

APPEAL REF: APP/M0655/W/21/3288180



Appeal by EXTRA MSA

Warrington Motorway Service Area, J11 M62

LPA Ref No: 2019/35726

PROOF OF EVIDENCE

Landscape and Visual matters and

Openness of the Green Belt

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22nd February 2022

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CONTENTS

1.0 INTRODUCTION 2

2.0 BACKGROUND AND CONTEXT 2

3.0 THE PROPOSED SITE – LOCAL CONTEXT AND CHARACTER 3

4.0 VISUAL BASELINE..... 11

5.0 THE MASTERPLAN PROPOSAL AND EVOLUTION OF THE SCHEME 12

6.0 LANDSCAPE EFFECTS..... 13

7.0 VISUAL EFFECTS..... 16

8.0 EFFECTS ON THE GREEN BELT 18

9.0 POLICY 23

10.0 SUMMARY AND CONCLUSION 26

APPENDICES

- Appendix 1 Background and Experience
- Appendix 2 Parameters Plan and Landscape Plan
- Appendix 3 Methodology and criteria
- Appendix 4 Figures
- Appendix 5 Extract from HS2 ES covering landscape susceptibility and value.
- Appendix 6 Photomontages from the LVIA
- Appendix 7 Visual Effects table

1.0 INTRODUCTION

- 1.1 My name is Michael Gary Holliday. I have a degree BA (Hons) and a Master of Philosophy degree (MPhil) in Landscape Design from Newcastle University. I am a Fellow of the Landscape Institute and a Director in FPCR Environment and Design Ltd. I have been a partner/director of the practice for over 21 years and have over 33 years' experience of landscape and development projects from initial conceptual design through to final completion and long-term aftercare. I am a Professional Practice examiner on behalf of the Landscape Institute, and a registered Assessor with Building with Nature (BwN) which is an initiative developed by the Gloucestershire Wildlife Trust to raise the standard of multifunctional Green Infrastructure. Details on my background and experience are at Appendix 1.
- 1.2 I was not involved with the project at application stage but was asked to become involved in November 2021. I reviewed the application documents and visited site, and have prepared this evidence for the appeal, based on my assessment of the likely landscape and visual effects and effects on the Green Belt.
- 1.3 The evidence which I have prepared and provide for this appeal reference is true and has been prepared and is given in accordance with guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions.

2.0 BACKGROUND AND CONTEXT

The Planning Application

- 2.1 The Parameter Plans along with the supporting Illustrative masterplan, and Design and Access Statement (DAS) and landscape details have been developed in response to the constraints and opportunities presented by the site. These include its landscape context. Some minor amendments have been made to the parameters plans following refusal of the scheme, due to additional information being available on HS2. This additional information is included at CD 2.5.2. The current Parameters Plan and the illustrative landscape framework plan can be seen at Appendix 2.
- 2.2 Warrington Borough Council validated the planning application under application reference number 2019/35726. The outline planning application was accompanied by a comprehensive suite of supporting information that included an Environmental Impact Assessment. This included a specialist chapter covering the landscape and visual effects.
- 2.3 The application was recommended for approval by officers but initially refused by members. The scheme was appealed following refusal. On 3rd February 2022 the Council's Development Management Committee resolved that the Council did not wish to continue to defend the appeal. This means that the reason for refusal initially put forward by the Council has been withdrawn and the Council now endorses the approach and conclusions set out in the officer reports to the Councils Development Management Committees of 9th June 2021 and 3rd February 2022.
- 2.4 I have reviewed the submitted application documents including the LVIA for the application, which was produced by Spawforths, and the subsequent work by SLR. Whilst I have taken account of the LVIA and additional work in preparing my evidence, I have also completed by own analysis, and this proof sets out my conclusions on the likely landscape and visual effects, and the effects on the relevant purposes and visual openness of the Green Belt.

- 2.5 The methodology I have followed in carrying out my assessment is tried and tested. The approach has been accepted by Inspectors at numerous contested appeals. The assessment of potential effects on both landscape character and visual resources follows the methodological approach set out in the latest Landscape Institute Guidelines (Edition 3, 2013), known as GLVIA3. The methodology and criteria I have used are set out at Appendix 3.

Scope of evidence

- 2.6 In my evidence, I will focus on the effects on the character and appearance of the area and impact on the Greenbelt as raised in the refusal notice for the scheme.
- 2.7 Alistair Baxter gives evidence covering ecology, Malcom Reeve provides evidence on agriculture and soils and David Rawlinson gives evidence covering planning aspects including Green Belt.
- 2.8 A Statement of Common Ground covering landscape and visual matters is being prepared with the council.

3.0 THE PROPOSED SITE – LOCAL CONTEXT AND CHARACTER

The site and context – (Figure 1 Appendix 4)

- 3.1 The appeal site lies immediately north of Junction 11 of the M62, to the north of Birchwood Warrington. The residential area of Birchwood, and Birchwood Technology Park lie to the south of the Motorway, and the raised landform of the former Risley landfill site lies immediately to the west of the appeal site. The site itself is mostly under arable land, with a relatively flat topography, which extends to the north and east. The agricultural fields within the site, and beyond to the east, and relatively open and featureless, developed on former mosslands. To the north and east there is little settlement and few roads, but some rights of way cross the area and the raised landform of a former rail line wraps around the arable land to the northeast. Culcheth lies to the northwest but is visually separated from the appeal site by the raised landform of the former tip. The appeal site is located within the Green Belt.
- 3.2 The appeal site is approximately 15.21 ha in extent and a long irregular rectangle in shape. The appeal site largely comprises one large, level field. A small triangular area of rough grass containing a small agricultural structure is formed where the Silver Lane Brook doglegs into the site then back to the PROW Footpath 13 in the western Site area.
- 3.3 A tall tree and scrub edge bounds the eastern Site edge along much of its length, stopping short of the northern Site edge. A row of seven mature birch trees, widely spaced, line the northern Site edge, and part of the southern and southwestern boundaries. A post and rail fence marks the southern boundary.
- 3.4 Junction 11 of the M62 Motorway lies to the southwest of the site, with the roundabout junction and the spur from it at a higher level than the appeal site. The appeal site is slightly higher than the M62 Motorway itself, which is lined for much of the section beside the site by woodland and trees. The M62 Motorway Corridor and Junction 11 is lit in the vicinity of the appeal site.
- 3.5 The arable farmland to the east and north is buffered by the existing tall hedgerow containing mature trees along part of the Site's eastern boundary, and by the sparse line of birch along its northern perimeter. The western Site perimeter runs along the lower eastern flank of the former landfill site. To the western boundary is another water course, known as Silver Lane Brook, that

extends into part of the appeal site as a 'dog leg'. It is identified by the Environment Agency as a main river, through the appearance in the landscape is more of a drainage ditch.

- 3.6 The former Risley Landfill site, recently restored and with young but maturing planting, rises to the west of the Site. There are a series of permissive footpath routes across the restored landfill site. To the north of the former landfill is the Silver Lane Pools Local Wildlife Site.
- 3.7 A Public Right of Way (Footpath number 13) runs along the western boundary of the Site and leads north to Silver Lane Pools, and west around the adjacent restored landfill site, before heading north to Culcheth and east to Holcroft Lane. Footpath number 28 continues around the north of the restored landfill site, connecting to Footpath 14a to the western boundary, which connects to Footpath 25 to the southern boundary, before reconnecting with Footpath 13 adjacent to the Application Site. This also links to a footpath at the spur of the Junction 11 roundabout and around the roundabout, before linking to footpath 25 to the south eastern quadrant of the Junction 11 roundabout in Birchwood.
- 3.8 An elevated section of disused railway line runs to the north and northeast of the Site, approximately 0.6km from the Site boundary.
- 3.9 The HS2 Safeguarded Land corridor arcs around the north eastern corner of the Site and is located outside the Redline Site Boundary. The plans showing this are at CD 2.5.2. Figure 1 Appendix 4 to my proof shows the proposed route of the completed line in relation to the appeal site.
- 3.10 To the south of the M62 Motorway J11, is the wooded Gorse Covert Mounds Woodland Trust Site, with views over the Site from the elevated Pestfurlong Hill immediately to the west. Pestfurlong Hill is a man-made high point constructed during the demolition of the Risley Royal Ordnance Factory as the Birchwood area was being prepared for development.
- 3.11 The hill lies just beyond the north-eastern corner of the old factory boundary, next to the M62 motorway. Much of the surrounding land is low and flat, and the hill affords some views to north, east and south, though these are now partly restricted by maturing planting. The residential area of Gorse Covert lies immediately to the south of the Mounds.

Topography

- 3.12 Figure 3 Appendix 4 shows the topography of the site and its context. The appeal site itself is generally between 18m Above Ordnance Datum (AOD) and 22m AOD and lies within a wider area of generally flat landscape, extending to the north and east. Immediately west of the appeal site the rising landform of the restored Risley landfill site can be seen rising up to 56m AOD. To the south of the M6 and the appeal site the man-made landform of Pestfurlong Hill rises to approximately 34m AOD.
- 3.13 The other raised landform in the area is formed by the former rail line that lies to the north and east of the appeal site. Apart from the man-made changes to topography, the area is generally flat or very gently sloping.

National Landscape Character Area, NCA 60 Mersey Valley

- 3.14 National Character Area (NCA) profiles have been prepared by Natural England (NE) for the 159 NCAs defined across England. These NCA profiles include a description of the natural and

cultural features that shape the landscape, how the landscape has changed over time, the current key drivers for ongoing change, and a broad analysis of each area's characteristics.

- 3.15 At this very broad landscape scale, the Site and its setting are wholly within the Mersey Valley National Character Area (NCA60).
- 3.16 The key characteristics of the Mersey Valley are (not all are repeated):
- *The landscape is low-lying, focusing on the broad linear valley of the River Mersey; it is estuarine in the west and has extensive areas of reclaimed mossland in the east.*
 - *The River Mersey flows from east to west, joined by associated tributaries, although the Mersey itself is often obscured from view.*
 - *Trees and woodland are mainly associated with settlements, occasional parkland and isolated woodland blocks; and in recent years new community woodlands have been planted.*
 - *Large-scale, open, predominantly flat, high-quality farmland occurs between developments, with primarily arable farming to the north of the valley and a mixture of arable and dairying to the south.*
 - *The field pattern is regular and large scale, often defined by hedgerows with isolated hedgerow trees; many hedgerows are intermittent and have been replaced by post-and-wire fencing, while field boundaries on the mosses are marked by ditches.*
 - *A range of important wetland habitats remain, including estuarine mudflats/sand flats and fringing salt marshes in the west, remnants of semi-natural mosslands and pockets of basin peats in the east, with the broad river valley in between.*
 - *The predominant building material is red brick though some sandstone construction remains, and some survival of earlier timber frame.*
 - *There are densely populated urban and suburban areas, with major towns particularly at the river crossings, including Runcorn, Widnes and Warrington.*
 - *The river valley has a dense communication network with motorways, roads, railways and canals running east–west, and power lines are also prominent.*

- 3.17 The Statements of Environmental Opportunity (SEOs) note;

SEO 2: Promote the Mersey Valley's historic environment and landscape character and positively integrate the environmental resource with industry and development, providing greenspace within existing and new development, to further the benefits provided by a healthy natural environment, as a framework for habitat restoration and for public amenity.

- 3.18 And SEO4

SEO 4: Manage and enhance the mossland landscape in the east, safeguarding wetlands including the internationally important lowland raised bogs, to conserve peat soils, protect and enhance biodiversity, conserve archaeological deposits, contribute to landscape character and store carbon.

Warrington Landscape Character Assessment 2007

- 3.19 This study was completed in 2007 to provide part of the evidence base at the time for the preparation of the development plan. The assessment notes at para 1.4 that the Character

Assessment does not attach any values to any particular Landscape Type or Landscape Areas. It is simply an objective assessment of the current (at time of writing) landscapes within the Borough of Warrington.

- 3.20 Within the assessment the appeal site lies within the Landscape Type (2) Mossland Landscape and within this Area 2.B Holcroft and Glazebrook Moss. The full Warrington Study is at CD 3.2.2e.
- 3.21 The mossland landscape is described as an almost flat land divided into medium to large-sized arable fields interspersed with small areas of moss woodland. The largest areas of mosslands at Rixton and Holcroft are located to the east of the Borough, occupying low lying areas between 15 and 25 metres.
- 3.22 Hedgerows and hedgerow trees are described as notably absent and replaced by a rectangular pattern of ditches forming the field boundaries. The resulting mainly open nature allows sweeping long distance views in all directions. The presence of houses and farms on the mosslands are described as infrequent due to the difficulty of construction on the deep peat.
- 3.23 The advent of large-scale mechanisation enabled farmers to undertake substantial drainage and 'reclamation' schemes resulting in the straight drainage ditches and tracks seen today. Shrinkage of the drained peat (which also tends to blow away in summer winds) has resulted in land levels being lower than they were when first drained.
- 3.24 The study notes that the '*mossland landscape*' includes areas of peripheral land, which display the same character as the mossland type proper.
- 3.25 The cultural history of the mosses is described in the assessment, and this notes that in ancient times the mosses were regarded as dangerous wildernesses, with deep dark pools of acidic water, treacherous areas of boggy ground, mists and fogs and the haunt of wild animals. It notes these wilderness areas were regarded with "*spiritual dread*". This perception existed for thousands of years. The assessment goes on to note that in the early C20th, farmers finally had the tools to deal with the mossland. Mechanisation meant that long deep drainage trenches could be cut through the mossland. The rich peaty soils, once drained, were very productive. Farmers who had land on the perimeter of the mossland, as well as in the mossland itself, benefited greatly and were able to remove hedges and trees on the perimeter land to facilitate mechanised farming.
- 3.26 The assessment goes on to note that "*The current situation of farming on the mossland is subject to some fluctuation*" and cites the difficulty of renewing drainage and of farming during very wet or dry conditions.
- 3.27 The study notes that for the last 200 years the mosslands have been seen as the perfect place to locate landfill sites, with "*with very clear deleterious effects on the landscape*". The former Risley Moss landfill site adjacent to the appeal site is one of the larger ones.
- 3.28 More detailed information is available for the geographical area within which the appeal site is located – Area 2.B. Holcroft and Glazebrook Moss. This area is shown on Figure 4 Appendix 4. and is described below.

Holcroft and Glazebrook Moss form a continuous area of mossland separated from Risley and Rixton Mosses to the south-west by a narrow causeway known as Old Hall Lane, situated on slightly higher land between Milverton Farm and New Hall Farm.

Their landscape character is similar to that of the adjacent Rixton Moss, although field sizes become larger from south to north with fewer dividing ditches. Arable crops appear more extensive and less varied. The impression of 'isolation' within the area is less marked with views tending more towards the east and the Pennines.

The edges of this mossland are indistinct, visually feathering into bordering areas. The landfill site at Silver Lane is a dominant and alien feature in an otherwise flat landscape. The site is currently active, although completed sections are now 'over soiled' and planted with mainly native woodland species.

3.29 The appeal site is on the edge of the mossland, as described in the proof of evidence of Malcolm Reeve. The appeal site is located where the moss feathers out to the surrounding soil types. The landfill site at Silver Lane is the one adjacent to the site, though it is now restored.

3.30 The Key Characteristics of the area are set out in the landscape character assessment.

- *'Level' basin form to mossland areas*
- *Expansive views towards the Pennines*
- *General absence of hedgerow and hedgerow trees*
- *Predominantly expansive arable farmland*
- *Visually dominant elevated sections of a disused railway*
- *Visually dominant landfill site at Silver Lane*
- *Open and exposed*

3.31 In terms of cultural history, the assessment describes Holcroft Moss, bought by the Wildlife Trust as a nature reserve, and the M62 cutting through the mossland areas. The disused rail line, which runs northeast of the appeal site is also described.

3.32 The key cultural elements in the landscape are set out

- *The Holcroft Moss Nature Reserve*
- *The M62 motorway*
- *Silver Lane landfill site*
- *The disused railway line (connecting to Culcheth Linear Park)*
- *Disused peat cuttings*
- *HM Remand Centre, Risley*
- *The Taylor Business Park*
- *The Manchester – Liverpool main railway line*

3.33 The report goes on to describe the landfill and mineral extraction influences and states

A very substantial area of landfill occupies land north of the M62 motorway to the north of Silver Lane. A large part of this site has already been seeded and planted, but there is currently no public access due to security problems associated with methane gas recovery and power generation. The landfill has been progressed from west to east and has involved covering listed

buildings (see 'Settlement' below). The landfill operations are currently at the eastern end of the site, in clear view of observers throughout this landscape area. The landform has a major adverse impact when viewed from Junction 11 on the M62.

3.34 The landscape of the Silver Lane tip adjacent to the site has obviously changed since the character assessment was drafted, but the landform is still a dominant presence in the local area.

3.35 Under the heading "landscape Sensitivity", the assessment notes

"The landscape sensitivity of the area is very similar to that of the adjoining Rixton, Woolston and Risley Mosses. The function of the arable land is totally dependent upon drainage and water level management, with potential problems of 'wind blow' erosion to exposed soils in dry, windy weather.

As with all mosslands, buildings are located around the mossland fringes, where firmer foundations can be more easily achieved. Large fields of mainly grain crops predominate with very few public footpaths. The scale and openness of the landscape does not appear welcoming to recreational use, although views out of the area towards the Pennines are extremely attractive. The flatness of the landscape is very prone to the impact of large scale mounding and it is therefore unfortunate that the mosslands have been selected for landfill, as evidenced by the very large site at Silver Lane, Risley."

3.36 The appeal site is at the mossland fringe, where the character assessment notes buildings have historically been located.

3.37 Key elements of landscape sensitivity are identified

- *Very sensitive to water levels and drying out*
- *Prone to windblow and erosion*
- *Prone to subsidence of structures and buildings*
- *Open, unrestricted views*
- *Potential footpath erosion on the peat*
- *Mossland woodlands and undisturbed areas are a haven for specialised wildlife but sensitive to disturbance.*
- *Sensitive to the imposition of high structures and/or mounding*

3.38 Landscape Change is described

"In common with the adjoining mosslands, these areas would originally have been seen as uninhabitable and dangerous prior to drainage, with the access road skirting the mossland fringe between Glazebrook and Culcheth (B5212). The construction of the main Manchester to Liverpool railway later in the C19th by the Cheshire Lines Committee and the more recent M62 motorway, have both been undertaken through the moss, largely in cuttings. This has further reduced the water table and created more workable and productive farmland.

A more visually prominent railway line through the area is the now disused line which ran from Leigh and connected with the Manchester to Liverpool railway near Glazebrook. Construction across the moss was undertaken here on an embankment, forming a notable linear feature, now tree clad, through the flat arable landscape.

The landfill site at Silver Lane, Risley is a more recent change in the landscape on a large and dramatic scale. This has fundamentally and unfavourably altered the flat landscape of the moss by introducing a visually intrusive, isolated high mound.”

3.39 The Recommended Management and Landscape Objectives

- *Retain, monitor and adjust current water levels within the mosslands to avoid fluctuations, drying out and potential wind erosion*
- *Consider the balanced needs of both agriculture and wildlife habitat*
- *Consider the merits of higher water levels in areas of less productive mossland, promoting greater habitat diversity and wildlife value*
- *Retain the existing quiet and tranquil character of the mosses without encouraging recreational use or built development*
- *Consider methods of landscape mitigation to reduce the visual impact of the landfill site at Silver Lane, Risley*
- *Retain the basic landscape structure of the mossland fields and ditches, whilst encouraging a greater diversity of native flora to the ditches and trackway verges*

Landscape Value

3.40 The submitted LVA addressed landscape value by reference to guidance in GLVIA3, the Landscape Institutes Guidance on assessing landscape and visual impact. Since the time the LVA was produced the Landscape Institute have published Technical Guidance Note (TGN) 02-21, covering landscape value outside national designations. This sets out the factors to consider when assessing value, and essentially updates the guidance in GLVIA3.

3.41 The following section provides an update on landscape value for the site and its immediate context by reference to the latest guidance in TGN 02-21;

Landscape Designations:

3.42 The site and its immediate landscape context are not subject to any national, local or other landscape designations for character or quality.

Natural Heritage:

3.43 Features of conservation interest on the site itself are limited to ecological habitat in the form of existing hedgerow trees and overgrown hedgerows, and the watercourses. Most of the site and surrounding area is arable land of limited nature conservation value.

Cultural Heritage:

3.44 The site and the immediate area do not contain features of known cultural heritage value. There are listed buildings in the wider landscape, but none close to the appeal site.

Landscape Condition:

- 3.45 The Site is principally arable land with patches of unmanaged land. The site lies on the edge of the mossland, with part of the site containing peat, but tapering out to the surrounding area. There is little other vegetation on site.

Associations:

- 3.46 There does not appear to be any associations with artists or literature relating to the site its context.

Distinctiveness:

- 3.47 This element of value, relates to having a strong identity, being particularly characteristic or conferring a strong sense of place. The appeal site itself is largely arable farmland and located on the edge of the wider flat former mossland landscape. The wider mosslands are distinctive, due to the flat topography, open landscape and general lack of landscape features, apart from the pockets of remaining peatland habitat. The site and its immediate context, however, is not a good example of this, being influenced by the rising topography of the former tip, and the adjacent motorway, and being located on the very edge of the mossland.

Recreational Value

- 3.48 The appeal site is crossed by a public right of way along the western edge and there are some paths on the former tip. Overall, there are a limited number of routes across the wider landscape, though it does serve a local recreational function.

Perceptual (Scenic):

- 3.49 The site itself lacks any features of scenic interest and the tip and motorway reduce the scenic value of the site context.

Perceptual (Wildness and tranquillity)

- 3.50 The site and immediate area is not wild or tranquil, being located adjacent to the M6 motorway.

Functional aspects

- 3.51 The site does not form part of a wider Green Infrastructure network and does not perform any other particular functional role such as flood plain or setting to a designated landscape. The site does contain some peat to the east, which is a carbon sink, but this will be retained and managed to provide a new managed area of peat habitat within the developed site. The western and northern part of the site contain less peat as this feathers out to the wider landscape that is predominantly clay.
- 3.52 Taking account of all the above factors I conclude that site and its immediate context is of Medium - Low landscape value. This conclusion is consistent with the LVA. I also note that the ES for HS2 has now been published. This includes an assessment of landscape value for the land through which the route runs. This includes the land around and including the appeal site. An extract from the HS2 assessment is attached at Appendix 5. The assessment for HS2 also concludes that the appeal site lies within an area of medium/ low landscape value.

- 3.53 I do not consider that the site is or forms part of a 'valued landscape' within the meaning of NPPF para.174, and neither has Warrington BC throughout consideration of the planning application suggested otherwise.

4.0 VISUAL BASELINE

- 4.1 The visual baseline is described in the LVIA. This includes a series of photo viewpoints and photomontages. The photomontages include the existing views as well as visualisations of the potential scheme.
- 4.2 The photomontages were prepared by Troopers Hill and are included in the LVIA CD 1.1.38. To follow Landscape Institute Guidance for correct perspective viewing, the montages should be printed at 420mm by 841mm and viewed at arm's length. The montages in the core documents follow this guidance, however as presented it is difficult to read the relevant details on a screen. I have presented the photomontages in my Appendix 6 with additional larger labelling, for ease of reference when viewed electronically. I have also shown the montage locations on my Visual Appraisal Plan Figure 5.
- 4.3 I summarise visual baseline below by reference to these photomontage viewpoints.

Photomontage Viewpoint 1 - Footpath 148

- 4.4 This view represents what can be seen by users of public rights of way north of the appeal site. The existing view from Footpath 148 shows an open view across arable land to the rising landform of the former tip, with woodland and tall hedgerows. A simple and relatively open landscape is apparent in the foreground, with enclosure by the former tip to the west.

Photomontage Viewpoint 4 - Footpath 13

- 4.5 Located to the immediate west of the appeal site, the existing view shows the edge of the former tip, and a more open view across the arable land within the site and represents views from the eastern edge of the former tip, at a low level. Viewpoint 10 shows a more elevated view from the former tip.

Photomontage Viewpoint 6 - Footpath 25, south of the M6

- 4.6 This viewpoint is located along footpath 25 south of the M6 Motorway and represents users of this path. The existing view is across the motorway, the appeal site and includes the former tip forming the skyline to the west. Viewpoint 14 provides an alternative higher-level view from Pestfurlong Hill, just to the south. This area is largely wooded so these two footpaths provide the more open views that are available as from the majority of paths in the area, views are restricted by the adjacent woodland.

Photomontage Viewpoint 7 - Footpath 13.

- 4.7 Located on footpath 13 close to the disused rail line north of the appeal site, this shows a view south to the appeal site and the former tip and is an additional view representing users of rights of way along with viewpoint 1. A largely flat arable landscape can be seen with more vegetation closer to and on the restored tip.

Photomontage Viewpoint 10 - Footpath on the former tip.

- 4.8 The location of this viewpoint shows one of the few locations where a path on the former tip has a view directly towards the appeal site. The view shows the establishing vegetation on the tip, along with the flatter arable landscape beyond including the appeal site. On other parts of the path network views can be more obstructed by vegetation of the landform itself.

Photomontage Viewpoint 14 – Pestfurlong Hill

- 4.9 Most of Pestfurlong Hill, the landform created from spoil from the restoration of the Risley Royal Ordnance factory, is wooded in character with few views out to the north. There are more open views east towards Manchester. The viewpoint shows one of the locations where there is a view north over the appeal site and towards the former tip. The view is across the M6 Motorway.

Viewpoint G -Footpath 143

- 4.10 Viewpoint G is located along footpath 143 north of Holcroft Lane. Looking across the flat landscape the overlapping hedges and trees, tend to minimise low level visibility, and the appeal site itself cannot be seen, though the boundary planting may just be visible as part of the overlapping vegetation.

Summary

- 4.11 Overall, the opportunities to view the appeal site are limited. Views are possible from the rights of way and informal paths to the west, on the former tip, mainly from the east facing slopes of the tip. The view from PROW 13 is at close range.
- 4.12 There are also some opportunities for views from the public rights of way including from PROW 143 and 148 to the north and east of the appeal site. These are mostly at some distance from the site, so any views to development on the site would be a reduced visual scale due to distance.
- 4.13 There are few views from properties, as few farms or houses exist in proximity. The M6 Motorway forms the southern site boundary, and some fleeting views are possible from this, but are also limited in part due to boundary vegetation.
- 4.14 There is an area of green space south of the M6 motorway including the mound known as Pestfurlong Hill. There are some limited views north from here including the appeal site, though gaps in the woodland planting.
- 4.15 In summary the rather featureless landscape with relatively few visual receptors limits the locations where any visual change can be experienced from.

5.0 THE MASTERPLAN PROPOSAL AND EVOLUTION OF THE SCHEME

- 5.1 The scheme is an outline application. The parameters plans and landscape masterplan have been developed following careful iterative design to consider the landscape constraints and opportunities. The design evolution is set out in the Design and Access Statement CD 1.1.23.
- 5.2 The Design and Access Statement notes that the proposed development seeks to “*nestle*” at the bottom of the wooded restored landfill site, with simple agricultural built forms and within an extended woodland framework.

- 5.3 The different landscape areas and habitats within the landscape masterplan aim to set the new buildings (facilities building, hotel, service yard and fuel filling station) open parking areas and internal roadways, within a framework of mainly native woodland, trees and shrubs.
- 5.4 The development also includes proposals for the re-aligned Silver Lane Brook. The realigned brook would provide the opportunity to retain an open flowing channel which could be designed to have a more variable channel profile, than the existing brook, thereby allowing a greater diversity of aquatic habitats and areas of marginal planting to be incorporated. The diversion also would allow flow variation using riffles, areas of slow/static flow, gravel beds and deep peaty sediment to be included. The use of an open channel allows variations in surface water flows to be accommodated thereby reducing flood risk.
- 5.5 The landscape masterplan incorporates a diversity of species, planting block sizes, and heights, as well as open space and grassland types. This would include marshy (acid) grassland) and shallow pools and ponds, as well as flower rich grassland. Graduation in the canopy height of the planting from shrub thickets to mature trees and woodland aims to create shelter and habitat opportunities as well as visual interest.
- 5.6 Along the eastern boundary of the Site there is a high-pressure gas main route and it is proposed in this area to provide a linear grassland / green swathe with informal elements like benches / seating and a broader soft edge to the development, along with the establishment of a permissive footpath route.
- 5.7 The southern and northern boundaries of the Site would be developed to enhance the existing screening with new native tree and shrub planting, along with the establishment of a permissive footpath route. A new peatland habitat zone will be formed, with a diverse mixture of regenerating scrub, dry and wet heathland areas and bog pools.
- 5.8 The western boundary of the Site would incorporate the diverted footpath 13 (public right of way) and ensuring connections to the wider network of footpaths and bridleways, including on the restored landfill, as well as the development of a transitional native woodland and scrub edge.
- 5.9 Within the site itself there is also the opportunity for new hedgerows, woodland, areas of retained and enhanced peatland habitat, grassland, and sustainable drainage features. Overall, the illustrative plan shows over 16ha of new habitat creation.

6.0 LANDSCAPE EFFECTS

- 6.1 The LVIA at CD 1.1.38 includes a section on landscape effects. I have drawn on this but have carried out my own assessment of landscape effects, and this follows the methodology and criteria set out at my appendix 3. My conclusions are set out below.

National Level

- 6.2 The Site is within the National Character Area 60 the Mersey Valley. The proposed development will have relatively limited effects on the character area as a whole (given the scale of the proposals in the context of the broader NCA). The landscape of the appeal site is not typical of the NCA, being heavily influenced by the Motorway and the rising landform of the former tip. The site lies on the edge of the mossland, and whilst part of the site is peat, it is located where the peat runs out into the surrounding area. The peat within the site will be retained and protected long term. The scheme will result in the loss of a pocket of arable farmland and replacement with

built development, and the landscape effects are assessed overall to be Negligible Adverse for the NCA as a whole.

Borough Level

- 6.3 Warrington's Landscape Character Areas as defined in the Borough assessment and the appeal site lies within Area 2.B Holcroft and Glazebrook Moss. This is a reasonably extensive area, and the appeal site lies on the edge of it. The character assessment identifies the
- 6.4 "Key elements of landscape sensitivity". These are
- *Very sensitive to water levels and drying out*
 - *Prone to windblow and erosion*
 - *Prone to subsidence of structures and buildings*
 - *Open, unrestricted views*
 - *Potential footpath erosion on the peat*
 - *Mossland woodlands and undisturbed areas are a haven for specialised wildlife but sensitive to disturbance.*
 - *Sensitive to the imposition of high structures and/or mounding*
- 6.5 The drying and out and windblow issues are of more relevance to agricultural management, but should be eased by a permanent landcover, and management of the green infrastructure areas including the restored area of mossland. The location of the appeal site close to the rising landform of the restored tip, means it is less sensitive to open views than the more exposed flatter areas at the core of the character area.
- 6.6 "The Recommended Management and Landscape Objectives" are also set out in the character assessment,
- *Retain, monitor and adjust current water levels within the mosslands to avoid fluctuations, drying out and potential wind erosion*
 - *Consider the balanced needs of both agriculture and wildlife habitat*
 - *Consider the merits of higher water levels in areas of less productive mossland, promoting greater habitat diversity and wildlife value*
 - *Retain the existing quiet and tranquil character of the mosses without encouraging recreational use or built development*
 - *Consider methods of landscape mitigation to reduce the visual impact of the landfill site at Silver Lane, Risley*
 - *Retain the basic landscape structure of the mossland fields and ditches, whilst encouraging a greater diversity of native flora to the ditches and trackway verges.*
- 6.7 Again, many of the management and landscape objectives are of more relevance to agricultural management than development. The green infrastructure and ecological proposals would encourage greater biodiversity. The location of the appeal scheme against the rising landform of the restored landfill site, will minimise the visual impact of the proposed buildings.

- 6.8 For the wider character area, I assess the susceptibility to landscape change to the MSA development to be medium / low. This is due to the relative lack of features of landscape sensitivity and the influence of existing man-made features such as the restored landfill site and the M6 motorway. I note this judgement on susceptibility to change is consistent with the assessment completed for HS2 as set out in the ES for the project. I attach an extract from the HS2 ES at my appendix 5.
- 6.9 Combining a medium/low susceptibility to change with a medium/ low landscape value, I conclude that the area as a whole has a medium/ low sensitivity to landscape change. The development of the appeal scheme on the edge of this extensive area would result in a low magnitude of landscape change across the area as a whole at completion, leading to a minor landscape effect overall across this character area. Over time as the green infrastructure establishes the landscape effects would reduce but are still likely to remain minor adverse, albeit at a lower end of this category.

Site and Immediate Context

- 6.10 The existing landscape of the Site is largely an arable field, with a smaller compartment of unmanaged land. Its character will be altered through the introduction of the MSA and Green infrastructure. The site and its immediate context is more influenced by man- made elements than the wider character as a whole. The rising landform of the restored landfill site is an important influence, along with the influence of traffic from the motorway. Containment from the wider area is formed by the rising landform of the former landfill, Pestfurlong Hill south of the M6 and in the wider landscape by the wooded embankments of the former rail line. If HS2 gets built as currently proposed, then the appeal site would lie within an even more contained area, with embankments for the line wrapping around the site to the east and north, as shown on my Figure 1. Appendix 4.
- 6.11 This immediate area is an area with a high degree of man-made influence, and a relative lack of sensitive landscape features. The planting on the restored landfill is now starting to establish, but it is still a young landscape, reasonably tolerant of change. The pools to the north of the landfill are better established, and wetland habitat establishes more rapidly than woodland. This area is more separated from the appeal site and would be less influenced by development on it.
- 6.12 The appeal scheme contains over 16ha of new habitat creation, and this includes the diverted watercourse, which will be more varied and of greater landscape and ecological value than the current ditch like alignment. The restored area of moss land will be beneficial.
- 6.13 As with the wider character area, I consider the site and its immediate context to be of medium/low landscape sensitivity. At completion there would be a medium degree of landscape change, leading overall to a moderate landscape effect. As the green infrastructure establishes, I consider that the overall landscape effect would reduce to Moderate/ Minor. If HS2 gets completed as the current plans, I consider that the landscape effects would become even more localised as the new rail line and its embankments would further enclose the appeal site and limit any influence across the wider area.

7.0 VISUAL EFFECTS

- 7.1 The LVIA at CD 1.1.38 included a section on visual effects. I have drawn on the information in the LVIA to complete my own assessment, which I summarise below. This should be read in conjunction with my methodology included at Appendix 3 and my Visual effects table at Appendix 7.

Settlement and Properties

- 7.2 The proposed development will be seen from very few areas of settlement or individual properties, due to its location on the edge of the mossland, an area where settlement typically did not develop. The containment formed by the M6, the rising landform of the restored tip, and the wooded former railway embankment all combine to limit visibility. Hanging Birch Farm, Sunnymead and adjacent properties are located to the west of Holcroft Lane and north of the former rail line. Views southwest are limited by the raised landforms and trees along the former rail line. There is a narrow gap in the rail line where some longer views towards the appeal site are possible, but most views in this direction are quite restricted. Parts of the scheme may be visible through the gap in the rail line and in places the roof of the facilities building, between existing vegetation, but overall, the appeal site is well screened. The visual effects at completion and longer term would be minor adverse.
- 7.3 Franks Farm lies north of the appeal site, but from this location the effects of screening by the former rail line are greater, and the effects would be minor/ negligible.
- 7.4 There are a small number of properties along Holcroft Lane, with some open views across the flat adjacent farmland. The former rail liner to the southwest and the trees along it, provide a high degree of screening to the appeal site. From some locations the top of the facilities building may be visible, but at this distance would be a small visual element. I predict a minor/ negligible visual effect at completion and longer term.
- 7.5 I do not consider that there would be any visual effects for residents of Culcheth or Gorse Covert.

Footpaths, and bridleways

- 7.6 Public Footpath 13 runs along the western edge of the appeal site, at the base of the slope of the former landfill site. Open views across the appeal site are possible for much of the length of the route. The proposal is to divert this path around the eastern edge of the appeal site. The path would mostly run through Green Infrastructure areas and have views west over the agricultural land too. The new built facilities within the appeal site would be visible, though softened by the landscape treatment. For users of this route, close to the proposals, there would be a major/ moderate effect at completion, reducing to a moderate visual effect as the green infrastructure establishes. Where footpath 13 is further from the site, such as where it reaches the former rail line, the level of visual effect would be lower
- 7.7 There would also be views from footpaths on the eastern edge of the restored former Risley landfill site. A number of informal footpaths run around and up over the restored tip, Views vary at different locations, depending on the landform and planting, but for much of these routes the appeal site is visible. Some close range views to the new facilities would be possible. From other locations views would be more restricted. As green infrastructure establishes on the former tip and on the appeal site views would be further screened or softened. Where clear views are

possible there would be a major/ moderate effect at completion, reducing to a Moderate effect as the Green Infrastructure establishes.

- 7.8 Footpath 148 extends past Franks Farm. From this section of path, the raised landform and woodland along the disused rail line provides an effective screen to any views further south. A similar effect will be experienced from footpath 144 to the north of Franks Farm. I predict negligible visual effects for users of this route.
- 7.9 Footpath 143 extends north of Holcroft Lane to Crow Wood. To access the path, it is necessary to walk along Holcroft Lane. Some views south are possible over the flat agricultural land, but the overlapping effect of vegetation limits longer views. It is possible from some locations that the top of the facilities building will be seen over the vegetation. At this distance it will be a small visual element and could resemble the top of a farm building. Again, I predict negligible visual effects.
- 7.10 Pestfurlong Hill is a manmade hill created from demolition rubble from the Risley Royal Ordnance Factory to the south of the M6 motorway. The site is now managed by the woodland Trust and contains woodland and some more open areas. The paths on the hill are varied, many are enclosed by vegetation and there are some open views out across the wider landscape. The appeal site can be seen from some quite restricted locations looking north. Where views are possible, they are in the context of the M6. I predict a moderate / minor visual effect at completion, reducing to a minor visual effect as the green infrastructure establishes.

Roads

- 7.11 Much of the M6 as it passes the appeal site is in cutting, meaning that travellers in cars have quite limited views, though travellers in higher vehicles are likely to see more. The main views from the M6 to the appeal site are from the eastbound slip road from Junction 11 to the motorway. The view north will change from farmland to MSA and planting. At completion I predict a moderate/ minor visual effect for users of the M6, reducing to a minor effect as the green infrastructure establishes.
- 7.12 Holcroft Lane lies approximately 900 m northeast of the appeal site. Views are largely screened by the intervening vegetation and planting and earthworks of the disused rail line. There may be some intermittent distant views to the top of the facilities building, seen over the existing vegetation, but overall, I predict a negligible visual effect for road users at completion and long term.
- 7.13 There are no other roads in the vicinity of the site where any views would be materially affected.

Other Receptors

- 7.14 Users of the restored landfill Risley Landscape site and visitors to Pestfurlong Hill have been covered in my assessment of effects on users of rights of way and footpaths. In addition, there are visitors to the Silver Lake Ponds and nature reserve, on the northern side of the restored tip. The landform of restored land limits views from most of the area, combined with screening by planting. Overall, I predict a moderate/ minor effect for any visitors at the eastern end of the ponds at completion, reducing to a minor effect as the planting establishes.

Summary

- 7.15 My assessment of visual effects demonstrates the relative lack of visual receptors in the vicinity of the site. The visual effects will largely be limited to users of Footpath 13 which runs through the site and would be diverted around the landscape area of the appeal site to the east, and views from the permissive footpaths on the eastern side of the restored landfill site. Other more restricted and distant views would be possible from the public rights of way to the north and east, where views are limited by the wooded former rail embankment, and from the elevated man-made Pestfurlong Hill at Gorse Covert. Some restricted views would also be possible from the M6 adjacent to the site and from Holcroft lane to the north east.
- 7.16 If HS2 gets developed as currently planned this will result in the new rail line and embankment enclosing the appeal site from the wider landscape to the north and east, further blocking any views from this direction.

8.0 EFFECTS ON THE GREEN BELT

The effect of the Proposal on the openness of the Green Belt

- 8.1 Openness is generally described as the absence of development. The factors to be taken into account when considering the potential impact of development on the openness of the Green Belt are set out in the National Planning Practice Guidance (Paragraph 001 Reference ID; 64-001-20190722) from 22 July 2019.
- 8.2 The guidance notes that this requires a judgment based on the circumstances of the case. The PPG identifies that by way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. The first example provided, notes that *“openness is capable of having both spatial and visual aspects - in other words, the visual impact of the proposal may be relevant, as could its volume.”*
- 8.3 Other examples of factors are given in the guidance such as the duration of development and activity generated such as traffic, but for the purpose of my proof, I explore the visual aspects.
- 8.4 One example where the matters have been explored in the courts, is the Sam Smith Old Brewery vs North Yorkshire County Council and Darrington Quarries Ltd (CD 9.12) case. This judgement noted that *“Visual impact, as well as spatial impact, is, as Sales L.J. said, “implicitly part” of it.”* (para 37). The judgement went on at para 38 to note *“A realistic assessment will often have to include the likely perceived effects on openness, if any, as well as the spatial effects.”*
- 8.5 The landscape and visual appraisal, and photomontages are all useful tools to assist in making judgements on the impact of the scheme on openness of the Green Belt. The spatial effects on openness are covered in the proof of evidence of David Rawlinson.
- 8.6 The starting point for any appraisal of the effects on visual openness, should be to understand the openness of the existing site. In this case the site forms part of an area of land, enclosed by the rising land of the former tip to the west, the M6 motorway to the south, and by the raised landform of the wooded former rail line to the north and west. There are footpaths including FP13 and paths on the former tip to the west and a footpath 146 to the north, but otherwise this is an area of land with an unusual lack of public access. There are no public roads across it, there are no properties and apart from the paths described above, no public rights of way. The only people

with access to perceive visual openness, across most of the area, are the farmers that occasionally cultivate the land and harvest crops. Visual effects are those experienced by people (GLVIA3 glossary), so if there are no, or very few, people, this must limit the perception of visual effects. In my view, visual openness is affected by a number of factors, and these include screening by existing features such as landform and woodland, the extent of existing development and infrastructure already in the view, and also by the opportunity for people to actually experience or perceive views by accessing the area. For this scheme, there is physical containment established by the restored tip, the motorway and Pestfurlong Hill, and by the former rail line. Within the area contained by the former tip, the motorway and the former rail line, there are few features to limit views, but there are also few visual receptors (people) to perceive any visual openness.

- 8.7 The Appeal proposals would introduce new built form onto the Site along with associated infrastructure, and car and lorry parking. It is accepted that the introduction of these elements will inevitably have an adverse impact upon the visual openness of the Green Belt by the introduction of new development where there was previously none, and over the developed part of the appeal site itself there would be significant harm to the visual openness of the Green Belt.
- 8.8 The indicative scheme identifies that:
- Approximately 0.53 hectares of the Site would accommodate built form (amenity building and fuel filling station)
 - Approximately 8.97 ha of the Site will accommodate car or lorry parking (approx. 53% of the total Site area).
 - Approximately 6.44 ha of the Site will comprising Green Infrastructure (approx. 38% of the Site).
- 8.9 Not all parts of the appeal site would be developed, and the effects on visual openness would in any case be more limited in extent beyond the site itself. The existing tip to the west and the motorway to the south provides visual enclosure.
- 8.10 By “*tucking*” the built elements of the scheme against the rising landform of the former tip, the visual effects are much reduced. The photomontages show the general lack of visibility of the new buildings. Much of the site is either parking, or green infrastructure. The Green infrastructure areas will remain open, and the parking areas have a more restricted visual effect than new buildings do. This is particularly the case with the flat topography of the site, so most longer views are across a flat landscape where the paved areas themselves will not be visible, and vehicles parked are transient and generally low level, easily screened by the proposed landscape scheme.
- 8.11 The photomontages prepared with the application are useful tools to help to understand the likely visual effects. The copy of the photomontages included in my Appendix 6 includes additional larger labelling for ease of reference on a computer screen.

Photomontage Viewpoint 1 Footpath 148

- 8.12 The existing view from Footpath 148 shows an open view across arable land to the rising landform of the former tip, with woodland and tall hedgerows. The photomontage at completion, shows part of the facilities building visible above the existing planting, but below the skyline formed by the former tip. The parking and service areas are not visible due to the level

topography and intervening vegetation. The indicative buildings on the photomontage are shown white in colour which increases their prominence, but with a suitable colour treatment the buildings would be minor features in the view, reminiscent in appearance to farm buildings. Only a small part of the developed site would be visible, minimising the effect on visual openness from this location.

- 8.13 By 15 years after completion, the green infrastructure would be becoming established and further softening any views to built development. The night time photomontages show no discernible difference, due to the location and height of the lighting

Photomontage Viewpoint 4 Footpath 13

- 8.14 Located to the immediate west of the proposed facilities building, the existing view shows the edge of the former tip, and a more open view across the arable land within the site. The photomontage shows grey blocks representing the facilities building, which are relatively close to the footpath. Inevitably at this distance the building would be a large new built feature where none previously existed. The visual openness from this location would inevitably be lost. By year 15 the boundary planting is becoming more established and would soften views to the buildings. Careful architectural design and choice of materials would also reduce the visual impact.
- 8.15 The night time existing view shows a relatively dark landscape. After development there would be some low level of additional lighting on the building facades.

Photomontage Viewpoint 6 - Footpath 25, south of the M6

- 8.16 This viewpoint is located along footpath 25 south of the M6 Motorway. The existing view is across the motorway, the appeal site and includes the former tip forming the skyline to the west. At the year of completion, the photomontage shows the top of the filling station visible above the planting along the motorway). The planting shown on the montage may not be in place initially as some of the land is safeguarded for access for HS2. There may for a time be greater visibility of built form.
- 8.17 Beyond the site itself I conclude that there will be a limited effect on the visual openness of the wider Green Belt.

Photomontage Viewpoint 7 - Footpath 13.

- 8.18 Located on footpath 13 close to the disused rail line north of the appeal site, this shows a view south to the appeal site and the former tip. A largely flat arable landscape can be seen with more vegetation closer to and on the restored tip.
- 8.19 The photomontage at the year of completion shows the facilities building as visible tucked against the rising landform of the former tip. Boundary vegetation largely screens the low-level parking and service areas. The buildings are just represented as grey boxes but could give the impression in the landscape of large-scale agricultural buildings. The character and scale of this landscape means that the built form could be accommodated without significant change to character. The effect on visual openness from this location would be limited. By year 15 the boundary planting would be more established screening any low-level activity and softening views to the facilities building and reducing the visual effects and effect on visual openness.

Photomontage Viewpoint 10 - Footpath on the former tip.

- 8.20 The location of this viewpoint shows one of the few locations where a path on the former tip has a view directly towards the appeal site. The view shows the establishing vegetation on the tip, along with the flatter arable landscape beyond including the appeal site.
- 8.21 At the year of completion from this viewpoint, the new facilities building would be clearly visible, along with a slightly elevated view to the parking and service areas. Whilst planting would soften views to the parking, the paved surface and parking would be visible. From this location there would be a notable effect on visual openness at the year of completion.
- 8.22 The photomontage at year 15 shows the planting within the green infrastructure areas as more established and largely screening views to the parking and service areas. The facilities building would still be visible but softened by the maturing planting. The visual impact of the scheme would be reduced and there would be reduced effect on visual openness.

Photomontage Viewpoint 14 – Pestfurlong Hill

- 8.23 Most of Pestfurlong Hill, the landform created from spoil from the restoration of the Risley Royal Ordnance factory, is wooded in character with few views out to the north. There are more open views east towards Manchester. The Photomontage shows one of the locations where there is a view north over the appeal site and towards the former tip. The view is across the M6 Motorway. The photomontage at completion shows the top of the fuel station to the west and the facilities building and hotel to the centre of the view. As shown on the photomontage the buildings are indicted as simple grey blocks, which draws attention to them. With a more sympathetic colour treatment and design the buildings would be visually more recessive. By year 15 the green infrastructure planting is well established and screens much of the proposed buildings and virtually all of the parking and service areas. There would be a limited effect overall on visual openness, from this location.

Photomontage Viewpoint G – Footpath 143

- 8.24 This view G shows an open view across the flat landscape with a number of individual houses/farms just visible between blocks of vegetation. The appeal site itself is not visible due to the flat topography. The photomontage at completion shows the roof of the facilities building just visible in the centre of the view but is a very minor element. At this distance it would be hard to tell the difference to an agricultural building, and barely noticeable to the casual observer travelling along the road. At this distance and with the flat topography, there would be littler difference to the view by year 15. Overall, there would be negligible visual effect and a negligible effect on visual openness.
- 8.25 Overall, harm to Green Belt openness should be given significant weight in the planning balance. My analysis demonstrates that whilst there would be a significant effect on visual openness within the developed part of the appeal site itself, and on some restricted areas close to it, such as along parts of footpath 13 and routes on the eastern site of the restored tip, the effect on the openness of the wider area would be limited. This is due to the levels and location of the proposed facilities and screening provided by features such as the former rail line, but also because of the lack of locations where it is possible to experience visual change. Overall, I conclude a limited effect on the visual openness of the wider Green Belt around the site.

The effect of the Proposal on the purposes of the Green Belt

- 8.26 In terms of the effect of the scheme on the purposes of the Green Belt, helpful background is available in the “*Warrington Green Belt Assessment 2016*” produced by ARUP. This is at CD3.2.2p.
- 8.27 This assessment was completed in 2016 by ARUP to provide an objective, evidence-based and independent assessment of how Warrington’s Green Belt contributes to the five purposes of Green Belt. This study is evaluated in the proof of evidence of David Rawlinson. I set out below my view on the role the appeal site plays in landscape terms against Green Belt Purposes

Purpose 1: to check the unrestricted sprawl of large built-up areas

- 8.28 The M62 motorway forms a strong boundary to the existing built-up area, and the appeal scheme lies north of this. The site is however contained to the west by the rising topography of the former tip, and the northern and eastern site boundaries are formed by hedgerows/ tree lines. These boundaries will become stronger if the appeal scheme is developed, as the brook will be realigned and form a distinct boundary in the landscape. There would be additional development where currently there is none, but this would not be “unrestricted” sprawl, but a distinct extension to built form north of the roundabout junction and tucked against the rising landform. I note the council statement of Case does not allege any harm against this purpose.

Purpose 2: to prevent neighbouring towns merging into one another

- 8.29 The appeal scheme would not result in physical or visual merging of settlements. The appeal site would form an extension to Warrington, and Culcheth is the nearest settlement where potential merging could occur. Culcheth however is physically and visually separated from the appeal site by the intervening rising landform of the former tip.

Purpose 3: to assist in safeguarding the countryside from encroachment;

- 8.30 There would inevitably be some encroachment on the countryside by part of the appeal site itself, as it changes from farmland to Service Area and associated infrastructure. Not all of the site however would be built development, and the northern and eastern edges would remain as Green infrastructure. This new planting would reinforce the existing vegetative boundaries and the realigned Brook would further strengthen this boundary in the landscape. The urbanising effect of the built development would be minimised by the containment of the landform of the former tip to the west, motorway to the south and by the proposed planting within the site itself. By diverting footpath 13 to the eastern side of the appeal site, this would provide access to an area where there is currently no access, and views east across the mossland farmland would be possible. At present the route of footpath 13 on the western side of the appeal site provides a very similar route to the permissive route on the restored tip, at present almost doubling up the same provision.

Purpose 4: to preserve the setting and special character of historic towns

- 8.31 The site does not form a setting to a historic town.

Purpose 5: to assist in urban regeneration, by encouraging the recycling of derelict and other urban land

- 8.32 This purpose is discussed in the proof of David Rawlinson.
- 8.33 The overall judgment on the effect on Green Belt Purposes resulting from development of the appeal scheme is set out in the proof of evidence of David Rawlinson.

Compensatory Improvements to the Green Belt

- 8.34 Paragraph 142 of the NPPF discusses offsetting the removal of land from the Green Belt, through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land. Whilst the wording of this policy relates to revising development plans, the principles can also be helpful in a situation such as this appeal. Not all of the appeal site would be used for built development. Approximately 16ha of new habitat creation would be provided. Whilst some of this would be within the development area itself, a sizable part comprises the perimeter landscape buffer, including realigned brook and peatland area. New perimeter paths could be provided, and surfaced, increasing accessibility to the area through the year. The diverted footpath 13 would follow an alignment around the eastern edge of the appeal site, and views east over the flat agricultural landscape would be possible, along with closer range views of the proposed green infrastructure including the restored mossland. At present Footpath 13 runs close to the north south route on the former tip, and both paths serve a similar purpose. In my view the diverted path would be beneficial in terms of providing access further east and providing a different experience. These measures would provide improvements to the wider Green Belt.

9.0 POLICY

- 9.1 David Rawlinson specifically deals with policies, and I look at them in terms of landscape and visual effects.

Warrington Local Plan Core Strategy Adopted July 2014

- 9.2 The following policies are referenced in the reason for refusal, CS5, CC2 and QE7.
- 9.3 Policy CS5 covers Green Belt. The policy states that Development Proposals within the Green Belt will be approved where they accord with relevant national policy. This is dealt with in the proof of David Rawlinson.
- 9.4 Policy CC2 covers "*Protecting the Countryside*". The policy states that development proposals in the countryside which accord with Green Belt policies set out in national planning policy will be supported provided that, amongst other things,
- *the detailed siting and design of the development relates satisfactorily to its rural setting, in terms of its scale, layout and use of materials;*
 - *they respect local landscape character, both in terms of immediate impact, or from distant views;*

- *unobtrusive provision can be made for any associated servicing and parking facilities or plant, equipment and storage;*
- 9.5 The design and siting for the MSA has been carefully considered. A development of this type has obvious locational limitations, but the siting adjacent to the rising landform of the former tip, has been utilised to minimise the impact of the new buildings and infrastructure on the wider countryside. Landscape and visual impact are limited by the location and design, and the visual effects would be limited by the lack of people on the nearby landscape that could experience any visual change. Servicing and parking would be sensitively designed and the broad area of green infrastructure around the site would minimise any effects on the wider landscape and views. In these respects, the scheme accords with policy
- 9.6 Policy QE7, covers “Green Infrastructure” and serves to protect existing provision and to improve access and connectivity. The existing site has no role as Green Infrastructure, but the completed scheme would include new accessible multifunctional green space, that could complement the use and access to the adjacent restored tip. The appeal scheme is in accordance with policy QE7.
- 9.7 Policy QE7 covers “*Ensuring a High-Quality Place*”. The policy states that the council will look positively upon proposals that are designed to amongst other things,
- *reinforce local distinctiveness and enhance the character, appearance, and function of the local area*
 - *maintain and respect the landscape character and, where appropriate, distinctiveness of the surrounding countryside*
 - *be visually attractive as a result of good architecture and the inclusion of appropriate public space.*
- 9.8 The site is located in an area where the overall character of the landscape is less strong, being influenced by the motorway and adjacent restored tip. The design of the buildings is for reserved matters stage, but a distinctive modern design solution could be provided. Good quality and well-designed public space and green infrastructure could be provided, and I consider that the scheme can accord with this policy.

The National Planning Policy Framework 2021

- 9.9 The NPPF sets out the Government's commitment to delivering sustainable development. A holistic approach is encouraged, balancing benefits with impacts across all aspects of the development process. The NPPF is dealt with in David Rawlinson's proof, so I only draw attention to the specific section on Green Belt and landscape.

Green Belt

- 9.10 Section 13 of the NPPF covers Protecting Green Belt land. The appeal site lies within the Greater Manchester Green Belt. Paragraph 137 notes that the Government attaches great importance to Green Belts. The NPPF notes that "*The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.*"
- 9.11 Paragraph 138 sets out the 5 purposes of the Green Belt;

- a) to check the unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns; and
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 9.12 Paragraph 145 states that once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.
- 9.13 From my analysis I conclude that the appeal scheme would inevitably affect openness at a site wide level, and there would be a relatively limited area beyond the site itself where there would be an effect on visual openness.
- 9.14 In terms on the effect on the purposes, my analysis has shown that there would be an extension of the built-up area, but “*sprawl*” would not be “unrestricted”.
- 9.15 There would inevitably be a loss of countryside within the site itself, but encroachment would also be limited by the new boundary formed by the realigned Silver Lane Brook and the green infrastructure associated with it.

Conserving and Enhancing the Natural Environment.

- 9.16 Paragraph 174a identifies how the planning system should contribute to and enhance the natural environment by (amongst others), protecting and enhancing valued landscapes, (in a manner commensurate with their statutory status, or identified quality in the development plan). The land around the appeal site is not protected for its landscape value or has any identified quality in the development plan.
- 9.17 Paragraph 174b notes that decisions and policies should recognise the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services. The appeal scheme would contain new areas of green infrastructure and landscape features that could make a positive contribution to the environment in the longer term as described in section 6.

10.0 SUMMARY AND CONCLUSION

The site

- 10.1 The appeal site lies immediately north of Junction 11 of the M62, to the north of Birchwood Warrington. The residential area of Birchwood, and Birchwood Technology Park lie to the south of the Motorway, and the raised landform of the former Risley landfill site, now restored, lies immediately to the west of the appeal site. The site itself is comprised mostly of arable land, with a relatively flat topography, which extends to the north and east. The agricultural fields within the site, and beyond to the east, are relatively open and featureless, developed on former mosslands. To the north and east there is little settlement and few roads, but some rights of way cross the area and the raised landform of a former rail line wraps around the arable land to the northeast. Culcheth lies to the northwest but is visually separated from the appeal site by the raised landform of the former tip. The appeal site is located within the Green Belt.
- 10.2 Land to the north and east of the appeal site is reserved for HS2. If developed as currently planned, HS2 would wrap around the appeal site on embankment, providing notable enclosure from the wider landscape.
- 10.3 The appeal site and land around it lie within the Mersey Valley National Character Area (NCA60), and within the Area 2.B Holcroft and Glazebrook Moss, as described in the Warrington Landscape Character Assessment 2007.

The scheme

- 10.4 The scheme is an outline application. The parameters plans and landscape masterplan have been developed following careful iterative design to consider the landscape constraints and opportunities.
- 10.5 The Design and Access Statement notes that the proposed development seeks to "nestle" at the bottom of the wooded restored landfill site, with simple agricultural built forms and within an extended woodland framework.
- 10.6 The different landscape areas and habitats within the landscape masterplan aim to set the new buildings (facilities building, hotel, service yard and fuel filling station) open parking areas and internal roadways, within a framework of mainly native woodland, trees and shrubs.
- 10.7 The development also includes proposals for the re-aligned Silver Lane Brook. The realigned brook would provide the opportunity to retain an open flowing channel which could be designed to have a more variable channel profile, than the existing brook, thereby allowing a greater diversity of aquatic habitats and areas of marginal planting to be incorporated. The diversion also would allow flow variation using riffles, areas of slow/static flow, gravel beds and deep peaty sediment to be included. The use of an open channel allows variations in surface water flows to be accommodated thereby reducing flood risk.
- 10.8 Overall, the illustrative plan shows over 16ha of new habitat creation, including a restored area of mossland.

Landscape effects

- 10.9 In terms of landscape effects, the proposed development will have relatively limited effects on National Character Area 60 the Mersey Valley (given the scale of the proposals in the context of the broader NCA). At a Borough level the development of the appeal scheme on the edge of the extensive Area 2.B Holcroft and Glazebrook Moss, would result in a low magnitude of landscape change across the area as a whole at completion, leading to a minor landscape effect overall across this character area. Over time as the green infrastructure establishes the landscape effects would reduce but are still likely to remain minor adverse, albeit at a lower end of this category.
- 10.10 Within the site and its immediate context, the character will be altered through the introduction of the MSA and Green infrastructure. The site and its immediate context is more influenced by man-made elements than the wider character as a whole. The rising landform of the restored landfill site is an important influence, along with the influence of traffic from the motorway. Containment from the wider area is formed by the rising landform of the former landfill, Pestfurlong Hill south of the M6 and in the wider landscape by the wooded embankments of the former rail line. If HS2 gets built as currently proposed, then the appeal site would lie within an even more contained area, with embankments for the line wrapping around the site to the east and north,
- 10.11 This immediate area is an area with a high degree of man-made influence, and a relative lack of sensitive landscape features. The planting on the restored landfill is now starting to establish, but it is still a young landscape, reasonably tolerant of change. The pools to the north of the landfill are better established, and wetland habitat establishes more rapidly than woodland. This area is more separated from the appeal site and would be less influenced by development on it.
- 10.12 The appeal scheme contains over 16ha of new habitat creation, and this includes the diverted watercourse, which will be more varied and of greater landscape and ecological value than the current ditch like alignment. The restored area of moss land will be beneficial.
- 10.13 As with the wider character area, I consider the site and its immediate context to be of medium/low landscape sensitivity. At completion there would be a medium degree of landscape change, leading overall to a moderate landscape effect. As the green infrastructure establishes, I consider that the overall landscape effect would reduce to Moderate/ Minor. If HS2 is completed as per the current plans, I consider that the landscape effects would become even more localised as the new rail line and its embankments would further enclose the appeal site and limit any influence across the wider area

Visual Effects

- 10.14 My assessment of visual effects demonstrates the relative lack of visual receptors in the vicinity of the site. The visual effects will largely be limited to users of Footpath 13 which runs through the site and would be diverted around the landscape area of the appeal site to the east, and views from the permissive footpaths on the eastern side of the restored landfill site. Other more restricted and distant views would be possible from the public rights of way to the north and east, where views are limited by the wooded former rail embankment, and from the elevated man-made Pestfurlong Hill at Gorse Covert. Some restricted views would also be possible from the M6 adjacent to the site and from Holcroft lane to the north east.

- 10.15 If HS2 gets developed as currently planned this will result in the new rail line and embankment enclosing the appeal site from the wider landscape to the north and east, further blocking any views from this direction.

Landscape and Visual Conclusions

- 10.16 Overall, I judge the adverse effects on landscape and visual amenity to be moderate at completion, reducing to Moderate/ Minor over time, and this should be given moderate weight in the overall planning balance.

Green Belt Openness

- 10.17 The Appeal proposals would introduce new built form onto the Site along with associated infrastructure, and car and lorry parking. It is accepted that the introduction of these elements will inevitably have an adverse impact upon the visual openness of the Green Belt by the introduction of new development where there was previously none, and over the developed part of the appeal site itself there would be significant harm to the visual openness of the Green Belt.
- 10.18 Not all parts of the appeal site would be developed, and the effects on visual openness would however be more limited in extent beyond the site itself. The existing tip to the west and the motorway to the south provides visual enclosure.
- 10.19 By "tucking" the built elements of the scheme against the rising landform of the former tip, the visual effects are much reduced. The photomontages show the general lack of visibility of the new buildings. Much of the site is either parking, or green infrastructure. The Green infrastructure areas will remain open, and the parking areas have a more restricted visual effect than new buildings. This is particularly the case with the flat topography of the site, so most longer views are across a flat landscape where the paved areas themselves will not be visible, and vehicles parked are transient and generally low level, easily screened by the proposed landscape scheme.
- 10.20 Overall, my analysis demonstrates that whilst there would be a significant effect on visual openness within the developed part of the appeal site itself, and on some restricted areas close to it, such as along parts of footpath 13 and routes on the eastern site of the restored tip, the effect on the openness of the wider area would be limited. This is due to the levels and location of the proposed facilities and screening provided by features such as the former rail line, but also because of the lack of locations where it is possible to experience visual change. Overall, I conclude a limited effect on the visual openness of the wider Green Belt around the site

Compensatory Improvements to the Green Belt

- 10.21 Paragraph 142 of the NPPF discusses offsetting the removal of land from the Green Belt, through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land. Whilst the wording of this policy relates to revising development plans and the removal of land from the Green Belt, the principles can also be helpful in a situation such as this appeal, where a site is to remain in the Green Belt but is proposed to be developed. Not all of the appeal site would be used for built development. Approximately 16ha of new habitat will be created. Whilst some of this would be within the development area itself, a sizable part comprises the perimeter landscape buffer, including realigned brook and peatland area. New perimeter paths could be provided, and surfaced, increasing accessibility to the area through the year. The

diverted footpath 13 would follow an alignment around the eastern edge of the appeal site, and views east over the flat agricultural landscape would be possible, along with closer range views of the proposed green infrastructure including the restored mossland. At present Footpath 13 runs close to the north south route on the former tip, and both paths serve a similar purpose. In my view the diverted path would be beneficial in terms of providing access further east and providing a different experience. These measures would provide improvements to the wider Green Belt.