



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

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

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

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

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

CD38.1C

April 2021

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1.0 Introduction

1.1 Context

1.1.1 This Rebuttal Proof of Evidence relates to two documents:

- The St Helens Borough Council Topic Statement: *'The Character and Appearance of the Area'* **(CD39.4)**; and
- the *'Bold and Clock Face Action Group: Written Representation'* **(CD41.8)**.

It should be read with reference to the Proof of Evidence **(CD38.1)**, Summary Proof of Evidence **(CD38.1A)** and Proof of Evidence Appendix A **(CD38.1B)** of Mark Steele BA DipLD CMLI. There will also be a degree of overlap with other rebuttals.

2.0 St Helens Borough Council Topic Statement: The Character and Appearance of the Area

2.1 Introduction

2.1.1 St Helens Borough Council Topic Statement: *'The Character and Appearance of the Area'* paragraph 1.1 confirms that *'Topic Statements have been prepared to inform the Secretary of State on the matters identified in the Inspector's case management notes which are not addressed in the Council's main proofs of evidence. This Topic Statement is concerned with the character and appearance of the area.'*

2.1.2 St Helens Borough Council Topic Statement: *'The Character and Appearance of the Area'* paragraph 4.1 relates to representations about the character and appearance of the area.

Mark Steele Proof of Evidence **(CD38.1)** paragraph 2.42 states that *'The landscape and visual issues referred to in these representations reiterate the concerns raised by the St*

Helens Council Countryside Development and Landscape Officer. These concerns are comprehensively addressed in the Proof of Evidence.

2.1.3 The St Helens Borough Council Topic Statement: *'The Character and Appearance of the Area'* paragraph 4.1 reference to *'photographs'* was addressed by the preparation of visualisations. The Committee Report **(CD35.1)** (page 60, first paragraph) confirms that they *'...are a representative sample of views to give an accurate picture of the proposed development.'*

2.1.4 St Helens Borough Council Topic Statement: *'The Character and Appearance of the Area'* paragraph 6.5 (last paragraph on page 3) states that *'The land to the south, east and north of the application site is relatively open with fields and grassland.'* This should read *'The land to the south, west and north of the application site is relatively open with fields and grassland.'*

However, it should be noted that the M62 forms the northern boundary of the site and that views towards the site are partially screened by existing woodland and trees.

2.1.5 It is also noted that St Helens Borough Council Topic Statement: *'The Character and Appearance of the Area'* paragraph 6.5 acknowledges that *'The landscape context of the site has changed substantially since the Council's Landscape Character Assessment was undertaken in 2006.'*

This change is illustrated by Mark Steele Proof of Evidence Appendix A **(CD38.1B)** Figures B and C.

2.1.6 St Helens Borough Council Topic Statement: *'The Character and Appearance of the Area'* paragraph 6.9 acknowledges that *'The proposed development when viewed in isolation within an industrial context and against the backdrop of the Omega industrial site, would*

have similarities with the character of the area.’ However, paragraph 6.10 goes on to state that ‘...the proposal would result in a significant amount of established tree loss and farmland and redevelop it with one large warehouse, large areas of hard-surfacing, service and parking yards and associated equipment such as flues and petrol pumps, which would cause harm to the character of the area. The provision of landscaping and trees would soften the edges of the warehouses but not only will this landscaping take years to establish but would not assist in mitigating the view of the warehouses due to the large scale and height of the warehouses. The warehouse would look incongruous and dominant buildings in the landscape.’

However, the Mark Steele Proof of Evidence (**CD38.1**) paragraph 3.4.7 concludes that *‘...while the landscape effects of the removal of the affected woodlands would be significant, the visibility of these effects would be restricted by the foreground screening of other woodlands and trees (as illustrated by PoE Appendix A (**CD38.1B**) Figure D). This reduces the amenity value of the TPO woodlands affected by the development.’*

It should also be noted that Mark Steele Proof of Evidence (**CD38.1**) paragraph 3.3 4 states that *‘...the proposed mitigation measures (as illustrated by the Landscape Strategy (**CD33.149**)) would, with maturity, increasingly screen the visually intrusive service areas surrounding the buildings. PoE Appendix A (**CD38.1B**) Figure F illustrates the screening effect of the existing tree belt adjacent to Omega South, as well as the visibility of service areas where the tree belt has been removed at the end of Catalina Drive.’*

The scale and congruity of the proposed development is addressed in Mr Bashforth’s Proof of Evidence (**CD38.4**) paragraph 6.9.

3.0 ***Bold and Clock Face Action Group: Written Representation***

3.1 ***Introduction***

3.1.1 *'Bold and Clock Face Action Group: Written Representation'* paragraph 1 confirms that *'I am writing on behalf of the Bold and Clock Face Action Group with a written representation for planning matters...'* and paragraph 8 confirms that the author of the Written Representation is Ms Jackie Copley MRTPI MA BA (Hons) PgCERT (Urban Design).

3.1.2 While the *'Bold and Clock Face Action Group: Written Representation'* relates primarily to planning matters, there are references to landscape and visual issues that are addressed in this Rebuttal Proof of Evidence.

3.2 ***Site Description***

3.2.1 *'Bold and Clock Face Action Group: Written Representation'* paragraph 14 states that *'The land is currently used for agriculture and woodland, and it has an attractive, rural, open and green character.'* However, the Mark Steele Proof of Evidence (**CD38.1**) explains that the land directly affected by built development makes a limited contribution to perceptions of landscape character, as is not accessible to the public and is partially screened by retained woodland and trees.

Furthermore, regarding the proposed green belt release, the *'St Helens Borough Local Plan 2020-2035 Green Belt Review Appendix B-C part 5'* (**CD3.5**) acknowledges that the eastern part of the site *'...is bordered by large scale built development at Omega South and the M62, therefore only has a moderate countryside character.'*

Mark Steele Proof of Evidence (**CD38.1**) paragraph 2.1.9 concludes that *'...the effects of the proposed development should be considered in the context of this substantial existing and proposed change to the landscape resource.'*

3.2.2 *'Bold and Clock Face Action Group: Written Representation'* paragraph 16 states that *'It is worth emphasising that the current Omega development involved the reuse of a previously developed, brownfield site.'*

However, Mark Steele Proof of Evidence Appendix A **(CD38.1B)** Figure C demonstrates that in 2004 the area between the Lingley Mere Business Park and the M62 had landscape characteristics similar to the proposed development site.

3.2.3 *'Bold and Clock Face Action Group: Written Representation'* paragraph 17 refers to a *'medieval/post medieval park'*.

However, Mark Steele Proof of Evidence **(CD38.1)** paragraph 3.6.4 concludes that *'...there is no evidence I have seen that the affected woodlands are a '...remnant of the historic medieval deer park.'*

3.2.4 *'Bold and Clock Face Action Group: Written Representation'* paragraph 20 refers to *'good views into the site'* from the M62.

However, the photograph at *'Bold and Clock Face Action Group: Written Representation'* page 5 shows a tall hedge adjacent to the motorway and the screening effect of W16: Plain Plantation (rather than the incorrectly captioned *'Booths Wood'*). There are semi mature trees adjacent to the M62 further to the east.

3.3 St Helens Core Strategy (2012)

3.3.1 *'Bold and Clock Face Action Group: Written Representation'* paragraph 67 quotes concerns raised by the St Helens' Countryside and Woodlands Officer.

These concerns are comprehensively covered in the Mark Steele Proof of Evidence **(CD38.1)** and paragraph 4.1.2 concludes that:

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

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

3.3.2 *'Bold and Clock Face Action Group: Written Representation'* paragraphs 73 to 75 refer to the significant landscape and visual effects identified in ES Chapter 10 **(CD33.58)**.

However, paragraph 73 is incorrect where it states that *'no mitigation measures are proposed'*. ES Chapter 10 **(CD33.58)** paragraph 10.6.3 confirms that *'...hedgerows and trees form part of the proposed 'embedded' (environmental design) mitigation, hence constitute an integral part of the Proposed Development...'*

- 3.3.3 *'Bold and Clock Face Action Group: Written Representation'* paragraphs 76 states that *'An extended 'shedscape' to that of the existing Omega logistics hub will have the effect of urbanising a very long stretch of the M62 and will completely change the current predominately rural landscape character.'*

However, as previously stated, the *'St Helens Borough Local Plan 2020-2035 Green Belt Review Appendix B-C part 5'* **(CD3.5)** acknowledges that the eastern part of the site *'...is bordered by large scale built development at Omega South and the M62, therefore only has a moderate countryside character.'*

In other words, the M62 and existing Omega South development are prominent existing elements that affect perceptions of landscape character. This is illustrated by Mark Steele Proof of Evidence: Appendix A **(CD38.1B)** Figures C and E.

As a consequence, it would not be correct to state that the proposed development will *'...completely change the current predominately rural landscape character.'*

- 3.3.4 *'Bold and Clock Face Action Group: Written Representation'* paragraph 77 states that *'The visual amenity afforded by open fields and farmland is currently high value and this value will be permanently lost. Although the site is in private ownership there is a Public Right of Way (PRoW number 102) and those using this and the network of local roads and the M62 motorway will experience an adverse impact on the visual amenity to a large magnitude of change.'*

As previously stated, the visibility of the site landscape is limited and would be seen in the context of the M62 and/or the Omega North and South developments from many publicly accessible locations. ES Chapter 10 Appendix 10.1 **(CD33.94)** finds that users of PRoW number 102 (F7) and M62 (H10) would be subject to a high magnitude of effect and significant effects during construction and operation, but that the only other road subject to significant effects would be Gorse Lane (H4).

3.3.5 *'Bold and Clock Face Action Group: Written Representation'* paragraph 78 states that *'I am concerned that the Environmental Statement appears to have omitted the impact of the development on the Bold Forest Park as there is a raised viewpoint for the public here looking towards the south and therefore the landscape and visual impact of the proposal is significant and negative from this important cultural and historical location.'*

The Bold Forest Park was addressed in the ES Planning Statement at paragraphs 5.28 to 5.31 rather than ES Chapter 10 **(CD33.58)**, as it is a 'spatial' planning policy issue (closely related to the green belt) rather than a landscape designation.

Mark Steele Proof of Evidence **(CD38.1)** paragraph 2.3.6 explains that *'The Bold Forest Park is not assessed as a separate landscape entity in ES Chapter 10 (CD33.58). However, landscape features within the Bold Forest Park (i.e. woodlands) are addressed in the ES Chapter 10 (CD33.58) landscape assessment and visual effects on users of recreational areas and paths within the park are addressed in the ES Chapter 10 (CD33.58) visual assessment and ES Appendix 10.1 (CD33.94).'*

In addition, the landscape and visual receptors relevant to the Bold Forest Park are discussed in Section 3 of Mark Steele Proof of Evidence **(CD38.1)** Section 3

3.3.6 It is unclear what *'raised viewpoint for the public here looking towards the south'* or *'important cultural and historical location'* is being referred to in *'Bold and Clock Face Action Group: Written Representation'* paragraph 78.

If it is the Clock Face Park, then ES Appendix 10.1 **(CD33.94)** confirms that visual effects from this location would be significant during construction and at the commencement of operation but not significant at year 15.

If it is the Old Moat House, Medieval Moat: Scheduled Monument, then ES Appendix 10.1 **(CD33.94)** confirms that visual effects from this location would be significant during construction, at the commencement of operation and at year 15.

3.3.7 *'Bold and Clock Face Action Group: Written Representation'* paragraph 79 refers to *'photographic information'*. The concern regarding the ES Chapter 10 Appendix 10.2 Photosheets **(CD33.95)** was addressed by the preparation of visualisations **(CD33.150)**. Committee Report **(CD35.1)** paragraph 3.44 acknowledges that these *'...are a representative sample of views to give an accurate picture of the proposed development.'*

4.0 Conclusions

4.1 Conclusions

4.1.1 Having reviewed the The St Helens Borough Council Topic Statement: *'The Character and Appearance of the Area'* and addressed the *'Bold and Clock Face Action Group: Written Representation'* landscape and visual concerns, I conclude that the conclusions of my Proof of Evidence **(CD38.1)** remain unchanged, namely:

'The proposed development of the application site will give rise to significant landscape and visual effects beyond maturity of the landscape mitigation measures.'

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

Furthermore, the change to the landscape and visual resource should be considered in context, as the proposed development is sited within a landscape that has been (and continues to be) the subject of substantial change. The landscape character has been influenced by the Omega South development to the east of the application site. This material change to the context of the application site needs to be adequately reflected in any judgements on the acceptability of the proposed development.'

Mark Steele – April 2021