

**A66 Northern Trans-Pennine Project
TR010062**

**3.4 Environmental Statement
Appendix 10.1 Landscape and Visual
Policy and Consultation Tables**

APFP Regulations 5(2)(a)

Planning Act 2008

**Infrastructure Planning (Applications: Prescribed Forms and
Procedure) Regulations 2009**

Volume 3

June 2022

Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning
(Applications: Prescribed
Forms and Procedure)
Regulations 2009**

A66 Northern Trans-Pennine Project
Development Consent Order 202x

**3.4 ENVIRONMENTAL STATEMENT APPENDIX 10.1
LANDSCAPE AND VISUAL POLICY AND CONSULTATION
TABLES**

Regulation Number:	Regulation 5(2)(a)
Planning Inspectorate Scheme Reference	TR010062
Application Document Reference	3.4
Author:	A66 Northern Trans-Pennine Project Team, National Highways

Version	Date	Status of Version
Rev 1	13/06/22	DCO Application

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10.1 Landscape and Visual Policy Table

10.1.1.1 The following tables contain the responses to the key relevant policies and consultation comments.

Table 1: Relevant *National Policy Statement for National Networks (NPSNN)* policies

NPSNN paragraph reference	Requirement	Applicant response	Where addressed?
Para. 5.144	The landscape and visual assessment should include reference to any landscape character assessment and associated studies, as a means of assessing landscape impacts relevant to the proposed project. The applicant's assessment should also take account of any relevant policies based on these assessments in local development documents in England.	All relevant studies and character assessments have been referenced.	Section 10.7: Baseline conditions
Para. 5.145	The applicant's assessment should include any significant effects during construction of the Project and/or the significant effects of the completed development and its operation on landscape components and landscape character (including historic landscape characterisation).	Assessments deliver the requirements of <i>NPSNN</i> and comply with <i>Design Manual for Roads and Bridges (DMRB) LA 107 Landscape and Visual Effects (DMRB LA 107)</i> (Highways England, 2020) ¹ methodology and reference <i>Guidelines for Landscape and Visual Impact Assessment, Third Edition (GLVIA3)</i> (Landscape Institute and Institute of Environmental Management and Assessment, 2013) ² .	Section 10.10: Assessment of likely significant effects
Para. 5.150	Great weight should be given to conserving landscape and	The AONB Planning Guidelines have	Section 10.7: Baseline conditions

¹ Highways England (2020) Design Manual for Roads and Bridges LA 107 Landscape and Visual Effects

² Landscape Institute and Institute of Environmental Management and Assessment (2013) Guidelines for Landscape and Visual Impact Assessment, Third Edition

NPSNN paragraph reference	Requirement	Applicant response	Where addressed?
	scenic beauty in nationally designated areas. National Parks, the Broads and Areas of Outstanding Natural Beauty (AONB) have the highest status of protection in relation to landscape and scenic beauty.	been fully considered in addition to engagement with relevant stakeholders.	
Para. 5.160	Adverse landscape and visual effects may be minimised through appropriate siting of infrastructure, design (including choice of materials), and landscaping schemes, depending on the size and type of proposed Project. Materials and designs for infrastructure should always be given careful consideration.	Mitigation design has been undertaken in conference with design engineers, Ecology, Biodiversity, Cultural Heritage, Noise and Lighting disciplines to ensure appropriate responses to design challenges throughout the Project.	Section 10.9: Embedded and essential mitigation and enhancement measures describes the specific mitigation measures that would be applied to each scheme and includes consideration of the form and materiality of boundary treatments.

Table 2: Regional and local level policies

Policy document	Policy wording	Applicant response	Where addressed?
<i>Eden Local Plan 2014-2032</i> (Eden District Council, 2018) ³ - ENV2	New development will only be permitted where it conserves and enhances distinctive elements of landscape character and function. Proposals should take account of and complement: The distribution and form of settlements and buildings within their landscape setting; Natural elements such as hedgerows, woodland, and local topography; Any visually sensitive skylines or hill and valley sides; The tranquillity of the open countryside. Development should contribute to landscape enhancement including the	Mitigation design has been undertaken in conference with design engineers, Ecology, Biodiversity, Cultural Heritage, Noise and Lighting disciplines to ensure appropriate responses to design challenges	Section 10.9: Embedded and essential mitigation and enhancement measures

³ Eden District Council (2018) Eden Local Plan 2014 - 2032.

Policy document	Policy wording	Applicant response	Where addressed?
	<p>provision of new trees and hedgerows of appropriate species and in suitable locations. Loss of ancient woodland and significant/veteran trees will not be permitted unless it can be demonstrated that there is an overriding need for the development which outweighs their loss.</p>	<p>throughout the Project.</p>	
<p><i>Eden Local Plan 2014-2032 - ENV3</i></p>	<p>Development within or affecting the North Pennines (NP) AONB will only be permitted where each of the following criteria apply: Individually or cumulatively it will not have a significant adverse impact upon the special qualities or statutory purpose of the AONB; It does not lessen or cause harm to the distinctive character of the area, the historic environment, heritage assets and their setting; It adheres to any formally adopted design guides or planning policies, including the North Pennines Management Plan, the North Pennines AONB Planning Guidelines and the North Pennines AONB Building Design Guide.</p>	<p>All relevant NP AONB documents have been consulted, and stakeholders engaged from the outset to ensure all relevant NP AONB policies are adhered to within the design.</p>	<p>Section 10.10: Assessment of likely significant effects</p>
<p><i>County Durham Plan 2020-2035 (Durham County Council, 2020)⁴ - Policy 38</i></p>	<p>The North Pennines AONB will be conserved and enhanced. In making decisions on development great weight will be given to conserving landscape and scenic beauty. Major developments will only be permitted in the AONB in exceptional circumstances, and where it can be demonstrated to be in the</p>	<p>All relevant NP AONB documents have been consulted, and stakeholders engaged from the outset to ensure all relevant NP AONB policies are adhered to within the</p>	<p>Section 10.10: Assessment of likely significant effects. DCO document 2.2 Case for the Project</p>

⁴ Durham County Council (2020) County Durham Plan

Policy document	Policy wording	Applicant response	Where addressed?
	<p>public interest, in accordance with national policy.</p> <p>Any development should be designed and managed to the highest environmental standards and have regard to the conservation priorities and desired outcomes of the North Pennines AONB Management Plan and to the guidance given in the North Pennines AONB Planning Guidelines, the North Pennines AONB Building Design Guide and the North Pennines AONB Moorland Tracks and Access Roads Planning Guidance Note as material considerations.</p>	<p>design. The exceptional circumstances for construction within the NP AONB are listed.</p>	
<p><i>County Durham Plan 2020-2035 - Policy 39</i></p>	<p>Proposals for new development will be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views. Proposals will be expected to incorporate appropriate measures to mitigate adverse landscape and visual effects. Development affecting Areas of Higher Landscape Value (AHLV) will only be permitted where it conserves, and where appropriate enhances, the special qualities of the landscape, unless the benefits of development in that location clearly outweigh the harm. Development proposals should have regard to the County Durham Landscape Character Assessment and County Durham Landscape Strategy and contribute, where possible, to the conservation</p>	<p>Mitigation design has been undertaken in conference with design engineers, Ecology, Biodiversity, Cultural Heritage, Noise and Lighting disciplines to ensure appropriate responses to design challenges and to mitigate adverse impacts throughout the Project. Particular attention has been paid to areas within the AHLV.</p>	<p>Section 10.9: Embedded and essential mitigation and enhancement measures.</p> <p>Appendix 10.4: Landscape Character Assessments</p>

Policy document	Policy wording	Applicant response	Where addressed?
	or enhancement of the local landscape.	All published landscape character assessments have been used to inform the potential landscape impacts.	
<i>County Durham Plan 2020-2035 - Policy 40</i>	Proposals for new development will not be permitted that would result in the loss of, or damage to, trees of high landscape amenity or biodiversity value unless the benefits of the proposal clearly outweigh the harm. Where development would involve the loss of ancient or veteran trees it will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. Proposals for new development will be expected to retain existing trees where they can make a positive contribution to the locality or the development, maintain adequate stand-off distances between them and new land-uses, including root protection areas where necessary, to avoid future conflicts, and integrate them fully into the design having regard to their future management requirements and growth potential. Where trees are lost, suitable replacement planting, including appropriate provision for maintenance and management, will be required within the site or the locality.	Mitigation design has been undertaken in conference with design engineers, Ecology, Biodiversity, Cultural Heritage, Noise and Lighting disciplines to ensure appropriate responses to design challenges throughout the Project.	Section 10.9: Embedded and essential mitigation and enhancement measures
<i>Richmondshire District Council Core Strategy</i>	Development or other initiatives will be supported where they conserve and	Mitigation design has been	Section 10.9: Embedded and essential mitigation

Policy document	Policy wording	Applicant response	Where addressed?
(Richmondshire District Council, 2014) ⁵ - CP12	enhance the significance of the plan area's natural and man-made, designated or undesignated assets. Development will not be supported which: a. has a detrimental impact upon the significance of a natural or man-made asset; b. is inconsistent with the principles of an asset's proper management.	undertaken in conference with design engineers, Ecology, Biodiversity, Cultural Heritage, Noise and Lighting disciplines to ensure appropriate responses to design challenges throughout the Project. Particular attention has been paid to areas within the AHLV.	and enhancement measures
Eden District Council Core Strategy 2010 (Eden District Council, 2010) ⁶ - CS16	Development should accord with the principles of protection and enhancement of the natural environment of the district, including landscape, biodiversity and geodiversity and especially those areas designated as being of international, national and local importance. To further protect the natural environment within the district as a whole: 1. The relationship between development and the natural environment will be managed to minimise the risk of environmental damage... 4. The re-creation and restoration of traditional habitats will be encouraged and existing wildlife and habitats such as hedges, ponds, woodlands, ancient	Mitigation design has been undertaken in conference with design engineers, Ecology, Biodiversity, Cultural Heritage, Noise and Lighting disciplines to ensure appropriate responses to design challenges throughout the Project. Particular attention has been paid to	Section 10.9: Embedded and essential mitigation and enhancement measures

⁵ Richmondshire District Council (2014) Richmondshire Local Plan 2012-2028 Core Strategy

⁶ Eden District Council (2010) Core Strategy

Policy document	Policy wording	Applicant response	Where addressed?
	<p>woodlands, wetlands, and species rich grasslands will be protected and enhanced...</p> <p>6. Areas of open space and unbuilt frontages within towns and villages will be protected and enhanced where they are important to the character and amenity of the area...</p> <p>8. Development should reflect and where possible enhance local landscape character.</p>	<p>areas within the AHLV.</p> <p>In addition relevant landscape character assessment documents have been consulted to ensure any key characteristics have been identified and where possible retained and/or enhanced.</p>	

10.1 Scoping and Consultation Responses

Table 3: Summary of scoping opinion and response

Consultee/ respondent	Scoping opinion comment	Applicant response	Where addressed?
PINS	The Inspectorate notes that the Settle to Carlisle Railway Conservation Area (CA) appears to lie within the indicative Order Limits of the Temple Sowerby to Appleby scheme presented in the Scoping Report and may therefore be affected by the Proposed Development (albeit the indicative Order Limits is in buffer form at this location). The ES should include an assessment of this CA, where likely significant effects could occur. For all other CAs identified in Table 11-5, the Inspectorate agrees that, on the basis of the existing screening, an assessment of landscape and visual effects on these CAs can be scoped out of the ES.	All conservation areas within the study area were considered as a part of the assessment.	Section 10.8: Potential Impacts
PINS	The Scoping Report indicates that the proposed study area is 7km from the Proposed Development, but also states that the extent is not intended to be a fixed or absolute limit. It is also noted that a 2km buffer is referenced in the Scoping Report to identify LCAs, but it also later states at paragraph 11.8.6 that all LCAs in the 7km study area will be considered in the EIA, and a number of viewpoints lie outside the 2km and 7km buffer. The ES should make clear the study area applied for the identification of landscape and visual receptors, including whether this varies across the schemes, and justify the study area(s) selected. The study area should be selected to an assessment is made of likely significant effects on sensitive landscape and visual receptors, including for example, views out of the AONB towards to Proposed Development from	The study area was selected to be proportionate to the likely impacts and was refined following fieldwork. ZTV were created using Digital Terrain Models and Digital Surface Models to inform the selection of receptors.	Appendix 10.3: Landscape and Visual Study Area

Consultee/ respondent	Scoping opinion comment	Applicant response	Where addressed?
	<p>higher ground to the north. The ES should confirm if the study area and/or Zone of Theoretical Visibility (ZTV) is to be informed by available topographic or LIDAR data or similar.</p>		
PINS	<p>The ES should include reference to any heritage assets important to the landscape character within the baseline. Appropriate cross-references between the Cultural Heritage and Landscape and Visual aspect chapters should be provided. Any viewpoints included for heritage assets/sensitive receptors should be clearly identified in the ES. Scoping Report paragraph 11.10.3 states that the landscape and visual assessment will not consider the effects of the Proposed Development on the setting of heritage assets. The Inspectorate agrees this is appropriate, providing such an assessment is included within the Cultural Heritage aspect chapter.</p>	<p>The outline design and mitigation measures have been developed through consultation with the heritage team to ensure important assets are retained and protected.</p>	<p>Reference to important heritage assets have been made throughout the baseline and assessment sections of the ES. (ES Chapter 8 Cultural Heritage)</p>
PINS	<p>Baseline conditions – Durham County Council AHLV The Cross Lanes to Rokeby scheme is located within the Durham County AHLV. Consideration of effects on the AHLV should be included in the ES.</p>	<p>Effects on the AHLV and all other landscape designations have been considered in the assessment.</p>	<p>Section 10.10: Assessment of likely significant effects</p>
PINS	<p>Baseline condition – Wetheriggs Country Park Paragraph 11.5.16 states that Wetheriggs Country Park is located on the southern edge of Penrith immediately adjacent to the A66, however no further information or comment is provided on this Country Park. The ES should include an assessment of this Country Park, where likely significant effects could occur.</p>	<p>The impact on the park has been assessed with viewpoints and a photomontage produced to demonstrate the effects.</p>	<p>Effects on Wetheriggs Country Park are included in Section 10.8: Potential Impacts and section 10.10: Assessment of likely significant effects of the ES. Photomontage of VP 102 in Figure</p>

Consultee/ respondent	Scoping opinion comment	Applicant response	Where addressed?
			10.9: Viewpoint Photomontages
PINS	<p>The Inspectorate notes the intention to identify viewpoints in consultation with stakeholders and that the scoping consultation responses include commentary on these viewpoints (see Appendix 2 to this Opinion). Noting that several scheme sections currently include options, the selected viewpoints should be representative of the Proposed Development (as a whole) for which development consent is ultimately to be sought. Paragraph 11.5.20 states that panoramic viewpoint photography will be undertaken in summer 2021 and winter 2021 to capture both summer and winter views. The ES should clarify, and where required present, whether both day and night-time viewpoint photography are proposed, in particular within the buffer zone of the AONB or for other receptors, where changes to night-time views/landscape may cause significant effects. The requirement to assess the night-time effects of the scheme are identified in paragraph 11.10.4.</p>	<p>Night-time effects are limited as the Project would involve only minor changes to existing lighting in three locations (M6 junction, Scotch Corner and Bowes junction).</p>	Section 10.10 Assessment of likely significant effects
PINS	<p>The Scoping Report provides limited detail at this stage with regards to all likely recreational user receptors. The ES should consider the Lakes and Dales Cycle Route and Eden cycle routes, where likely significant effects could occur.</p>	<p>Receptors include users of cycle routes that could be affected by the Project</p>	Section 10.10: Assessment of likely significant effects
PINS	<p>Paragraph 11.6.3 says that the operational phase will be assessed for year one and year fifteen. The ES should state the extent to which any mitigation measures, especially any screening vegetation, will have become established and started to achieve</p>	<p>The assessment is based on the LA 107 requirement to assess impacts at construction, year 1 (winter) and year 15 (summer). Mitigation measures will become</p>	Section 10.5: Assumptions and Limitations

Consultee/ respondent	Scoping opinion comment	Applicant response	Where addressed?
	results (and / or any assumptions made in this regard).	more effective through time, but this has not been identified in the ES.	
PINS	The ES should consider the potential impacts of noise and vibration on sensitive landscape and visual receptors, where likely significant effects could occur. Appropriate cross-reference should be included to the Noise and Vibration aspect chapter of the ES.	This is reviewed in the context of the existing road corridor.	Covered where we address tranquillity in Section 10.8: Potential Impacts
PINS	Paragraph 11.8.38 indicates that the effects on Rokeby Park registered park and garden will be assessed separately, yet there is no further information provided as to what this separate assessment would comprise. The ES should state how this separate assessment has informed the full LVIA and include detail of the methodology applied to assess the parkland landscape.	Rokeby Park has been assessed as a distinct landscape receptor within the ES.	Rokeby Park is discussed within Section 10.7: Baseline conditions and section 10.10: Assessment of likely significant effects.
PINS	The Scoping Report states that existing “panoramic” views experienced by existing road users will be included within the ES, but that these will not be subject to an assessment of significance of effects. Instead, the principles of <i>DMRB LA 107</i> and <i>GLVIA3</i> would be used to undertake a qualitative assessment of potential change and identify appropriate design interventions and mitigation. It is not clear why the Scoping Report currently proposes to include but not assess these. The Inspectorate is of the opinion that if the viewpoints of existing road users are required to be included, they are also required to be assessed for significance, where likely significant effects could occur.	Where it has not been possible to provide viewpoints from existing road users the impacts upon them have been described by narrative.	Section 10.8: Potential Impacts

Consultee/ respondent	Scoping opinion comment	Applicant response	Where addressed?
PINS	Regard should also be had to the North Pennines AONB Planning Guidelines.	The AONB Planning Guidelines have been reviewed and have informed the relevant landscape character descriptions in addition to providing a suitable background for assessment.	Section 10.10: Assessment of likely significant effects
Cumbria County Council	Extent of the study area for the assessment is uncertain and it is important that the study area is broad enough to ensure that all sensitive receptors that could experience significant effects are appropriately assessed	The study area is 7km from the operational components of the scheme including all link roads, junctions etc.	Appendix 10.3: Landscape and Visual Study Area
Cumbria County Council	Veteran trees should be identified through site-specific surveys and significant effects provided in ES	Veteran trees have been identified by biodiversity and arboriculture teams and L&V team would use this information to inform design and assessment.	Section 10.9: Embedded and essential mitigation and enhancement measures
Cumbria County Council	Insufficient information has been provided on the scenarios that are to be assessed within the ES - should include construction at its peak, daytime, night-time scenario, winter year 1 (opening) and summer and winter year 15 (design year)	The LVIA would assess construction effects using the information available at the time and would consider night-time effects. An assessment would be made at operational year 1 and year 15 summer and winter.	Section 10.10: Assessment of likely significant effects
East & West Layton & Carkin Parish	The proposed scope must be widened, including the proposed study area. The communities of East and West Layton must be part of the assessment because of the topography of the land and the assessment must not be limited to designated sites or CAs, although these designations should drive the design and mitigating actions	East and West Layton are in the 7km LVIA study area and would be considered during design and assessment.	East and West Layton remain within the study area and are discussed within Section 10.8: Potential Impacts.

Consultee/ respondent	Scoping opinion comment	Applicant response	Where addressed?
East & West Layton & Carkin Parish	The emphasis on CAs and other classified sites should not be at the expense of the general scenic value of this section. Equal efforts and resources should be applied to mitigate all visual impacts wherever they occur	The LVIA would assess impacts on views and visual amenity not only in designated areas but in the wider countryside using representative viewpoints on PRow, roads, residential areas and any recognised viewpoints of importance.	Section 10.7: Baseline conditions.
East & West Layton & Carkin Parish	The CAs identified at paragraph 11.5.15 fails to mention the CA of East Layton which is directly affected by the proposal. This is a significant omission and should be scoped in. The conservation status of East Layton was in large part granted because of the views: see quote from the conservation document in the opening general comments of this response.	Views from East Layton CA would be considered further. We would also discuss with the cultural heritage team.	Section 10.7: Baseline conditions.
East & West Layton & Carkin Parish	Visual amenity and key viewpoints at paragraph 11.5.19 should include the views from East and West Layton, including the land between the two villages where the views open out and will be significantly impacted by the new road	Viewpoints 9.1, 9.2 and 9.7 are at West Layton, land between the villages and East Layton respectively. In addition, viewpoint 9.6 is on a bridleway to the south of East Layton.	Section 10.7: Baseline conditions.
East & West Layton & Carkin Parish	Paragraphs 11.7 are light on detail	Scheme design and mitigation design have been developed and are included in the ES and PDP.	Section 10.9: Embedded and essential mitigation and enhancement measures. DCO Document 5.11 Project Design Principles
East & West Layton & Carkin Parish	We note paragraphs 11.8.39-41 describe the negative material impact on the Stephen Bank to Carkin Moor section without any suggestion as to how these will be	Mitigation measures have been designed through inter-disciplinary working with regard to the	Section 10.9: Embedded and essential mitigation and

Consultee/ respondent	Scoping opinion comment	Applicant response	Where addressed?
	mitigated or how the design will reduce this impact. It confirms that operational effects are likely to be significant, but the scoping assessment needs to come up with solutions to this and not just leave it as a fait accompli	heritage assets and the landscape character.	enhancement measures
Durham County Council	Regard should be had to the North Pennines AONB Planning Guidelines which contains a section on development outside of the AONB.	The AONB Planning Guidelines have been reviewed and have informed the relevant landscape character descriptions in addition to providing a suitable background for assessment.	Section 10.7: Baseline conditions.
Durham County Council	Viewpoints in the vicinity of Cross Lanes and Rokeby junctions need revisited as those initially suggested and agreed were based on earlier junction options.	Additional viewpoints have been agreed with Durham County Council for Cross Lanes and Rokeby.	ES Figure 10.4: Zone of Theoretical Visibility (ZTV 3km) and Viewpoints (Application Document 3.3) shows the approved viewpoints
Durham County Council	Particular care will need to be taken in the assessment of effects on residential visual amenity on properties lying particularly close to the proposals.	The LVIA would include an initial assessment of effects on residential properties and during that process the requirement for a Residential Visual Amenity Assessment (RVAA) in line with Landscape Institute guidance would be considered.	Additional residential receptors have been included within the ES Viewpoint Assessment, with particular attention paid to the properties with potentially significant changes in view.
Durham County Council	The landscape and visual impacts chapter does identify some key public rights of way and open access locations as visual receptors, but this tends to focus on the promoted/visitor routes and locations, whilst only referencing in passing the wider public rights of	Re-routed PRow have been considered as part of the assessment.	The PRow connections are shown on Environmental Mitigation Maps (Application Document 2.8).

Consultee/ respondent	Scoping opinion comment	Applicant response	Where addressed?
	<p>way network, which may only attract local use but is nonetheless of significance and value to those communities. The rerouting of public rights of way to accommodate this project, particularly to run adjacent to the A66 to reach new crossing points, has an impact on users of those rights of way, as they are exposed to the various impacts for longer than at present, and those proposed routes need to be assessed as well as the existing routes.</p>		
<p>Durham County Council</p>	<p>Sections 07 (Bowes Bypass) and 08 (Cross Lanes to Rokeby) of the proposals are situated within the AHLV. Policy 39 (Landscape) gives support to development which would not cause unacceptable harm to the character, quality, or distinctiveness of the landscape. It goes on to clarify that, where development would affect an AHLV, it would only be permitted where it conserves, and where appropriate enhances, the special qualities of the landscape, unless the benefits of development in that location clearly outweigh the harm. Specialist colleagues in the Landscape team will be able to provide more detailed comments on the proposal's likely impact on the AHLV and any mitigation required.</p>	<p>The AHLV would be assessed in the ES and impacts would be considered during design of the scheme.</p>	<p>Section 10.10: Assessment of likely significant effects</p>
<p>Historic England</p>	<p>Historic England is concerned that the Historic Landscape Characterisation (HLC) data available for all the LPAs along the route is not referenced nor fully utilised to assist in the assessments of cultural heritage in chapter 9. We have some concerns about the limited cross-referencing between the LVIA in Chapter 11 and the Cultural</p>	<p>Heritage assets are not assessed separately but instead their contribution to landscape character is considered and an assessment of effects on landscape character made on that basis. Where there are</p>	<p>Historic Landscape Characterisation has been discussed within Section 10.8: Potential Impacts of the ES in collaboration with the Cultural Heritage team.</p>

Consultee/ respondent	Scoping opinion comment	Applicant response	Where addressed?
	<p>Heritage assessments set out in Chapter 9. Principally, how historic land use, field patterns and cultural remains (both above and below ground) contribute to landscape character. Chapter 11 currently does not recognise heritage assets (designated and undesignated) as components of landscape character. Heritage assets should be included in the chapter as:</p> <p>Elements and features that can contribute to baseline landscape character;</p> <p>Visual receptors where they are publicly accessible landmarks, destinations or part of an associated experience (for example, associated with a marked panorama on an OS map or part of a national trail);</p> <p>Landscape receptors where they are either elements of landscape character (for example, a significant historic pattern of enclosure) or features that help define a landscape character area (for example, Rokeby church and hall) .</p> <p>The GLVIA3 make specific reference to the need to identify heritage assets as part of baseline character assessment work.</p>	<p>designed views to the surrounding landscape and these are associated with a cultural heritage asset that is also a visitor attraction then such views are assessed in terms of impacts on visual amenity as opposed to significance of the heritage asset.</p> <p>Historic Landscape Characterisation would be considered further at ES in collaboration with the cultural heritage team. The landscape and visual and cultural heritage teams are working together on design and mitigation.</p>	
Historic England	<p>At paragraph 11.10.3 the PEI Report rightly identifies that is not within the scope of the LVIA to assess the impact on the setting of heritage assets per se; this rightly should be within the Cultural Heritage chapter. But the report seems to confuse 'setting' of heritage assets with their contribution to landscape character and as landscape and visual receptors in their own right.</p> <p>a) Rokeby Park .</p> <p>We are concerned that paragraph 11.8.38 suggests that the impacts</p>	<p>Our approach is to consider the contribution heritage assets make to landscape character and an assessment of effects on landscape character is made on that basis.</p> <p>We do not consider cultural heritage assets as visual receptors. People visiting cultural heritage assets are</p>	Section 10.8: Potential Impacts

Consultee/ respondent	Scoping opinion comment	Applicant response	Where addressed?
	<p>and effects on Rokeby Park registered park and garden will be assessed 'separately', yet there is no indication as to how this separate assessment will inform the full LVIA, what method will be used to assess the parkland landscape or how and when this assessment will be carried out. Clearly the parkland at Rokeby is an important component of the landscape and it is not acceptable to divorce it from this wider assessment. However, a more careful and informed assessment of this sensitive heritage asset will be required at some point.</p> <p>b) Terminology. Although not technically for Historic England to comment on, we have noted that Chapter 11 is conflating two different things in the baseline assessment. The Cumbria Landscape Character Assessment defines broad landscape types (e.g. Sandstone Ridge, Rolling Fell, etc.) whereas the report extracts from the Durham assessment broad landscape areas ('Barningham, Brignall and Rokeby', and 'Mid Greta Valley' for example).</p> <p>c) Identified cultural heritage receptors and viewpoints. We have also noted that there do not appear to be any identified cultural heritage receptors or viewpoints mentioned in 11.5.22 nor identified in Figure 11.6. The Cultural Heritage chapter refers to assessment of key views and sightlines in relation to designated heritage assets in several sections, but this does not appear to have been translated into Chp.11 in any way. This is a key issue especially, but not only, for the Rokeby scheme where visual impacts on the setting of the</p>	<p>visual receptors and where relevant impacts on the views they experience from the asset would be assessed. We would not assess views from heritage assets in terms of significance of the asset or its setting.</p> <p>The intended meaning of paragraph 11.8.38 is that the cultural heritage team would assess the impacts on Rokeby Park as a heritage asset. The Landscape and visual team would assess it as part of the landscape character area in which it is located and its contribution to that character area.</p> <p>The Landscape and visual team are discussing viewpoints with the cultural heritage team where such viewpoints are relevant to both Landscape and visual and cultural heritage. Viewpoints required to address the cultural heritage only are not shown on any viewpoint maps at present. Consultation is ongoing with local authorities therefore additional viewpoints may be added that refer to cultural heritage assets.</p>	

Consultee/ respondent	Scoping opinion comment	Applicant response	Where addressed?
	<p>Registered Park and Garden require assessing alongside the contribution the parkland landscape makes to landscape character. This should also be rectified and included in the final PEI report.</p>		
<p>Natural England</p>	<p>Natural England's comments only concern those sections of the Project (individual schemes) which affect or could affect nationally designated landscapes, and particularly the North Pennines AONB. Clarification is needed for paragraphs 11.3.2 and 11.3.3. The first of these paragraphs explains that an initial ZTV of 10km was used but with fieldwork this was reduced to 7km. The next paragraph however talks about the ZTV being extended where the AONB is in close proximity, but still sets the limit at 7km.</p>	<p>A ZTV up to 10km has been prepared and a study area of 7km used for landscape and visual. Viewpoints in the AONB beyond 7km would be included e.g. Great Dun Fell, High Cup Nick and potentially Knock Old Man.</p>	<p>Appendix 10.3: Landscape and Visual Study Area</p>
<p>Natural England</p>	<p>We note the use of National Character Areas. As the report recognises these are produced at a large scale. Whilst they will provide useful context for the assessment, they cannot provide the level of detail needed to assess the actual effects of the scheme in sufficient detail or to inform detailed design and mitigation measures at a local level. The focus for the baseline should therefore be Landscape Character Assessment (LCA) and the Landscape Character Areas identified within them. This appears to be reflected in the report, but it is important for us to emphasise this focus. Regarding potential effects on National Parks: The report (para 11.5.11) says that a small area of the Lake District NP coincides with the eastern part of the study area</p>	<p>Many of these points relate to the original route options appraisal. Where the preferred route has the potential to impact designated landscapes, these have been consulted.</p>	<p>Section 10.7: Baseline conditions.</p>

Consultee/ respondent	Scoping opinion comment	Applicant response	Where addressed?
	<p>but that the area is already affected by existing major transport infrastructure and the limited works are not likely to have a noticeable impact on the setting of the Park. The National Park is therefore proposed to be scoped out of the EIA. We are content with this but would suggest that the National Park Authority are notified in case they have a different view. Paragraph 11.5.12 recognises that a small part of the Yorkshire Dales NP coincides with the study area and that effects on the Park will be scoped into the EIA. We welcome this and would encourage engagement with the National Park Authority as soon as possible. For this scheme Natural England will be focusing its attention and resources on the North Pennines as the most directly and significantly affected designated landscape, and because the National Park Authority (as a planning authority) should have the resources to deal with this issue without Natural England needing to be involved. If, however, issues arise that Natural England, as the national landscape agency, can help to address we can be involved.</p>		
Natural England	<p>Paragraph 11.6.3 says that the operational phase will be assessed for year one and year fifteen. It will also be appropriate to assess the extent to which any mitigation measures, especially any screening vegetation, will have become established and started to achieve results by year seven or eight</p>	<p>The assessment is based on the LA 107 requirement to assess impacts at construction, year 1 (winter) and year 15 (summer). Mitigation measures will become more effective through time, but this has not been identified in the ES.</p>	Section 10.5: Assumptions and Limitations

Consultee/ respondent	Scoping opinion comment	Applicant response	Where addressed?
Natural England	<p>The construction phase of major schemes like this are inevitably disruptive and with impacts that are hugely challenging from a landscape and visual perspective to reduce to a below significant level, particularly where very sensitive landscape and visual receptors are affected (in this case the North Pennines AONB). This however, does not mean that all appropriate construction phase mitigation measures should not be applied to reduce the effects as far as possible. The mitigation for the operational phase is arguably more important because this will determine the permanent impact of the scheme. The range of operational mitigation principles and measures proposed at para 11.7.5 are very good. We would however, suggest that works to strengthen the fabric of the landscape, including out-with the red line boundary (or extending that boundary accordingly) could be a stronger part of this list. The final bullet point provides a hook for this but comes across as an afterthought rather than a potential core measure. What this can achieve through an uplift to the wider landscape setting for the scheme is a landscape and visual counterbalance to the development that the landscape is required to accommodate. Viewed in these terms this is core mitigation rather than wider enhancement or compensatory measure.</p>	<p>Off-site mitigation would be discussed further with HE.</p>	<p>Section 10.9: Embedded and essential mitigation and enhancement measures</p>
Natural England	<p>Paragraph 11.8.26 says that the AONB designation will inform the assessment of sensitivity. For Natural England AONB receptors will, as a default, have a high or normally very high sensitivity to major development.</p>	<p>We agree and as per DMRB LA107 the AONB would be evaluated as being of high or very high sensitivity. The intended meaning of</p>	<p>Section 10.7: Baseline conditions</p>

Consultee/ respondent	Scoping opinion comment	Applicant response	Where addressed?
	<p>Paragraph 11.8.46 and table 12-7 identify no significant construction or operational landscape effects for the Appleby to Brough (Warcop) section for Landscape Character Areas Scarps (13a) and Intermediate Moorland Plateau (09). We cannot confirm that this is correct but the assessment, and advice from the North Pennines AONB Partnership, should do so.</p>	<p>paragraph 11.8.26 is that where a designated area coincides partly with a landscape character area, the presence of the designation would inform the evaluation of sensitivity.</p>	
<p>North Yorkshire County Council</p>	<p>Temporary access, storage and working areas – these should be considered as part of the assessment.</p>	<p>Construction impacts have been assessed considering the proposed compound areas</p>	<p>Section 10.8: Potential Impacts</p>
<p>North Yorkshire County Council</p>	<p>Photographs and Photomontages – should be in-line with LI TGN 06-19. The County Council would suggest that for annotated photo-panoramas LI TGN 06-19 Type 1 or additional wirelines to LI TGN 06-19 Type 2 are most appropriate. For viewpoints selected for photomontages It is suggested at least Type 3 but Type 4 should be considered where sensitivity of context, scale and proximity of the development warrant it. I would wish to see a realistic impression of scale and detail. The County Council would wish to see photomontages to explain how adverse effects will be mitigated over time. Photographs should include winter views where possible to explain the worst-case scenario. Appendix 3 and 4 in LI TGN 06-19 should be noted, with camera / tripod height / position in the field adjusted as necessary so that views show the full extent of the site / development and show the effect it has upon the receptor location. Views of the site should</p>	<p>We can confirm that photography and photomontages would be undertaken in accordance with LI TGN 06-19. Type 1 visualisations would be used for the majority of viewpoints and Type 4 visualisation for photomontage viewpoints showing winter views. Clear, uninterrupted views would be taken capturing 180 degree of photography for photomontages.</p>	<p>ES Figure 10.8: Photosheets illustrate viewpoints. ES Figure 10.9: Photomontages (Application Document 3.3) are used to illustrate the visual assessment section of the ES.</p>

Consultee/ respondent	Scoping opinion comment	Applicant response	Where addressed?
	not be unnecessarily obscured by buildings, roadside hedgerows or other vegetation.		
North Yorkshire County Council	Landscape Proposals, Mitigation, Maintenance and Aftercare – The County Council would wish to see a clear landscape strategy for the various elements of the proposed scheme and consideration of both Landscape and Biodiversity objectives as a clear joined-up approach. Landscape proposals and mitigation should be proportionate to the scale of the development and should have regard for and contribute to the wider landscape character and setting, local amenity with clear aims and objectives. Long-term maintenance and management should be considered, particularly where this is needed for ongoing mitigation, screening and biodiversity benefit.	An environmental masterplan would be prepared. This would be a joint effort between biodiversity and landscape. Cultural heritage would also input to it. The masterplan would consider long term maintenance and management and would be an appropriate level of detail for a DCO application.	Issues covered in Environmental Management Plan (Application Document 2.7) and Environmental Mitigation Maps (Application Document 2.8)

Table 4: Summary of key consultation comments received

Consultee/ respondent	Comment	Applicant response	Where addressed?
Landscape Technical Working Group 2			
National Highways	Have any road user viewpoints been proposed? DMRB LA 107 does require the consideration of views experienced by road users - Table 3.41 Visual Sensitivity identifies road users as receptors.	Road user experience is described in the Project Design Report. An assessment of the impacts for road users is also described.	Section 10.8: Potential Impacts
Eden District Council	For scheme 1 please include photos and assessment in relation to the Beacon in Penrith, which is locally sensitive and important to the residents of the town.	Where outlying receptors were requested, these have been visited and assessed by fieldwork and in most cases have a context photograph.	ES Appendix 10.3 Landscape and Visual Study Area
National Highways	DMRB LA 107 does require buildings to be included in the ZTV it might not be useful in this	The ZTV has been created using a Digital Surface Model that	ES Appendix 10.8: Zone of Theoretical

Consultee/ respondent	Comment	Applicant response	Where addressed?
	instance. If they are to be omitted this must be carefully justified in the ES.	includes buildings and features.	Visibility (ZTV) and Visualisation Methodology
Landscape Technical Working Group 3			
National Highways	The importance of nearby receptors in assessing the impacts of the new entrance at Center Parcs and how the existing landscape pattern could drive the landscape design	Representative receptors were agreed with the TWG and viewpoint photography and photomontages developed to show likely impacts.	ES Figure 10.8: Viewpoint Photosheets ES Figure 10.9: Viewpoint Photomontages (Application Document 3.3)
Durham County Council	Open views around Warcop should be considered in addition to screening planting to ensure open views towards the AONB are still available.	Representative receptors were agreed with the TWG and viewpoint photography and photomontages developed to show likely impacts.	Environmental Mitigation Maps (Application Document 2.8)
Durham County Council	Advised that tree blocks/ copses should be designed in a way to allow them to assimilate into the surrounding landscape (Cross Lanes to Rokeby). Durham County Council also advised that consideration should be given to the existing meander at Tutta Beck, and opportunities should be discussed with the engineers to ensure it does not become a ditch that follows earthworks. Bold planting would be acceptable at Rokeby Park in line with the existing landcover pattern.	Mitigation measures have been designed through inter-disciplinary working with regard to the heritage assets and the landscape character.	Environmental Mitigation Maps (Application Document 2.8) and Project Design Principles (Application Document 5.11)
Technical Working Group 4			
National Highways	What is the approach across the overall project as opposed to individual elements - legibility - how easy is it to find junctions etc.	The journey has been considered and described in the baseline and after construction.	Section 10.7: Baseline conditions and 10.8: Potential effects
	Suggested present landscape character should be maintained	This has been considered within	Section 10.9: Embedded and essential

Consultee/ respondent	Comment	Applicant response	Where addressed?
	with a light touch to mitigation (Stephen Bank to Carkin Moor)	mitigation design where appropriate.	mitigation and enhancement measures
Technical Working Group 5			
Eden District Council	Green bridges may be an appropriate intervention across the Project where appropriate.	Green bridges have been incorporated as part of the biodiversity mitigation measures.	Environmental Mitigation Maps (Application Document 2.8) and Project Design Principles (Application Document 5.11)
North Yorkshire County Council	Have night-time effects been considered (lighting in particular)	Existing lighting effects have been discussed at PEI Report for M6 Junction 40 to Kemplay Bank and A1(M) Junction 53 Scotch Corner and that potential effects of moving lights because of traffic have been discussed.	Effects of lighting have been discussed throughout the visual assessment, including from rural areas where appropriate. section 10.8: Potential Impacts