prepared, the Russell Homes Scheme has received hybrid planning approval, the Queen Elizabeth II Way spine road has been constructed, and also several detailed planning applications for residential and commercial developments been approved. The masterplan site has therefore already undergone substantial change, and the landscape character descriptions in the published assessments are only considered to be relevant for the wider landscape beyond the South Heywood Masterplan Area.

- 3.6 These character areas are described in more detail in the LVIA, however these national and regional assessments are made at a very large scale, and I consider that potential impacts at this scale are often not especially useful in measuring the change which may be brought about by a proposed development. The landscape character in the vicinity of the Proposal site was therefore also assessed at a more refined local level within the LVIA. A full description of the landscape character and characteristics of the wider site area is provided in the LVIA (Refer to Annex 4: LVIA Methodology for an explanation of the assessment criteria), and is summarised below.
- 3.7 The existing site is assessed to have a 'Low Susceptibility' and 'Low Sensitivity' to the proposed development within the LVIA, in consideration of its 'Ordinary-Poor' Quality and Value. The site is developed land comprising of warehousing units and access roads, and with mixed boundary treatments in need of improvement. It is neither a remote nor tranquil environment, has no distinguishing landform or topography, and has no public access. The trees located around the periphery of the site are the only features which provide a positive contribution to the wider character area.
- 3.8 The LVIA assesses that any physical change brought about by the proposed development would be contained entirely within the existing commercial site, and there will therefore be no physical change to the wider landscape character area described above. There will be a some change in the character of the site itself, by the replacement of 9 warehouse units (6 large, 3 small), and 4 additional buildings, with 2 larger buildings, however the new units are similar in scale with the existing commercial storage buildings to the north-west of the masterplan site, and also with the recently approved amendment to the South Heywood Masterplan (22/00787/REM), as can be seen in the overlay plan in Annex 2: Plans of this Statement (Plan 2 – Composite drawing), and are therefore not considered to be out of scale or incongruous in the wider masterplan area.

- 3.9 Due to the contained visual envelope (described in full detail in the LVIA, and referenced in Section 5 of this proof), there is very little potential for the proposed development to have an impact on the landscape character of adjoining landscape character areas. The 'local' landscape character areas of the wider site context are described in full detail in the LVIA, but are summarised below:

Character Area 1: Urban Fringe Farmland (incorporating the South Heywood Masterplan site) to the south of the proposal site.

Character Area 2: Urban Settlement to the north of the proposal site

Character Area 3: Commercial and Industrial to the east of the proposal site and now including the South Heywood Masterplan site.

- 3.10 The proposal site is located in Character Area 3 (Commercial and Industrial), and any change to landscape resource as a result of the Proposal will be confined to this character area.

4.0 THE PROPOSAL, THE DESIGN PROCESS AND MITIGATION

The Proposal

- 4.1 The Proposal seeks to demolish all of the existing buildings on site, and replace them with 3 new larger warehouse/storage buildings on a broadly similar footprint (the eastern building divided into 2 units), and also includes a restructured road layout and associated car park facilities to access the buildings, and acoustic walls to limit the potential noise impacts of the proposed development. The footprint of the proposals is 7% greater than that of the existing buildings.
- 4.2 A full description of the Proposal is provided in the Design and Access Statement, together with the drawings and reports which accompanied the planning application, and are listed in the supporting Statement of Case to this Appeal.

- 4.3 The design of the Proposal has sought to incorporate mitigation to reduce impacts to visual amenity, both embedded in the design of the buildings, the proposed landscaping and the layout of the built form (described in further detail in the architect's statement to this Appeal), and also described in the planning officer's recommendation to committee.
- 4.4 The Proposal requires regrading of the land to form new level platforms for the buildings to sit on, and to create the access road and parking.
- 4.5 The Proposal also incorporates comprehensive landscape design proposals in order to provide a high-quality design environment to development, to enhance the biodiversity of the site (such as incorporating large areas of native planting, replacement tree planting to replace trees required for removal, and introducing new balancing ponds), and also to reduce potential impacts to the visual amenity of existing and future residents through landscape mitigation described in further detail below.

Landscape Design Mitigation

- 4.6 The landscape mitigation included in the submitted proposals predominantly relates to screening views to existing & future residential properties, as well as to reduce potential impacts to the visual amenity of the Proposals to existing and future residents with the introduction of bunds, retaining walls, and substantial new areas of native woodland and specimen tree planting areas.
- 4.7 The proposed mitigation is included on the landscape design drawings submitted with the application, and includes the following specific measures which are contained with the LVIA as a response to identified potential effects, and which are accompanied by a Landscape Framework Plan (within the LVIA) which illustrates where the mitigation is proposed.
- 4.8 Section 8 of the LVIA relates to landscape mitigation, and includes a 'Landscape Framework Plan' within the report (Fig.22) which illustrates

strategic mitigation measures which will help to reduce potential impacts to landscape and visual receptors, and which were then described in detail in the landscape design proposals which were submitted with the planning application. The strategic mitigation measures described in the LVIA included the following:

- Retain the existing woodland and linear wooded belts that surround the proposal site currently. Replace and strengthen any lost trees with new woodland planting to retain the green infrastructure around the site. Use the landscaping of the site to enhance the biodiversity where possible;
- Incorporate new SUD's basins to support site drainage and a new ecological pond to provide new habitats and enhance the sites biodiversity value;
- Ensure that good provision is made within the layout for green space, buffer planting and wildflower meadow areas;
- Incorporate new tree and shrub planting to strengthen landscape buffers and soften the built form;
- Incorporate architectural form trees within the visitors car park to add further layers of softening of the buildings whilst making an attractive setting;
- Acoustic barriers to be sensitively designed using green screens to soften the visual impact of the screens whilst functioning effectively for the nearby residential properties.

4.9 Revision B of the LVIA was updated in March 2023 following feedback from the Council to provide additional assessment with regard to potential effects to future housing of the South Heywood Masterplan, which resulted in the following mitigation, based on computer modelling prepared by TPM Landscape:

- Incorporate bunding/ batter to the south western boundary with new landscaping comprising trees and native shrub to provide screening in addition to the existing retained vegetation. The landscape buffer will be wide enough to provide a dense buffer and give sufficient space for the tree species to establish successfully.

4.10 Further revisions were made to the LVIA during the application process (Revisions C and D), and the external consultant review of the LVIA resulted in the following mitigation which was included within Revision E of the LVIA (the final submitted LVIA) in order to address concerns with particular regard to future residential development, and other potential effects considered by the external consultant:

- The proposal site presents the opportunity to enhance the screening where gaps currently appear along the site boundaries. The existing industrial buildings are evident from views both at the edge with the existing settlement but also along the southern boundary. It is noted that proposed development will increase the scale and massing on site, however, the landscape mitigation aims to fill in the gaps with new buffer planting comprising native shrub and tree planting.
- Of the landscape mitigation proposed on the development, a large proportion are to be native species (shrubs, hedgerows and tree planting). In addition to the swathes of wildflower meadow, the planting style will add to the visual amenity and provide ecological benefits to the site.
- Alongside the additional tree planting proposed, new boundary treatments are proposed at the interface with the existing settlement to create a more uniformed and consistent appearance.

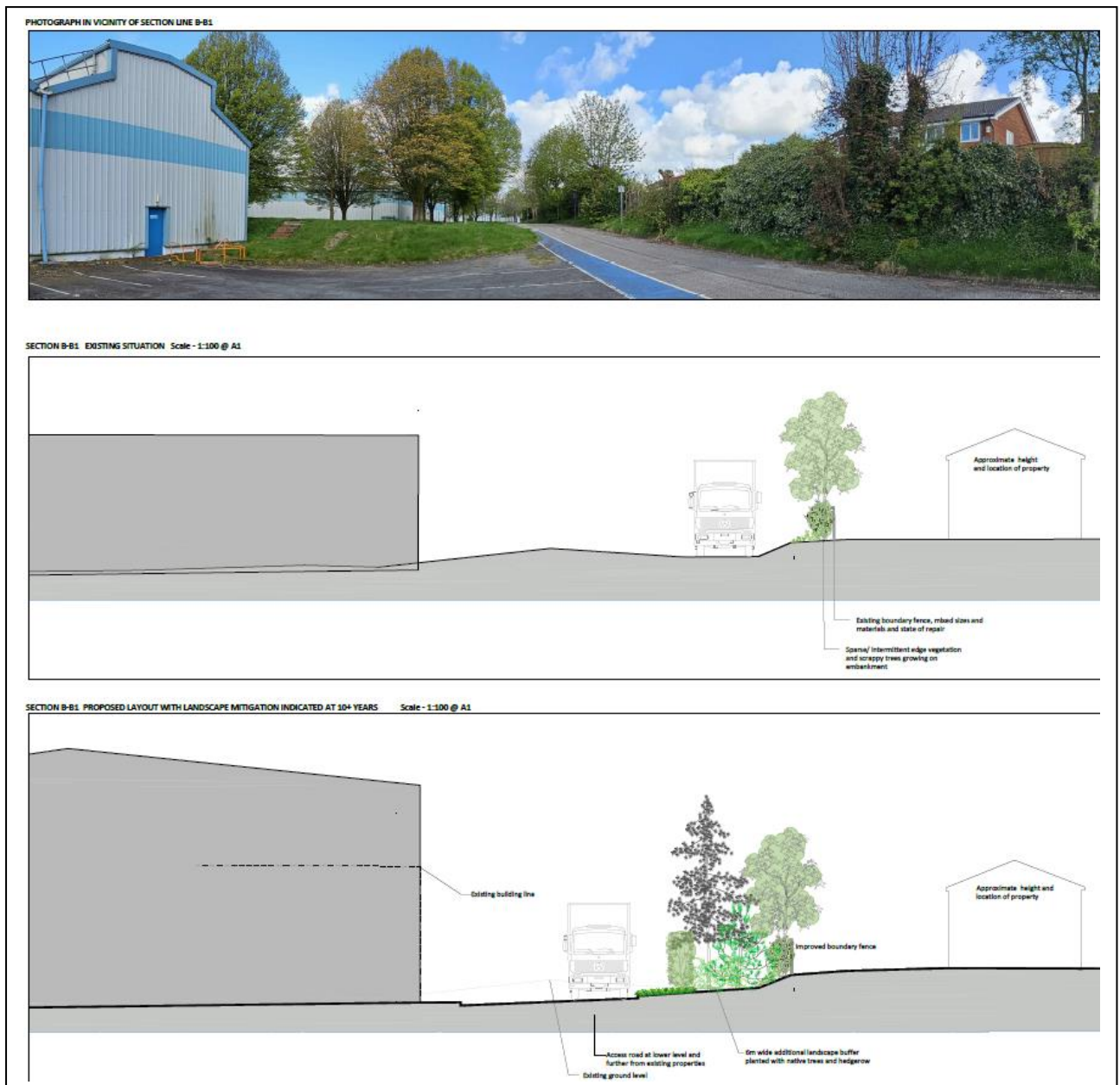
- 4.11 The above mitigation described within the LVIA to reduce the potential visual effects upon existing and future residents were incorporated into the landscape design proposals (refer to TPM Landscape drawing 4146 101 Rev R) submitted with the application.
- 4.12 With regard to mitigating the potential effects to the visual amenity of existing residents, the design proposals included the following mitigation measures:

Views from properties to the north of units 1 and 2

(White House Close and Bader Drive; LVIA viewpoint V9)

- 4.13 Mitigation proposed: Retaining the existing trees and vegetation where possible, and incorporating a substantial buffer zone of further native tree and shrub planting on a regraded embankment. The LVIA assessed the effect on these residents as reducing from an initial Moderate-Substantial adverse effect to a Slight-Moderate neutral effect following the establishment of the proposed mitigation.

I have attached a thumbnail below of an Illustrative Landscape Section (drawing 4146-307 Rev B) which is included in Annex 2: Plans of this proof, which demonstrates the proposed landscape mitigation along this boundary (existing situation above, the Proposal below).



4.14 With regard to the above proposed landscape buffer, I note from the planning officer's report to committee that the case officer considered the following, and that his opinion was informed by the external advice provided by Ryder Landscape Consultants:

30. (part of) *'.....substantial interventions are proposed along the north boundary, which will include a wider landscaped strip and regraded*

embankment, that will increase the density and width of landscaping and planting between the dwellings and the distribution units,' and.

33. To counteract the impact this proposal would have upon in terms of visual impact and/or overbearing impact to the occupiers of dwellings on the south side of Bader Drive and White House Close, the applicant proposes significant screening by way of increased and reinforced areas of landscaping and a regraded embankment between the application site and the affected dwellings. In addition, the proposed Units would include design features, including light blue and dark blue horizontal panelling at higher levels to break up the physical and visual massing of the building. To ensure that such landscaping remains in place and successfully grows, a condition can be imposed to any approval ensuring the ongoing maintenance of such landscaping for a specified period to ensure the landscaping is well implemented and acts to significantly screen the building to a degree from view, mitigating the impact on occupiers of the affected dwellings.

Views from properties near to unit 3

- 4.15 (White House Close, Bader Drive and Oldbury Close; LVIA viewpoint V10)
Mitigation proposed: Retaining the existing trees and vegetation where possible, and incorporating a substantial buffer zone of further native tree and shrub planting. The LVIA assessed the effect on these residents as reducing from a Moderate-Substantial adverse effect to a Slight-Moderate neutral effect following the establishment of the proposed mitigation.
- 4.16 With regard to the above proposed landscape buffer along the eastern boundary of the Proposal, I note from the planning officer's report to committee that the case officer considered the following, and that his opinion was informed by the external advice provided by Ryder Landscape Consultants:

Although the proposed unit's eaves height would be higher at approximately 16.4 metres, extensive additional landscaping, including tree planting and a

wildflower meadow and emergency access road (not to be used aside from in the event of an emergency) will significantly obscure the proposed unit from view, suitably reducing the impacts with regards to visual impact and/or overbearing impact to an acceptable level, particularly when accounting for the existing relationship between dwellings and the existing unit. Again, whilst acknowledging some impact to the occupiers of dwellings to the west side of Oldbury Close, Bader Drive and White House Close, such impacts have been reasonably and suitably mitigated and are acceptable on balance.

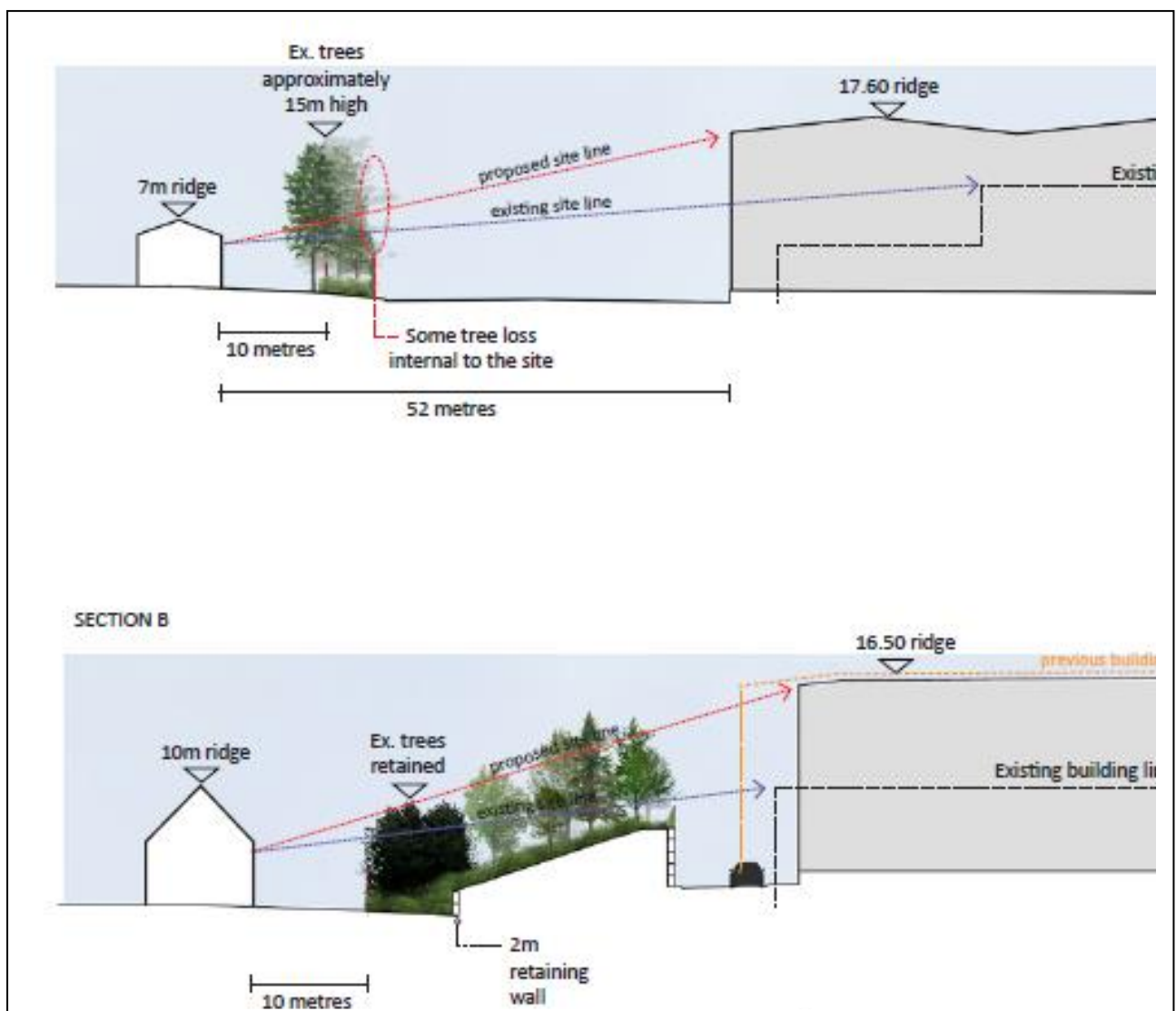
Views from the secondary school to the north of the Proposal

- 4.17 Potential views were considered within the LVIA, however there was no public access to record a viewpoint, and the distance between the Proposal and the school, together with the existing trees and proposed mitigation of the Proposal, as well as the nature of the visual receptor, indicated that there was very little potential for substantial effects to the visual amenity of the users of the school.
- 4.18 The mitigation included within the Proposal include a substantial landscape buffer of native tree and shrub planting along the north and north-western boundary.
- 4.19 No comments were made by the external advice provided by Ryder Landscape Consultants to potential effects to the school to the north of the Proposal, and I note the officer considered the following in the report to committee:

40. The existing secondary school to the north of the site is in the process of being rebuilt, with the proposed school building(s) being approximately 100 metres from the side (north) short elevation of Unit 3. Given the function of the building (education), separation distance and proposed landscaping along the north boundary of the application site, it is not expected that the users of the educational facility would be unduly impacted by way of visual impact or overbearing impact.

Views from future residential development to the west and south-west of the Proposal. (LVIA Views V11 and V12)

- 4.20 During the application particular consideration was given to providing mitigation to potential views from future residential development to the south and west of the proposal site, and this mitigation has been further demonstrated in the proposed landscape sections submitted with the planning application. I have included a thumbnail of the Illustrative Landscape Sections (Rev F) below, in order to demonstrate the proposed landscape mitigation along the western boundary (Section A – above image) and the south-western boundary (Section B).



Proposed mitigation: bunding is proposed to be located on a raised area of land between the proposed building and the future housing, supported by new

retaining walls. The bunding will be planted with large areas of native woodland and semi-mature specimen trees which will form an immediate landscape buffer to screen views of the Proposal for future residents. The LVIA assessed the effect on potential future residents as reducing from a Slight-Moderate adverse effect to a Slight neutral effect to view V11, and reducing from a Moderate-Substantial adverse effect to a Slight-Moderate neutral to view V12 (following the establishment of the proposed mitigation for both views).

I note that whilst the Ryder Landscape Consultants review of the TPM LVIA (Annex 1), agreed with the assessed reduction in the magnitude of change brought about the Proposal, the review considered that the nature of the view would not reduce from adverse to neutral, as assessed in the LVIA, but would remain as adverse, albeit to a limited degree. I do not concur with this opinion, for reasons I set out in section 5, and which relate to the existing baseline condition, the uncertainty with regard to the potential future residential receptor, and the establishment of the mitigation of this period. Even if Mr Ryder was correct that there was some marginal adverse impact upon views from the location of the proposed housing – it would not be such as to sterilise any part of that land from development – but would merely inform layout, landscaping within the residential site and possibly building orientation, all of which are for future determination.

- 4.21 Further assessment has been prepared following the refusal of the Proposal of the potential effects to views from future residential developments (Annex 3: Visual amenity from adjacent future residential land). It can be noted from the more refined level of assessment in Annex 3, that there are relatively few gaps in the existing trees and hedgerows, and that the assessed effects in the LVIA and the proposed mitigation relate to the 'worst case' scenario along these boundaries, being located at the small gaps in the existing trees and hedgerows around the site boundary, and that most effects and required mitigation for potential future housing will be far less than those described in the LVIA.

- 4.22 With regard to the above proposed landscape mitigation along the western and southern boundaries of the Proposal, I note from the planning officer's report to committee that the case officer considered the following, and that his opinion was informed by the external advice provided by Ryder Landscape Consultants:

37. (part)..... Between the rear elevation and the unit, there will be significant areas of landscaping, including significant planting and a 1:3 gradient 'batter' (definition: a receding slope of a wall, structure or earthwork), with the wall adjacent to the internal access road within the site (for clarity, currently, the existing relationship between the undeveloped land and application site is relatively sparser tree planting with little difference in land levels) Notwithstanding that the final siting and layout of dwellings has not yet been established, the significant landscaping and batter proposed would significantly reduce any visual impact from the rear elevation of boundaries to the south of the site, whilst acknowledging there would be some impact. The mitigation measures proposed, along with separation distance and design/appearance of the units would nonetheless be acceptable on balance.

38. (Part) Similarly, to the west of the application site Between the dwellings and Unit would be an area of landscaping, a 5 metre high green screen acoustic barrier and HGV parking/loading area. Given the separation distance and, again, acknowledging some impact, it is considered that the separation distance combined with mitigation measures would result in an acceptable impact upon the occupiers of future dwellings in terms of visual impact, with no undue overbearing impact expected.

- 4.23 The above measures were considered sufficient to reduce potential landscape and visual effects to acceptable levels by the planning officer, and this was also the expert view of the Council's external landscape consultants, Ryder Landscape consultants, which informed the opinion of the planning officer in their recommendation to committee. With regard to the mitigation proposed to

screen views and reduce impacts to the visual amenity I note that the planning officer considered the following:

41 (part). In summary, it is acknowledged that the larger Storage and Distribution (B8) units proposed will result in somewhat greater impact than the existing, smaller units that exist on site and are to be demolished. To mitigate such impacts, the applicant proposed substantial landscaping, including tree planting along all boundaries, fencing on some boundaries, and hard engineering in the form of regrading of embankments and provision of batters. The proposed steps to mitigate the visual impact are considered to be acceptable on balance, contributing to appropriate mitigation to reduce the overall visual impact and reducing any overbearingness such development may have on the current and/or future occupiers of nearby dwellings and users of other buildings...

- 4.24 Furthermore, I note that with regard to the Proposal as a whole, the planning officer, informed by the expert opinion of the Council's external landscape consultant, was able to conclude the following in their recommendation to committee:

4.2 Despite the scale of the facilities proposed, the layout, appearance and both the existing and proposed landscaping treatment to the site are acceptable and provide sufficient screening in addition to mitigation for visual, noise, landscape and biodiversity impacts given the context of the site within the already defined extent of an employment site, including when considering previously granted planning permission(s) for nearby housing developments.

4.3 No unacceptable harm has been identified in respect of residential living conditions of surrounding occupiers (current or future) either by way of visual intrusion, overshadowing, overbearing impact or through noise, lighting and disturbance, which cannot be controlled by way of suitably worded planning condition(s).

5.0 LANDSCAPE AND VISUAL IMPACT ASSESSMENT: LANDSCAPE AND VISUAL EFFECTS

- 5.1 The potential landscape and visual impacts of the proposed development are assessed in full detail within the final LVIA (Rev E) submitted with the planning application. Key elements of the potential effects of the assessed LVIA are referenced below, to demonstrate specific points of this evidence. Where specific effects to the landscape and visual resource resulted in mitigation to reduce the effects, these are described in more detail in section 4 (Mitigation) of this evidence.
- 5.2 The LVIA (Rev D) was reviewed on behalf of the council by external landscape consultants (Ryder Landscape Consultants) as part of the planning application, and to provide expert opinion with regard to landscape and visual impacts of the Proposal. The 'Review of Heywood Stores Landscape and Visual Impact Assessment Information' is appended to this proof (Annex 1), however I note the following with regard to the assessment of potential landscape and visual effects, and a conclusion on the adequacy of the submitted LVIA:

'5. A summary of findings of the review of the actual assessment of effects

The actual assessment of effects is considered to be reasonable with the exception of the type of effect identified at viewpoints 9 to 12 where the type of visual change after 15 years is considered to remain an Adverse effect instead of a Neutral one.'

And goes on to state in Section 9:

'9. Overall conclusions on the adequacy of the assessment and whether it is sufficient to support making an informed planning decision.

The LVIA provides an adequate assessment of landscape and visual effects and it should be considered as sufficient to support RBC making an informed planning decision.'

The above comments relate to Revision D of the LVIA. TPM Landscape provided a full response to all the comments made in the 'Ryder Review' (Refer to Annex 1), and also had a meeting with Stuart Ryder and the Council to go through the comments in detail, and TPM Landscape then carried out further assessment work and update the LVIA to Rev E, which provided a full response to all the points raised, and was submitted as part of the application for the Proposal.

The planning officer was therefore fully informed of the potential landscape and visual impacts of the Proposal when they wrote their recommendation for approval to the planning committee.

5.3 Regarding whether effects to a potential future resident would remain adverse after a 15 year period, I disagree with Mr Ryder's conclusion of a residual effect, and my reasons for why they would be 'Neutral' after this period of time are set out below:

- The future residential receptor does not exist yet, and has therefore not experienced the change from the existing 'baseline' situation'.
- A worst case scenario has been assumed by simply using the illustrative plans for this part of approved residential scheme, whereas in practice the designer of the reserved matters approval will no doubt design the actual scheme to minimise effects still further, through layout, design, orientation, landscaping etc.
- If the Appeal were allowed, then it is probable that any future residential receptor would be aware that either 1) there was a planning approval for the redevelopment of the adjacent land; or 2) the development of the appeal site will either be under construction or constructed, in which case the change will either be happening or happened already. In either of these cases, the baseline condition for the future residential receptor is with full knowledge of the Proposal.
- The proposed landscape mitigation will have grown substantially over a 15 year period, and with regard to the baseline situation described above, I

consider that this might actually be a beneficial change for some future residents. However, on balance, I consider that an assessment of the effects reducing to Neutral to be a fair assessment.

- 5.4 Notwithstanding the above, the effects described over this period, were assessed to reduce from 'Moderate-Substantial' to 'Slight-Moderate', and this was considered to be an acceptable level to both Mr. Ryder and the planning officer.

Landscape Effects

- 5.5 A full description of the potential effects to the landscape resource is provided in the LVIA, and is summarised here.

There are no landscape receptors of regional or national importance, and no notable or significant effects assessed to either the wider or rural landscape.

There will be little if any change to the broader landscape and the key landscape characteristics will not change or be affected, and the effects on the wider landscape character are assessed as Negligible.

At a local level, the site comprises developed land adjacent to existing settlement land currently undergoing development. The physical change brought about by the Proposal will be a Low change to the local landscape, which will however be congruous in its setting and will not significantly alter or harm the key characteristics, and is assessed as resulting in a Slight adverse effect.

- 5.6 The above effects of the proposed development on the landscape resource were considered by the council's external landscape consultant (Ref section 6), who, other than some small items of clarification (which were provide in the finally submitted LVIA Rev E), broadly concurred with the findings of the LVIA, and which then informed the planning officer's recommendation for approval in

their Report to Committee. With regard to potential effects to the landscape and setting of the Proposal, I note the following from the officer's recommendation:

29 (part). It is considered that the proposed Storage and Distribution (Class B8) units are..... appropriate in their scale and density, with appropriate landscaping and materials proposed to soften the appearance of the large buildings and allow for appropriate integration into the local setting and townscape.

Landscape Elements - Trees

- 5.7 Trees are an element of the landscape and are considered within landscape and visual impact assessment where they contribute to the character of the landscape, or their loss would result in a change to the character or to visual amenity. This evidence does not relate to the quality or condition of the trees, or the potential effects to the trees caused by the Proposal, as these elements have been assessed in the tree survey and Arboricultural Impact Assessment (AIA) which were submitted with the planning application. I note from the tree survey that none of the trees required for removal are assessed as being especially important specimens or requiring retention in order to preserve the amenity of the area, and no particular concerns raised by the Council's tree officer.
- 5.8 The Proposal will result in the loss of some trees to allow the reconfiguration of the access road and car parking to facilitate the development, predominantly located in visually contained parts within the development area. I consider that whilst the removal of some trees nearer the boundaries will allow for some less filtered views towards the site from adjacent land, the proposed mitigation will provide a substantial amount of replacement native trees and woodland planting, which will more than compensate for the loss of trees and form an effective visual screen in the gaps created. The proposed mitigation which incorporates compensation for the loss of trees is described in more detail in section 4 (Design and Mitigation) of this evidence. The landscape design

proposals submitted with the application demonstrate that there will be considerably more trees planted than will be lost.

- 5.9 The LVIA assessed that the small loss of trees would not have an impact to the landscape character as they are predominantly contained centrally in the site, and do not contribute to the wider visual amenity, and that the proposed mitigation tree planting is sufficient to compensate for their loss, screen views and preserve the visual amenity of the area.
- 5.10 The Arboricultural Impact Assessment and LVIA were considered by the Council and their tree officer and external landscape consultant, who concurred with the findings of the assessments, and I note that the planning officer concluded the following in their report to committee:

Ecology and Trees:

79. Subject to conditions ensuring the proposed landscape planning is carried out in accordance with approved plans, suitably maintained over a defined period and ensuring appropriate steps are taken to avoid any disturbance of nesting birds, it is considered that the development is acceptable in respect to biodiversity and would therefore accord with Core Strategy policies G6 and G7 and the NPPF.

- 5.11 In consideration of the very limited landscape effects described above, and the enhancements and benefits described in the landscape mitigation, I conclude that the overall change will be from a developed site in the urban area with limited landscaping, to a developed site with bigger buildings set in a much improved landscape setting which better integrates with its setting.

Visual Effects

Visual Envelope

- 5.12 The visual envelope of the proposed development (ie where it can be potentially seen from) is described in the LVIA:

‘The visual envelope is contained by the M62 motorway to the south east, urban areas of settlement and industrial buildings to the north and north west and landform change in the open fields to the west/ south-west. Existing settlement surrounds the site to the north and east. This, along with existing mature vegetation, offers screening and encloses the site. To the west and north west, the landscape is open and gently undulating with some public rights of way crossing these areas. The surrounding area, to the north, north west and south west, is approved for future development based on the South Heywood Masterplan. The study area is set at 1km for the reasons set out above, however, considered viewpoints have been taken from further afield, including the east of Heywood settlement, south of the M62/ northern fringe of Middleton and Whittle Lane to the west near Birch Industrial Park.’

- 5.13 The extent of the assessed visual envelope was considered appropriate by the council’s external landscape consultant (described in more detail in section 6 of this proof), other than 4 potential viewpoints from beyond 1km, which were subsequently further assessed in the submitted LVIA Rev E (‘Other Considered Views 1 to V4’), however the further assessment demonstrated that the proposed development would not be readily visible from these views in any case.
- 5.14 A full description of the potential effects to the visual resource is provided in the LVIA, and is summarised here.

The site is well contained by trees and vegetation and the existing buildings are not readily discernible from either long/mid distance views, or even from many locations nearer to the site. Any change to any long or mid distance views will be very limited, and the Proposal is assessed as having a Negligible effect to views beyond the immediate visual envelope.

There are several 'High' sensitivity receptors in the near vicinity of the site, including residential receptors (existing and future), directly adjacent to the boundaries, and users of public rights of way footpaths which formerly ran through the adjacent land, but which are now assimilated within the emerging masterplan development.

Existing Residential Receptors

Three representative existing residential receptor groups were assessed within the LVIA. Of these the largest visual effect is for those properties on Bader Drive and White House Close (adjoining the north eastern boundary). It was assessed that although there will be a large change to the view for some of the properties, the nature of the view will remain as existing industrial buildings already occupy the site. The assessed effects for these residential properties was Moderate-substantial adverse effect reducing to a Slight-Moderate Neutral effect following the establishment of the proposed landscape mitigation which will effectively screen views.

Future Residential Receptors

Two representative future residential receptors were assessed for potential future properties which will abut the south-western and western boundaries of the proposal site. It was assessed that for the most part the existing trees and vegetation already effectively screen the existing buildings from these potential future properties (particularly when viewed at ground level, which is where most residential views are available during daylight hours). However there are some small gaps in the existing tree/vegetation belt along the boundary, and in these locations the change to the views was assessed as Low change along the western boundary, and a Medium change on the south-western site boundary (although it should be noted that this is only in few locations where there are gaps in the vegetation). This corresponds to a Slight-Moderate adverse effect reducing to a Slight neutral effect to the potential future properties adjoining the western site boundary and a Moderate-substantial adverse effect reducing to a Slight-Moderate neutral effect to the potential future properties adjoining the south-western boundary. The reduction of assessed effects is considered with

regard to the substantial mitigation measures which are incorporated within the Proposal.

Pedestrian Receptors

Although some effects were assessed for users of public footpaths, none were Substantial or Moderate. The largest change was assessed for the public footpath in the field adjacent to the north western boundary of the site, which was assessed as experiencing a Slight-Moderate adverse effect reducing to Slight neutral following mitigation planting. However it is noted that this effect will be less as the future phases of the wider outline masterplan come forward and development take the place of the agricultural fields that surround the west and north west of the site.

- 5.15 The above effects of the proposed development on the visual resource were considered by the council's external landscape consultant (Ref section 6), who, other than some small items of clarification (which were provide in the finally submitted LVIA Rev E), concurred with the findings of the LVIA, and which was considered by both the landscape consultant and the planning officer to provide sufficient information in order for the planning officer to make a recommendation for approval in their Report to Committee, and in particular I note the following from the officer's report:

Conclusion:

90. Overall the proposal delivers a B8 employment use on an existing established B8 employment site. A similar relationship as proposed between residents and the DWP's use has long existed. The applicant has had regard to the impact of the proposal on existing residents and the indicative position of future residents. A series of mitigation measures will minimise the impact of the proposal to such a level it is not considered it will unduly or adversely affect the reasonable enjoyment of the homes of residents. The proposal is therefore broadly compliant with the aims of the NPPF, the adopted Core Strategy and the emerging Place for Everyone.

6.0 OFFICER'S REPORT TO COMMITTEE AND THE REASON FOR REFUSAL

- 6.1 The planning application process followed a methodical process of assessment and design in order to ensure that the proposed development would integrate well in its setting and minimise potential impacts, in particular to the visual amenity of existing and future residents. Following this process, the planning officer was able to make a recommendation to approve the proposed development to the planning committee, however the committee chose to not follow the recommendation of its professional technical officers, and refused the application with no apparent evidence to support the reason for refusal.
- 6.2 Extracts of the planning officer's report to committee are provided below, in order to demonstrate the process which was undertaken during the planning application to ensure that the proposed development represented good design, was appropriate to its setting and reduced any impacts to the visual amenity of existing or future residents to acceptable levels.

Response to objections received during the application process

- 6.3 A summary of Third Party Representations and the Appellant's response to them is included in paragraph [X] of the Statement of Case.
- 6.4 Russell Homes made several submissions to the council, which were responded to by the development design team, and by TPM Landscape where concerns were raised over landscape or visual matters. This resulted in a further LVIA assessment in order to address these concerns, and where appropriate, further design iterations to incorporate additional mitigation, and which resulted in revisions and addendums to the submitted Landscape and Visual Impact Appraisal (Rev E) and landscape design drawings. The Planning Officer's Report to Committee provides a comprehensive catalogue of events, objector's concerns, and the responses from the design team, both in terms of the iterations which were made to the design to reduce potential impacts to

visual amenity, and also to mitigate remaining effects, and these are catalogued in the officer's recommendation to committee (to approve), in 'Amended Plans and Documents Received from Applicant – Dated 06 June 2023' (para 127).

- 6.5 Russell Homes (the objector) commissioned an independent review of the submitted TPM Landscape LVIA by Barnes Walker landscape architects, which raised some issues relating to potential landscape and visual impacts of the proposed development, and which were presented to the Council (the "Barnes Walker Critique"). The objection is noted in the officer's recommendation to committee, 'Objection Received from Avison Young (on behalf of the objector) – Received 07 June 2023' (para 131-138), and a further objection received from Jones Lang LaSalle (on behalf of the objector), received 26 September 2023, and I address the concerns raised by the objector in more detail below.
- 6.6 The Council then appointed their own independent landscape consultant (Stuart Ryder of Ryder Landscape Consultants), to address the concerns raised by the Barnes Walker Review, and also to provide an independent review of the then submitted LVIA (Rev D) (the "Ryder Review").
- 6.7 The findings of the 'Ryder Review' of the submitted LVIA (Rev D), which also included consideration of the concerns raised in the 'Barnes Walker Critique' of the submitted LVIA, was presented to TPM Landscape who then provided a further detailed responses to the Council through meetings, which were also attended by Stuart Ryder. This process involved several sets of correspondence and meetings to review the concerns raised and to discuss requirements for additional assessment work where necessary, or where additional mitigation might be provided to reduce any identified effects.
- 6.8 Having reviewed the TPM LVIA, and the Barnes Walker 'Critique' of the LVIA, the Ryder Landscape Consultants Review, summarised its findings as follows (reference Annex 1-5 of this proof for the full report):

‘4. A summary of findings of the review of the scope of the assessment:

- *That there is considered to be more landscape receptors such as the Site itself and the elements such as trees on Site that should be assessed. There may be more visual receptors that exist beyond the 1km study area.*
- *The value of identified landscape and visual receptors are discussed but not whether the Site or its landscape context are ‘valued landscape’ as per NPPF 174 a), in my opinion neither are.*
- *The constituent parts that assessors use to determine receptor sensitivity are there but would benefit from a clear sensitivity look-up table that combines value and susceptibility judgements. Such a table will help demonstrate consistency of sensitivity definition and allow others to repeat the process.*
- *There is a general lack of cross-over with other topics such as ecology and heritage.*
- *There is no evidence or statement of the LVA being part of an iterative design process where findings from the LVA have been used to modify the proposals.*
- *There is a greater level of clarity with regards to the representative viewpoints used to illustrate visual receptors than landscape receptors.*
- *The representative viewpoints are considered appropriate but there may be more from over 1km away.*
- *There is a lack of description as to the form and operation of the development.*
- *Mitigation measures are perhaps over simplified and only address planting and no other elements of the proposals such as cladding, lighting and finished floor levels.*
- *Generally there is a consistent approach across the study but I disagree that some of the visual effects at 15 years would be neutral in type but would be adverse in nature.*
- *There is no consideration of any cumulative effects or ruling them out if they do not occur.*

5. A summary of findings of the review of the actual assessment of effects

The actual assessment of effects is considered to be reasonable with the exception of the type of effect identified at viewpoints 9 to 12 where the type of visual change after 15 years is considered to remain an Adverse effect instead of a Neutral one.’

6.9 In order to demonstrate that all the concerns raised by both the Barnes Walker Critique, and the Ryder Review were fully considered in the updated LVIA information and the submitted landscape proposals, a full set of the

correspondence has been provided in Annex 1 of this evidence, which occurred between June and July 2023 between TPM Landscape and the Council, with the intention of addressing any concerns raised. This includes an itemised response by TPM to each point raised.

6.10 Annex 1 of this Statement presents the detailed responses from TPM Landscape to both the Ryder Review and the Barnes Walker Critique (TPM responses in red to each of the items). Annex 1 consists of the following Review and correspondence trail:

- ANN 1.1 TPM Response to final comments received from Ryder Landscape Consultants (4 July 2023)
- ANN 1.2 TPM Response to feedback from Barnes Walker and Stuart Ryder (3 July 2023)
- ANN 1.3 TPM Response to Barnes Walker 'Critique' of TPM LAVIA
- ANN1.4 TPM Response to feedback from Ryder Landscape Consultants 'Review of Heywood Stores Landscape and Visual Impact Assessment Information'
- ANN 1.5 Ryder Landscape Consulting 'Review of Heywood Stores Landscape and Visual Impact Assessment Information'
- ANN1.6 Ryder Landscape Consulting Review of Barnes Walker Review of TPM Landscape submitted LVIA (received 20 June 2023)

6.11 In response to the Barnes Walker Review and Ryder Review, TPM Landscape carried out some additional assessment work relating to potential future residents, long distance views, and some additional information provided relating to cumulative assessment.

- 6.12 It is important to note that although most of the Barnes Walker ‘Critique’ of the TPM LVIA related to the assessment of the potential visual impact on future residential development, (as is noted within the TPM response at the time (ANN 1.2 and 1.3)), the Guidelines for Landscape and Visual Impact Assessment (GLVIA 3rd Edition), do not include guidance on assessing potential ‘future’ receptors within the standard GLVIA methodology. The following extract of GLVIA describes who are considered as visual receptors within the LVIA assessment process:

‘6.1 (part) An assessment of visual effects deals with the effects of change and development on the views available to people and their visual amenity. The concern here is with assessing how the surroundings of individuals or group of people may be specifically affected by changes in the content and character of views as a result of the change or loss of existing elements of the landscape and/or introduction of new elements’

- 6.13 The standard approach to assessing changes to views is therefore specific to understanding the nature of the visual receptor, including its precise location and orientation. This approach was followed in the preparation of the TPM Landscape LVIA, and in accordance with the LVIA Methodology included in Annex 5 of this evidence. Furthermore, in my experience, all visual receptors assessed in LVIA relate to views of existing people, and I also note that ‘the Ryder Review’ of the TPM LVIA also acknowledges this in the summary, as follows:

‘In Summary (part)....

‘The concerns expressed by Barnes Walker are largely fair and raise a number of similar points to those that I raised in my independent review of Rev D of the application LVA. They are at times solely interested in the effects on the consented housing areas but this is understandable.

I found there to be assertions about harm to the amenity of new residents that are not as helpful to understand the effects of the proposals than the simpler analysis of detail.

As an exercise it is a little abstract at times to consider effects for visual receptors who are not yet there and provision of a masterplan layout may assist in defining the likely landscape and visual effects with greater clarity.

- 6.14 Having considered the above, and with regard to Revision D of the submitted LVIA, the Ryder Landscape Consultants Review was able to make the following recommendations to the council planning officer:

'8. Recommendations for further information to be sought (if necessary); 4

If you are minded I would suggest that further information or confirmation of the following would aid the thoroughness of the study. None of the points are fundamental or substantive in nature and the LVA could still be used in its current form to allow you to determine the application.

- *Finer grain of landscape receptors – trees on Site being one example and the Site another;*
- *Identification and assessment of an visual receptors beyond 1km – but likely to be minor visual effects given distance and precedent of other logistic buildings in the view;*
- *Assessment of any cumulative effects if any exist;*
- *Fuller description of mitigation measures and the duration that they will take to achieve an effect;*
- *Landscape benefits of the scheme to allow them to be taken into account in the planning balance.'*

Further supporting information was then provided in the final submission of the LVIA, Revision E which provided all the above information.

- 6.15 The response to the concerns also resulted in additional mitigation to reduce potential impacts (even where these assessed impacts were small), which is further described in the mitigation described in Section 4 of this report.
- 6.16 It is important to note that there were no substantial changes assessed for the receptors described within the previously submitted LVIA (Rev D), and many of

the additional items requested to be included in the LVIA (Rev E), resulted in no further impacts being identified, such as the 'Considered views from beyond 1km'. Items such as this had been scoped out of the original assessment and are only included in the final LVIA (Rev E) assessment in order to demonstrate the point.

6.17 With regard to the objections received from Avison Young (on behalf of the objector) – Received 07 June 2023' (para131-138 of the officer's report to committee), and the further objection received from Jones Lang LaSalle (on behalf of the objector), received 26 September 2023 (para145 to 150 of the officer's report to committee), I have provided a full response to all the items raised in these objections in other parts of this section of my evidence, and which relate to the responses to the Ryder Landscape Review of the TPM LVIA (prepared by an external consultant on behalf of the council), and which also included responses to the Barnes Walker 'Critique' of the TPM LVIA (prepared by an independent landscape consultancy on behalf of the objector). Whilst there are some minor differences between myself and Mr Ryder, in general he has concluded that the LVIA is fit for purpose and that any residual adverse effects, after mitigation are minor.

6.18 Ryder Landscape Consultants, acting for the Council, provided final comments to the Council as follows (my underline emphasis) to the planning officer:

'If you are minded I would suggest that further information or confirmation of the following would aid the thoroughness of the study. None of the points are fundamental or substantive in nature and the LVA could still be used in its current form to allow you to determine the application.'

6.19 Despite the additional points referred to above not being fundamental or substantive in nature, TPM Landscape nonetheless provided the requested clarifications. The further information requested by Ryder Landscape Consulting (and which also incorporated items raised by the Barnes Walker review, where the Ryder review thought relevant) is reproduced below (italics),

together with a summary of the TPM Landscape response which was incorporated into the final LVIA (Rev E), which is the final version of the LVIA submitted for approval as part of the Proposal.

- *Finer grain of landscape receptors – trees on Site being one example and the Site another;*

6.20 The TPM Landscape response noted that further assessment would be carried out for the site. This resulted a more detailed description of the site and its elements within the final LVIA, in particular describing the effects to existing trees on site (where they are a characteristic of the landscape resource, not from an arboricultural perspective). The additional assessment (including the trees) did not change the sensitivity or effect of the Proposal on the landscape resource of the site, which remained as a 'Low' effect within the LVIA.

- *Identification and assessment of any visual receptors beyond 1km – but likely to be minor visual effects given distance and precedent of other logistic buildings in the view;*

6.21 TPM Landscape revisited the site and the wider landscape to extend the study area, and 4 additional potential views were included in the updated LVIA rev E (Referred to as a separate document of 'Other Considered Views'), however there were no viewpoints identified from the wider area where the Proposal would have anything other than a very small visual impact, if any.

- *Assessment of any cumulative effects if any exist;*

6.22 The updated LVIA Rev E made a detailed appraisal of the potential cumulative effects and concluded that the cumulative effects of the development will be far less due to built form in between receptor and development site, and this is noted with regard to the completion of the developments associated with the South Heywood Masterplan site.

- *Fuller description of mitigation measures and the duration that they will take to achieve an effect;*

6.23 The LVIA Rev E included additional mitigation measures included in the design proposals, in particular with regard to additional trees, planted at a more mature size on the proposed retaining wall and bunding.

- *Landscape benefits of the scheme to allow them to be taken into account in the planning balance.*

6.24 A description of the landscape benefits of the scheme were provided to the council, which include the following:

- There are existing gaps in vegetation along the site boundaries which provide views into the existing industrial estate. A considerable number of new trees are proposed to strengthen the vegetated character to the site boundaries.
- New boundary treatments are proposed against the existing residential settlement to create a more uniformed appearance (currently varies in quality and condition).
- Sustainable methods of drainage are incorporated into the layout through three separate basins.
- Native planting (trees, hedgerows and shrub mixes) is proposed along with swathes of wildflower meadow that add to the
- Ecological value of the site.

6.25 The processes described above demonstrates the following:

1 The preparation of the LVIA was part of an iterative process incorporating expert advice on behalf of both the applicant and the local authority to fully assess the potential landscape and visual impacts of the proposed development, in accordance with the NPPF (which requires local authorities to engage with developers in the application process, and to consider the relative importance of landscapes and their character an intrinsic beauty), and also with the Guidelines for Landscape and Visual Impact Assessment (which also acknowledges that LVIA is an iterative process between the consultant preparing the LVIA, and the local authority).

2 The LVIA submitted was a full and detailed assessment of the potential landscape and visual impacts, which was reviewed by 2 separate landscape consultants, and although some concerns were raised which resulted in some minor modifications to the assessment and proposed mitigation, none of the additional requirements resulted in a substantial change to the LVIA or any assessed effects.

3 The planning officer was fully informed of the potential landscape and visual impacts of the proposed development when they made their recommendation to approve the planning application, and were able to rely on the expert advice of their external landscape consultants, (Ryder Landscape Consultants).

Consistency in the requirement for landscape and visual assessments

- 6.26 Russell Homes has planning permission for a major, allocated, mixed use development in Rochdale known as the "South Heywood Masterplan". I refer in this report, and the Appellant team refer in the Appeal documents, to this scheme as the "Russell Homes Scheme" for clarity as to the link between Russell Homes and this scheme. The Russell Homes Scheme and associated detailed planning approvals are illustrated in Annex 2: Plans (Plan 2), which is a composite plan prepared by TPM Landscape in order to assist referencing the location of the Proposal with regard to the wider masterplan site and planning approvals.
- 6.27 There are 2 planning approvals for large commercial buildings to the north-west of the Masterplan area with references 19/01374/FUL and 14/0440/REM which are located outside, but directly adjacent to, the South Heywood Masterplan site. Although these (now constructed) commercial units are similar in scale to the units of this proposed development, neither of these developments were required to provide a Landscape and Visual Impact Assessment at all as part of their planning applications, to assess either the impact to views or visual

amenity for adjacent existing housing, or future residential development. The extension of the Yearsley Group commercial premises (Ref 19/01374/FUL) directly abuts the part of Russell Homes's future residential development site. The large commercial buildings of these approved developments are clearly visible on the ridgeline and will be a large part of the view for residents of the future proposed housing on this boundary. This is demonstrated in the photographs in Annex 3: LVIA Addendum 1– Visual amenity from adjacent future residential land.

- 6.28 There are also 2 further detailed permissions of note within the South Heywood Masterplan site: Planning Approval reference 22/00787/REM (Ref ANN 2: Plans – Plan 2), a full planning approval for the change from 2 smaller commercial units to a large single commercial unit, located to the west of the South Heywood Masterplan site. I note that the southern half of the approval site is subject to future design, and also that the Russell LDP website indicates this to be potentially another very large unit – Reference Annex 2: Plans (Plan 4-4).
- 6.29 The change to the South Heywood Masterplan introduced by the above mentioned planning approval reference 22/00787/REM (from smaller commercial units to larger units) is of a similar nature to this refused application, however the proposed commercial unit for the approved development is nearly twice the size of the refused Proposal of this Appeal. The approved development was not required to produce a Landscape and Visual Impact Assessment at all in order to understand the potential impact to existing or future residents. This is unlike the Appeal Proposal, which not only required a full LVIA, but was also subject to external review by 2 separate landscape consultants for a very much smaller proposal. It is perhaps worth noting that TPM Landscape were also the landscape consultants for that application on behalf of Russell Homes, and a consistent approach to the landscaping has been applied across all the detailed application sites within the masterplan where TPM Landscape provided landscape consultancy.

6.30 The other permission of note is Planning Approval Reference 22/01569/OUT, which is an outline approval for additional large scale commercial storage similar in scale to the refused application of this Appeal, located to the west of the South Heywood Masterplan site (Ref ANN 2: Plans – Plan 2). This planning application did require a form of landscape and visual assessment, however it was a very simple assessment, which comprised a short Addendum to the Landscape and Visual Chapter of the Environmental Statement which was produced for the wider masterplan site. Of further note, the ES was prepared by another company (IBI Group), and I am not quite sure on the protocol for one company providing an addendum to an ES, without the input of the ES coordinator, as the ES process follows a very rigorous checking procedure with regard to the significance of effects. The Addendum to the ES report is very brief and does not consider the potential effects to the visual amenity of future residential development. This is of particular note, since the author of the Addendum to the ES LVIA, is 'Barnes Walker', the same firm which has provided the Critique of the TPM submitted LVIA. As detailed further in section 6 of this statement, Barnes Walker were critical of the TPM LVIA assessment methodology with regard to the sensitivity and assessed effects of the refused application to 'future residents', however made no attempt themselves to assess the potential impact of the site which they were assessing to future residents.

6.31 Of further note with regard to the Barnes Walker critique of the TPM LVIA methodology, is that Barnes Walker were critical of TPM reducing the sensitivity of potential future residents as 'Medium-High', this being a reduction from 'High' which is the sensitivity applied to existing residents within the TPM LVIA. The reduction in the sensitivity of the visual amenity for future residents was for the following reasons:

- 1 The potential future residents do not actually exist, and are therefore not a visual receptor in the manner described in the Guidelines for Landscape and Visual Impact Assessment (3rd Edition). As they are hypothetical, there is no mechanism within the guidelines for assessing

any change or effects which be may be brought about by the proposed development. I have provided extracts from the GLVIA in other parts of this evidence section 6, as to what constitutes visual receptors.

2 The degree of certainty as to the nature of the potential future residents is very low. If the future residential development had a full planning approval, it would be possible to understand the location and orientation of the proposed dwellings. And although the change would still only be hypothetical, it would be possible to envisage what the magnitude of any change to the visual amenity would be to the future residents. The 'Ryder Review' notes this in his Summary of the 'Barnes Walker Critique' when he states *'As an exercise it is a little abstract at times to consider effects for visual receptors who are not yet there and provision of a masterplan layout may assist in defining the likely landscape and visual effects with greater clarity.'*

3 There may actually be no change to a visual receptor, brought about by the proposed development of this Appeal, as, if it were approved, it may actually already have been constructed prior to any residents purchasing a property, and the visual impact of the development readily perceptible to the purchaser. This would then be a similar situation as to the existing large commercial units to the north of the objector's site.

6.32 Of further note, the Barnes Walker Addendum to the ES provided for the planning approval 22/01569/OUT, categorised existing residential receptors as being of Medium Sensitivity, which is **lower** than the TPM Landscape LVIA assessment applied to hypothetical future residents (Medium-High), and which was criticised in the Barnes Walker Review of the TPM LVIA.

6.33 Notwithstanding the above points, TPM Landscape realised that the concerns of the objector needed to be addressed, and considered that by making a slight-reduction in the sensitivity of the receptor, would make some separation

between assessing potential effects to existing residents, and assessing hypothetical effects to potential future residents. It should be noted that reducing the sensitivity of future residents to a 'Medium-High' Sensitivity in the TPM LVIA, did not actually reduce the assessed effects to any lesser degree than if they had been assessed as having the same sensitivity as existing residents (refer to Annex 4: TPM LVIA Methodology). Therefore, the marginal 'downgrading' of sensitivity of this potential future receptor made no difference to the assessed effects to potential future residents, than if they were assessed as 'High Sensitivity', as the assessment methodology 'table' is the same for either 'High' or 'Medium-High' sensitivity receptors (Ref Annex 5: LVIA Methodology). The difference being explained by the fact that future residents are unlikely to experience the before and after consequence of the proposals.

- 6.34 The methodology for assessing the future residents was both discussed and agreed with the Council's external landscape consultant Ryder Landscape Consultants, and this has been described in detail within other parts of section 6 of this evidence with regard to the 'Ryder Review' of the TPM LVIA.
- 6.35 Therefore, with regard to the above approved planning applications, it appears that the Appeal Proposal has been subjected to a much greater degree of scrutiny with regard to potential landscape and visual impacts than any of the other proposed developments for large commercial storage units, both within and adjacent to the Russell Homes Scheme. Some of the approved applications required **no** assessment of landscape and visual impacts at all. Additionally, where LVIA assessment was required for an approved application, a very minimal level of assessment was deemed as acceptable, and did not include any form of assessment with regard to the visual amenity of future residents.
- 6.36 I therefore consider that there has been an odd inconsistency applied by the Council and Barnes Walker with regard to which proposed developments require a Landscape and Visual Impact Assessment, and to the level of assessment required by each application, and in particular any requirement

which has required future residents to be assessed through an LVIA. Furthermore, there has also been inconsistency in the methodology of the objector's submitted LVIA Addendum to the approved development (Ref 22/01569/OUT) to the west of the South Heywood Masterplan, and the critique applied by the same landscape consultants, on behalf of the objector, to the Appeal Proposal.

TPM Landscape Response to the Reason for Refusal:

- 6.37 I have broken down the Reason for Refusal (RfR) to further consider each of its elements. Elements of the RfR which relate to size, scale, form and design of the development have been addressed in the evidence provided by the architect for the development Mr. Richard Routh (Ashton & Smith Architects). Elements which relate to noise have been addressed in the evidence provided by the acoustic engineer for the development Mr. Mark MacLagan (Waterman Group). Elements which relate to planning policy have been addressed in the evidence provided by the planning consultant for the development Mr. Harry Spawton (Gerald Eve).
- 6.38 With regard to Landscape and Visual issues, the elements within the Reason for Refusal can be summarised as follows:
- 1 *The proposed development would represent ‘...overdevelopment of the site which is not compatible with surrounding land uses’;*
 - 2 *The proposed development would represent ‘....detrimental and unacceptable impacts on the visual amenity of surrounding residents...’ [existing];*
 - 3 *The proposed development would represent ‘....detrimental and unacceptable impacts on the visual amenity of surrounding residents, with particular regard to future residents adjacent to the site.’; and*

4 The application ‘... fails to accord with Policy DM1 of the Rochdale Local Plan Core Strategy and the National Planning Policy Framework’.

I deal with each element in turn below.

1 The proposed development would represent ‘...overdevelopment of the site which is not compatible with surrounding land uses’:

- 6.39 This has mostly been addressed within Mr Routh’s evidence, however the relationship between the scale of the proposed development and its setting in the wider landscape context has also been considered within this evidence where it relates to the landscape character.
- 6.40 The landscape character of the wider area was assessed in the LVIA for the proposed development, and the presence of existing large commercial units was noted as being a feature of the existing landscape to the north-west of the South Heywood masterplan area, and also a feature of approved development as part of Russell Homes Scheme. The existing site is itself already relatively large commercial buildings, and the juxtaposition of large commercial buildings to adjacent residential developments is part of the character of the setting of the Russell Homes Scheme site. It is therefore considered that the proposed change from smaller to larger commercial units is compatible with the surrounding land uses.
- 6.41 It was further noted within the LVIA that scale of the proposed change (from 9 warehouse units (6 large, 3 small), and 4 additional site buildings, to 2 larger units on a similar footprint to the six smaller units) is of a similar scale to other existing units in the wider landscape, and smaller than some of the units proposed as part of detailed approvals of the Russell Homes Scheme, and this is demonstrated in a Composite drawing prepared by TPM Landscape (ANN 2: Plans). It is therefore considered that the change from 9 smaller to 2 larger units does not represent overdevelopment of the site, rather is consistent with the scale of adjacent development.

6.42 The design of the proposed development was refined during the planning application process to address concerns relating to visual amenity, and the Council's planning officer, having taken expert advice from the council's external landscape consultant, considered that the relative scale of the proposed development to the existing commercial units, (and also other commercial units proposed as part of the Russell Homes Scheme) did not represent overdevelopment of the site and is compatible with the surrounding land uses (Ref Section 6: Planning officer Recommendation to Committee). Furthermore, and with regard to the expert advice of the Council's external landscape consultant, the officer's report to committee concluded that the proposed development would not have an overbearing or unacceptable relationship with surrounding land.

2 The proposed development would represent '....detrimental **and unacceptable impacts on the visual amenity of surrounding residents...**
[existing]

6.43 The potential impacts of the proposed development to the visual amenity of existing residents was considered in detail through the LVIA (Rev E and earlier revisions) submitted with the planning application, which included 3D wireframe photomontages to help assess the potential change to views of existing residents. The selection of which of the potential viewpoints would include 3D wireframes was agreed with the LPA planning officer during the application process, in accordance with GLVIA guidance. The LVIA underwent several iterations as part of the planning process in order to respond to concerns raised regarding existing residents in the vicinity of the proposal. This included several design changes (set out in detail in Mr Routh's evidence) to both the proposed layout arrangement and building footprint in order to reduce visual effects, and also to incorporate additional mitigation screening with additional native trees and shrubs. It was assessed that there would be some adverse impacts to the existing residential properties which directly face the proposal site, however the effects will reduce substantially as the above mitigation planting becomes

established, and will improve some views where there are currently gaps in the vegetation towards the existing commercial units.

- 6.44 The LVIA was reviewed by Ryder Landscape Consultants, as the Council's external landscape consultant who concurred with the conclusions that the visual effects to existing residents could be mitigated adequately and to acceptable levels. The case officers also agreed with this view. A detailed analysis of the 'Ryder Review' is provided earlier in this section of my evidence.
- 6.45 While there will be some adverse impacts on the visual amenity of surrounding development, the change in scale of the proposed development will not be substantial, and the mitigation will reduce impacts to acceptable levels, as agreed by the council planning officer informed by the opinion their expert external landscape consultant. Accordingly, I do not consider that the Proposal would represent detrimental and unacceptable impacts on the visual amenity of surrounding residents.

3 The proposed development would represent '....detrimental and unacceptable impacts on the visual amenity of surrounding residents, **with particular regard to future residents adjacent to the site.**'

- 6.46 It is assumed that the 'future residents adjacent to the site' refers to the proposed residential land directly adjacent to the west and south-west boundary of the proposed development boundary, identified within the approved South Heywood Masterplan (Ref 16/01399/HYBR) (Ref ANN 3: Plan 1), and not relating to objections from other 'future residential developments' in the vicinity of the Proposal, which have been the subject of recent full planning applications (Ref ANN2: Plans for the location and planning reference numbers of these applications). I am not aware that any of the other developers of the detailed applications (Bellway Homes and Anwyl Homes) have made objections to the Proposal.

- 6.47 A composite drawing has been prepared by TPM as part of this evidence (ANN 2: Plans – Plan 2) which identifies the planning applications for the South Heywood Masterplan site, and also other planning approvals in the near vicinity of the proposal site, and also identifies the ‘future residential land’ described above.
- 6.48 Objections relating to the potential impact of the scheme on future residents were addressed through discussion and design iteration between the development design team and the local authority technical officers (and have been described in full detail through this evidence).
- 6.49 As the ‘future residential land’ has an Outline permission only, a detailed layout would be required to be submitted as part of a Reserved Matters application, and until this is provided the potential location, landscaping and orientation of future housing can only be considered at a relatively superficial level, and the assessment of potential impacts to the visual amenity of the future residents has been assessed with regard to the uncertainty of the nature of the potential future receptors. This was the opinion of the council’s external landscape consultant in the ‘Ryder Review’ Summary of the ‘Barnes Walker Critique’.
- 6.50 Indeed, the recent iterations of the approved South Heywood Masterplan (Ref 16/01399/HYBR), demonstrate that areas of land previously identified as residential have subsequently changed to commercial, and therefore there is even an element of uncertainty as to whether the land will actually be residential land at all. The change in the masterplan is demonstrated in Annex 2: Plans, in the change from Plan 2 (previously approved masterplan), and Plan 1 (currently approved masterplan).
- 6.51 Notwithstanding the above elements of uncertainty regarding future residents, all residential developments are designed as a response to their context and with regard to the adjacent sites which border their land, and as such designers of these developments have the capacity to orientate buildings away from views which may be considered adverse, or to provide some mitigation within the

design layout, for instance screening boundary vegetation. This would be a standard approach to the design of many residential developments, and which could be applied to the objector's land as well.

- 6.52 With regard to the future residential site which lies to the west of the Appeal site boundary (the objector's site), I note that this is an illustrative masterplan only, and there are no reserved matters approved to date, and Russell Homes could of course design an alternative scheme to respond to the Proposal should they choose to do so. Buildings could be reorientated, and landscape strengthened if there were concerns for example, which would presumably reduce potential visual effects even further than as described in the LVIA.
- 6.53 It should be noted that this potential layout has been prepared in the absence of a detailed application (let alone a detailed consent) for the site in order to demonstrate how a layout is able to orientate new houses away from the Proposal, if this was to be considered to be a design consideration, however as assessed in the submitted LVIA and also further assessed the LVIA Addendum 1 (Annex 3 of this evidence), substantial mitigation within the Proposal was incorporated into the design to reduce the visual effects to adjacent future housing, regardless of orientation, and the effects were considered to be reduced to an acceptable level by the planning officer, based on the expert advice of their external landscape consultant.
- 6.54 A detailed summary of both the Critique and Review of the LVIA, together with the TPM Landscape responses to issues raised are included in Annex 1 of this proof. As described earlier in this evidence, it should be noted that the objector does not represent the visual amenity of a visual receptor in the sense described in the Guidelines for Landscape and Visual Impact Assessment (GLVIA). GLVIA does not provide guidance on how to assess the representative views for people who do not yet exist, for an outline application where the location of properties has yet to be set, and from a wider masterplan which has itself been subject to many changes, and where some areas

previously identified as 'residential' areas, have since been changed to commercial (Ref ANN 2: Plans – Plan 3, and Plans 4-1 and 4-2).

- 6.55 Furthermore, when the planning approval is only at outline stage, the certainty and nature of a potential future receptor is less than (for instance) where a full planning approval exists, and even then, the layout may be subject to change, or the site might not actually be built at all. It is therefore not possible to definitively assess potential changes to the views of potential future residents, where both elements are undefined, nonetheless informed judgments can be properly formed.
- 6.56 Additionally, it is also worth noting that the objector's future residential land itself also abuts existing large commercial units in the north-western boundary (Planning Approval refs 19/01374/FUL and 14/0440/REM), and is most likely to face a large commercial unit on the south-eastern boundary (the southern half of the site of Planning Approval 22/00787/REM), both of which development locations have much more open views, and where any potential impact to the future resident's is likely to be substantially higher than that of the proposed development of this appeal. This is demonstrated in Annex 2: Plans Plan 4-3 and 4-4 of this statement.
- 6.57 The impact on visual amenity to potential future residents along all the boundaries of the adjacent (objector's) land have been further considered in an Addendum to the LVIA (Ref ANN 3: LVIA Addendum 1). I am not aware of any objection having been made by the adjacent landowner (the objector) to any of the planning applications for the commercial developments (existing and proposed) which abut their western or south-western boundary, and as listed above. I presume that this is because they were also involved in planning applications for the approved schemes to the west, and in the promotion of future large scale commercial buildings to the south-west.
- 6.58 It is unclear, therefore, why the adjacent landowner (the objector) appears to be solely concerned with the potential impacts to visual amenity of the south-

eastern and eastern boundary of this Appeal site, and does not appear to be concerned with the impacts that the various (existing or future) adjoining commercial developments may have on the future residents of their land on the north western or western boundary.

6.59 Notwithstanding the above, and as a response to concerns raised during this process, further changes were made to the layout and design of the proposed buildings, and to provide additional trees and landscaping to mitigate potential effects to potential future residents.

6.60 In consideration of all the submitted information, the external review of the applicant's assessment process, the amendments made to the design layout and buildings, and the further proposed landscape mitigation, the planning officer considered that any potential effects to the visual amenity of future residents were capable of mitigating to acceptable levels, and made a recommendation to the committee to approve the application.

4 The application '... fails to accord with Policy DM1 of the Rochdale Local Plan Core Strategy and the National Planning Policy Framework'.

6.61 This is mostly addressed by the evidence provided by the planning consultant Mr. Harry Spawton and the architect Mr Richard Routh, however where landscape and visual evidence is concerned, I have considered how the Proposal accords with Policy DM1 and the NPPF below.

Core Strategy Policy DM1

6.62 With regard to Local Plan Core Strategy Policy DM1, it is considered that the parts of this policy most relevant to landscape and visual matters are the following:

All development proposals, including changes of use of land and buildings, extensions and alterations, will be expected to demonstrate that they:.....

b. Are compatible with surrounding land uses, both in terms of its impact upon those uses and the impact of the surrounding land uses upon the amenities of future residents /users;

c. Do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy;

6.63 In consideration of all the evidence provided in this proof, I have demonstrated that due to the retention of existing trees and substantial landscape mitigation to integrate the Proposal in its setting, the proposed development:

- is compatible with surrounding land uses, with minimal impact upon those uses or upon the amenities of future residents/users.
- does not adversely affect the amenity of residents or users (either existing or future) thorough visual intrusion, overbearing impact, overshadowing or loss of privacy.

6.64 I therefore conclude that where Policy DM1 relates to landscape and visual matters, the proposed development is fully compliant, and this was the expert opinion of the councils external landscape consultant, which informed the planning officer in their recommendation for approval to the planning committee.

National Planning Policy Framework

6.65 As I have described in Section 2 of this evidence (Planning Policy Context), the NPPF applies a presumption of favour of sustainable development as set out in Paragraph 11.

6.66 Section 2 of this evidence also considers the NPPF with regard to conserving and enhancing the natural environment. Chapter 15 of the NPPF (p180) describes how planning policies and decisions should contribute to and enhance the natural and local environment by identifying valued landscapes which should be protected and enhanced, and recognising the intrinsic character and beauty of the countryside. The NPPF sets further objectives for

minimising and enhancing the biodiversity of the landscape. Paragraph 181 to 184 of the NPPF identify landscapes which should be given special consideration in decision making, such as National Parks and Areas of Outstanding Natural Beauty.

The Proposal will have no effect on any areas identified as being of particular importance (either local or otherwise), or which require special consideration in decision making. The site of the Proposal does not have an intrinsic character or beauty recognised as a valued landscape.

- 6.67 I have dealt with matters of landscape value and character in sections 3 and 5 of this evidence. I conclude in these sections that the proposals do not lead to any conflict with National Policy and that the proposal site and its surroundings are not a valued landscape as paragraph 180 of the NPPF. The proposals have been developed through a process which has included a careful consideration of the constraints and opportunities and an assessment which has led to the identification of potential impacts and their mitigation. The character and value of the countryside has been a key part of this assessment and the proposals have been designed to protect and enhance the surroundings of the site and reduce impacts where they occur.
- 6.68 I have described in Section 4 of this evidence how the Proposal takes the opportunities available to enhance the existing commercial site, and to provide a comprehensive landscaping scheme in order to integrate the Proposal in its setting. The proposals will seek to minimise impacts upon the existing biodiversity, by retaining existing trees, woodland and hedgerow where possible, and by creating new habitats through woodland planting, meadow grassland and wetland areas.
- 6.69 For the above reasons, I conclude that the Proposal does not conflict with any policies of the NPPF with regard to landscape and visual matters, and that when considering the Proposal as a whole, the planning officer considered that the Proposal does represent sustainable development as defined in paragraph 11.

7.0 SUMMARY AND CONCLUSIONS

- 7.1 The Proposal has been considered with regard to potential impacts to its setting, landscape character, and the visual amenity of existing residents located adjacent to the proposal site, and also to the visual amenity of residents of a potential future residential development located to the east and part south of the proposed development.
- 7.2 The potential landscape and visual impacts of the development were assessed through a LVIA during the application process prepared by TPM Landscape Ltd, who are chartered landscape architects with substantial experience in the assessment of landscape and visual impacts. The LVIA was prepared in accordance with recognised professional guidelines (the Guidelines for Landscape and Visual Assessment) which recognises that landscape and visual impact assessment is an iterative process, and which seeks to encourage dialogue between the developer and the local planning authority, in order that any potential impacts can be identified, and mitigation designed through either adjustment to the design layout, or through landscape buffer or screen planting. This design process was undertaken in consultation with Rochdale Council, including liaison with the council's appointed external landscape consultant, and any potential impacts of the development were reduced to acceptable levels, as described in Rochdale Council's planning officer's recommendation to approve the application to the planning committee.
- 7.3 There was no supporting evidence to justify the reasons for refusal, either with regard to potential impacts on visual amenity (to either existing adjacent housing or potential future adjacent housing), or to any other items listed on the reasons for refusal. It is not therefore clear how the planning committee arrived at its conclusions when refusing the application, contrary to the recommendation for approval of their planning officer.

- 7.4 The LVIA, and the additional information provided in this response, demonstrate that large commercial buildings are both a feature of the existing landscape of the area, and of the future masterplan for the wider South Heywood Masterplan site. Both existing and proposed housing in the vicinity of the masterplan site will be in the context of these large buildings.
- 7.5 The proposed development is for the change from 9 warehouses plus 4 smaller additional buildings, to 3 larger commercial buildings, however the landscape character of the Proposal site will remain largely unaltered, being a commercial/ industrial site. Any impacts to existing landscape elements, such as the minor loss of trees, will be mitigated by the substantial amount of replacement native tree and shrub planting, and also the further landscape mitigation described in this evidence, including retaining walls and landscape bunds.
- 7.6 The scale of proposed buildings is entirely consistent with the other existing commercial buildings located to the west of the proposal site, as well as detailed approvals for future commercial development, and this is demonstrated in Annex 2: Plans
- 7.7 The future adjacent residential land to the west of this Appeal site already faces existing large commercial buildings on its western boundary where it face the recently constructed Yearsley Group commercial units, and this is demonstrated in Annex 3: LVIAAddendum 1 of this proof. Additionally, the future residential site will also face commercial units to the south-west of the housing area from future development, as I have demonstrated in Annex 2: Plans (Plan 4-4). Therefore large commercial units will be a feature of the landscape and as part of the views of the future residents, regardless of whether the Appeal is allowed.
- 7.8 The western boundary of the potential future housing (the objector's land) which faces directly towards the existing Yearsley Group storage unit has an open aspect for much of the frontage, and any changes to the views of these future properties will be large, and the potential for mitigation through additional

screening planting or bunding limited (as the units are already constructed). In contrast, the potential views for the future potential housing towards this proposed development are very restricted, as demonstrated in the LVIA and Addendum 1 (Annex 3), and there is substantial potential for mitigation screening planting and bunding for the Proposal, as expressed through the design masterplan and the landscape design proposals. It is therefore considered that the existing large commercial units (both existing and roved), on the boundaries of the objector's land will have a much greater impact on the visual amenity of the future residential development than would be caused by the Proposal. Furthermore, even if the Appeal were not allowed, these existing/ approved large commercial units would in any case be a dominant feature of the character of the setting for future residential development.

- 7.9 For the above reasons, and the evidence contained within this proof, it is considered that the proposed change from 9 warehouse units (plus 4 additional smaller buildings) to 3 larger commercial units is entirely consistent with the scale of the existing commercial units in the wider area and is therefore compatible with surrounding land uses does not constitute overdevelopment of the site or would be perceived as overbearing.
- 7.10 It has been demonstrated that any impacts to both the existing residents and potential future residents adjacent to the site are capable of mitigation through design of the building and layout, and through additional native planting and screening bunding, which will be successful in reducing any potential impacts to visual amenity. This has been assessed by both the local planning authority technical officers, and also external landscape consultants on behalf of the council, who concluded that any potential impacts to visual amenity had been reduced to acceptable levels, and thus recommended the proposal for approval. I am not aware of any evidence to the contrary of this opinion.

ANNEXES:

ANNEX 1: LVIA Review correspondence between TPM Landscape and Rochdale Borough Council (A4 COLOUR DOCUMENT)

- ANN 1.1 A compilation of the reviews and critiques of the TPM LVIA between TPM Landscape and Rochdale Borough Council external Landscape Consultant Stuart Ryder, and also Stuart Ryder's review of the Barnes Walker critique of the TPM LVIA

ANNEX 2: PLANS (A3 COLOUR DOCUMENT)

- ANN 2.1 Current Approved South Heywood Masterplan
- ANN 2.2 Composite drawing prepared by TPM Landscape as a reference for planning applications and showing outline of constructed/ consented buildings
- ANN 2.3 Previously approved South Heywood Masterplan drawing
- ANN 2.4 South Heywood Masterplan – Previous drawings and Masterplan design iterations.

ANNEX 3: LVIA VIEWS ADDENDUM 1– Visual Amenity from adjacent future development land (A3 COLOUR DOCUMENT)

ANNEX 4: SUPPORTING INFORMATION (A4 COLOUR DOCUMENT)

- ANN 5.1 LVIA Methodology

REFERENCE DOCUMENTS

- 1 Guidelines for Landscape and Visual Impact Assessment (3rd Edition)