

From: Robert Mayhew
Sent: 13 March 2015 18:25
To: DC Consultation
Cc: Chris Stanworth
Subject: Planning Application Consultation 15NP0010EIA North from Cold Law to Broadstruther, near Langleeford, Wooler, Alnwick, Northumberland

Dear Chris,

15NP0010EIA - Environmental Impact Assessment Screening Opinion in respect of proposed track improvements north from Cold Law to Broadstruther, near Langleeford, Wooler, Alnwick, Northumberland.

Thank you for consulting me on the above application. I wish to make the following comments relating to the potential impact and effects associated with the landscape, lighting, hedgerow and tree implications of this proposed development.

In relation to the potential impact upon trees and hedgerows in the vicinity of this proposed development, given the nature of the location within a wide open moorland setting, the likelihood of causing damage to trees or hedgerows as a result of the track development proposals is limited. Having said that, there is a group of semi-mature conifer trees that lie within the application boundary to the northern end of the site. The accompanying site plan identifies that the alignment of the proposed track appears to pass outside the root protection zone of these trees and a site visit identified that there is an existing cruciform stone wall protecting the former shelterbelt from grazing stock, all be it this is now in a poor state of repair. I do not believe therefore that a tree survey or tree protection measures are necessary for this application however you may wish to seek clarification that whilst part of this shelterbelt is identified within the application boundary, the applicant has no intention to align the track or permit construction vehicles through this shelterbelt.

Similarly, whilst in theory the development of this track may make it easier for vehicles to reach the upper slopes of Cold Law both day or night, I suspect that it is not the intention of the applicant to use it excessively at night. Light pollution emitted from vehicles is generally temporary and transient in nature, however, there is a possibility that the light pollution that may arise from the headlights of vehicles using the track at night will have an impact on the night-time landscape character of the National Park. To clarify the extent of this you may wish to seek the nature of expected use of the track from the applicant, eg the type of vehicle, average number of trips per week/month, whether there is any seasonal variation and whether these trips are in daylight hours or at night.

From my perspective then it is the potential landscape effects of this proposed development that gives me greatest cause for concern. As stated in the Scottish Natural Heritage publication 'Constructed Tracks in the Scottish Uplands' 2013; *'Upland habitats and landscapes are often sensitive to change and slow to repair. Many contain lochs, watercourses and wetlands which need to be protected from adverse impacts. Their peaty soils also hold significant amounts of stored carbon which needs to be safeguarded. Upland landscapes are also highly valued both for their intrinsic character and for the wild land qualities that they provide. Tracks can have a major impact on these qualities, introducing significant new features into otherwise 'natural' landscapes and affecting fragile upland plants, animals, landforms and soils. They also have the potential to alter drainage patterns, potentially resulting in serious erosion and loss of stored carbon, the generation of surplus peat and damage to the water environment. Tracks can create access and*

recreation benefits, providing new routes for walkers, cyclists and horse riders. While this has the potential to open up new opportunities, it can also create new, often unforeseen pressures by increasing the number of people using previously unvisited areas'.

So it is recognised that the development and ongoing use of upland tracks could have significant effects on the landscape and views of an area, however, having read the applicant's preliminary documentation and discussed the proposal with them, I believe there is scope to reduce the potential effects on the landscape and views to an acceptable level, so long as the work is planned and undertaken sympathetically in line with best practice and the track is then used and maintained sustainably. The initial landscape and visual effects should be temporary and minimal, once the revegetation has become established and remain so during its lifetime of use. I would urge the applicant to provide as much information upfront within the application in order to reassure me that that will be the case.

In undertaking an appropriate landscape character and visual analysis of this development I believe that a Landscape Visual Impact Assessment (LVIA) should be undertaken given its location within a protected landscape, and in line with the Guidelines for Landscape and Visual Impact Assessment, Landscape Institute 2013, this should be proportionate to the scale and nature of the development. This should include

- A project description/specification
- Baseline studies
- Identification and description of effects
- Assessment of the significance of the effects of the impact; and
- Mitigation

I believe that this level of detail may differ from that currently proposed by the applicant who has inferred within their screening and pre-application documentation that they intend to undertake a landscape appraisal that generally does not look to establish the significance of the effects of a development. In this case however, I would request that the significance is determined in relation to the effect on the landscape character and from the receptor sites listed below in order to build confidence in the appraisal process. Additionally, I believe that ongoing maintenance and monitoring will be crucial with respect to the successful inclusion of this development in the landscape and this is not automatically undertaken as part of a typical LVIA or landscape appraisal.

I welcome the applicant's reference in both the EIA screening request and also the pre-application documentation to various policy and good practice guidance. I believe that the key reference material required for the LVIA would include; -

- [The Landscape Character Assessment of Northumberland National Park](#); 2007;
- Information relating to [National Character Areas](#) on Natural England's website;
- Guidelines for Landscape Visual Impact Assessment, Landscape Institute 3rd 2013.
- [Photography and photomontage in Landscape and Visual Impact Assessment](#). LI Advice Note 01/11 (although methodology and format of visualisations should be undertaken and presented in line with the more recent guidelines as set out in SNH's publication [The Visual Representation of Wind Farms](#), December 2014.
- [Constructed Tracks in the Scottish Uplands](#). Scottish Natural Heritage 2013

I believe that the LVIA study area should extend to a 5km radius from the development site as is the case already provided in the Zone of Theoretical Visibility and Landscape Context Plans provided. I disagree with the statement currently suggested by the applicant that the visual effects will be limited to the construction phase and from publically accessible locations within

1km of the development site. The ZTV provided indicates that the effects extend beyond 5km but the likelihood of these being significant obviously diminishes the further one is from the site.

With respect to the LVIA I would suggest that five receptor sites should be sufficient given the nature of the work and the setting of the development site. These should include: -

- Looking NE from the Northern edge of Cold Law summit GR (NT95377,23967)
- Looking SW from Earl Public Footpath 8 at GR (NT95775,24699)
- Looking SW from track on Access Land at GR (NT96000,25088)
- Looking SW from Wooler Public Bridleway 7 at GR (NT96423,26111)
- Looking SE from Access Land on Great Moor GR (NT92780,25424)

The above list of receptor sites takes into account a range of factors including accessibility to the public, viewing direction, distance and elevation. I would be happy to discuss these or any other suggested locations with the applicant if necessary and with respect to this exercise, whilst the approach in undertaking this LVIA should be the same as that for an EIA, the reduction in number of receptor sites is an example of the proportionality required in this case.

Coming on to the details provided both within the EIA Screening and pre application papers submitted by the applicant I will make the following observations: -

- Firstly, I question the applicant's reference to an existing track being present on the line of the proposed development. Other than one short 30 metre section south west of Carling Craggs, it is my opinion that little if any previous work has been undertaken on the proposed route. There is a 'desire line' and change in vegetation that has been caused by the repeated passing of vehicles and trampling by people but does this constitute a formalised track? I would suggest not but the incorporation of stone from off site or undertaking of a soil reversal process clearly would establish a formalised track.
- Paragraph 1 on page 2 suggests that the existing track takes a 'natural' line from the Broadstruther track. I would not consider a track following the crest of a ridge line and following a straight fence line natural, (see page 41 of SNH Upland Tracks publication).
- The requirement for the work is identified as being 'the facilitation of pedestrian and vehicular access throughout the year'. I would request more detail as to the current and intended use of this track. How many people, what type of vehicles, number of expected movements per week/month and seasonality of use will help determine whether the soil reversal path is fit for purpose or might it fail leading to surface deterioration, water erosion and a long-term scar on the landscape. Best practice as set out in the SNH Upland Tracks publication (para. 5.1.6) would suggest that the applicant has false expectations of the soil reversal technique.
- There is no mention of other alternative routes being explored but as the site visit and reference to aerial photography showed, other options do exist on the ground, some possibly better reflecting the natural landform.
- Whilst I accept that the greater effects are likely to be more localised, I do believe that given the ridgeline position and proposed long straight section of track, the visual envelope to the northern end of the track should extend to 5km as previously stated. Whilst more limited in its public use, the potential views gained from receptor sites on 'Access Land' should not be totally overlooked either.
- It is stated that Fairhurst is not aware of any other developments which could result in a cumulative impact associated with the proposed development. With respect to the effects on the landscape I would ask that they consider the cumulative effect with other formal tracks and rights of way within the study area, such as the Broadstruther track previously mentioned.
- I welcome the applicant indicating what other documents they intend to provide with their

application. I would request further detail as to the content of the 'Sustainability Statement' mentioned as I could not find reference to this in the SNH publication mentioned. Is this the document that might include the long-term monitoring and maintenance plan? I would like to see reference to the thought process of site selection and consideration of alternatives, and proposals for an ongoing monitoring maintenance plan to ensure sustainable use. Repeated photographic monitoring is often a useful tool in these circumstances.

- They may also wish to reflect on whether this application is for a single track or more than one as suggested in the latter two bullet points of the 'Scope of Future Planning Application' section.
- In respect to the information presented as part of the request for pre-application advice, I wish to seek further clarification as to what nature of revegetation is anticipated? Both on page 3 and 6 of this document the applicant states that 'once vegetation has re-established in the vicinity of the works'. In my experience and in this case, my expectation would be to seek full revegetation of the soil reversed track and its associated ditches. Please clarify with the applicant as this will be one of the key determining factors when considering the significance of the potential landscape effects of the development, both short term and long-term.
- In relation to question 3 or 17 of the request for pre-application advice document it may be worth drawing the applicant's attention to the '[Sandford Principle](#)' that National Parks are expected to follow.
- In relation to question 15 of the request for pre-application advice document I would question whether this is an application for the upgrade of an existing track as suggested for the reasons previously stated. However, I do accept that if left unmanaged, continued use of the existing desire line by both pedestrians and vehicles may result in an undesirable scar on the landscape that itself could lead to a significant effect upon the landscape character and views of this part of the National Park.
- Finally in relation to question 18 I would wish to see proposals for ongoing monitoring and maintenance of the track included in line with best practice.

If you have any questions in relation to the above please do not hesitate to contact me.

regards

-----Original Message-----

From: DC Consultation

Sent: 11 February 2015 09:38

To: Robert Mayhew

Subject: Planning Application Consultation 15NP0010EIA North from Cold Law to Broadstruther, near Langleaford, Wooler, Alnwick, Northumberland

Please see the attached consultation regarding a planning application which has been received by Northumberland National Park Authority. Full details can be viewed at <http://nnpa.planning-register.co.uk/planningAppDisplay.aspx?AppNo=15NP0010EIA>

DC Consultation, Development Control Consultation

Tel: (x)

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Robert Mayhew, Landscape and Forestry Officer

Tel: [REDACTED]

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