



Rhydycar

LVIA: Responses to NRW and Simon White's comments

R04

March 2024

Prepared on behalf of Marvel

1.0 Introduction

- 1.1.1 Tir Collective is instructed by Marvel Ltd to respond to the comments received from Natural Resources Wales (NRW), dated 25th May 2023 and Simon White, White Consultants, dated June 2023 in relation to the Landscape and Visual Impact Assessment (LVIA) that was completed in February 2023.

2.0 Responses to NRW LVIA comments

- 2.1.1 The Landscape section states, *"We note that at pre-application stage our comments quote TIR landscape consultancy as assessing the LVIA impact at viewpoint 10 as 'moderate adverse' but in the planning application this has been revised to 'medium-small'. We request further clarification as to how/why this assessment has changed."* We have reviewed the viewpoint assessments for viewpoint 10 and note that the assessments have not changed between the PAC and the planning application. The magnitude of change is assessed as 'medium-small', refer to LVIA Table 12.8, and the visual effects is assessed as 'moderate adverse', refer to LVIA Table 12.9.
- 2.1.2 The comments go on to state *"At this outline stage we request the provision of further detail (i.e. a parameters plan) depicting the location/ extent of planting to be provided."* We will be providing a Green Infrastructure parameters plan which will address this.

3.0 Responses to Simon White's LVIA comments

- 3.1.1 Paragraph 1.2 of the report notes *"the development is in an isolated valley side..."* We disagree that the site is on an isolated valley side. It is adjacent to the busy A470 dual carriageway, it is close to the Cyfarthfa Shopping Park retail park, Trago Mills, Merthyr Leisure Village leisure outlet, Bike Park Wales, local road and rights of way networks, and is noted for being only 1.1km to the south of Heolgerrig and circa 800m from the town centre. The site's context alongside these features influences the character and experience of the site. Whilst we recognise that the site is located outside the settlement boundary, we disagree that the formerly developed site is on an isolated valley.
- 3.1.2 Paragraph 1.3 goes onto state *"The proposals cladding and roof materials proposed are not clear with a variety of conflicting visualisations and models... There is limited information provided on a landscape masterplan and planting strategy. The presentation of stylised plans... means that it is difficult to fully understand the site and development in its context."* Paragraph 1.4 goes on to state *"The current presentation does not give confidence that sufficient mitigation can be achieved."* The proposals are at outline planning stage. The colours of the materials will be sympathetic to the wider landscape, with the use of dark green or grey

proposed. The level of detail provided is consistent with an outline planning application.

Green Infrastructure parameter plans have also been prepared that addresses the comments in relation to the landscape strategy and planting plan. Green Infrastructure plan SK401 illustrates how the proposed development would be integrated with the existing and retained woodland both within the site and adjacent to the site. The plan also illustrates where new planting would be incorporated, for example proposing ecotones in the east of the site, boundary tree and scrub planting along the northern boundary, a mosaic of habitats in the west of the site, and new woodland buffer planting on the eastern boundary of the site.

- 3.1.3 In relation to the LVIA method and presentation, paragraph 1.5 notes that following PAC that *"a few text changes have been made... without apparently changing the assessment text..."* This statement is incorrect, more than 'a few text changes' were made. Changes were made throughout the report, as expected when upgrading the report from a Landscape and Visual Appraisal (LVApp) to a Landscape and Visual Impact Assessment (LVIA) chapter within an Environmental Statement. The structure of the assessment also changed with the addition of 'significance' into the assessment of effects.
- 3.1.4 The assessments stayed the same (apart from the PRow and access within the site following PRow review), but significance has been added. At the end of the paragraph, in relation to information provided it states, *"little of the requested additional information has been provided."* This is also incorrect. In addition to the viewpoints that were originally agreed with the LPA, further additional viewpoints and AVR visuals were provided as requested (see Figures LA.12.10-15 to LA.12.10-18), additional mapping figures were provided (see Figures LA.12.4-7, LA.12.7-2), additional site photographs were also provided to illustrate the recent engineering works (see Figures LA.12.6-5 and LA.12.6-7) as requested. We considered the request for an additional view from the A470, but this was not included because we have other views which are representative and there are also safety concerns in taking the photograph from the A470.
- 3.1.5 The paragraph goes on to state *"significance is not underpinned by a significance diagram (see Appendix A)"*. The LVIA methodology is in accordance with current best practice Guidelines for Landscape and Visual Impact Assessments (GLVIA3) - diagrams are not used, instead the assessment text is provided to describe how changes in magnitude of change and sensitivity combine to provide the significance of effect. Furthermore, the significance diagram at Appendix A is an illustration of the process taken from a 2011 publication by IEMA entitled The State of Environmental Impact Assessment Practice in the UK. It is an illustration of the EIA process rather than a description of LVIA methodology. All four lines merge at the extremes, which would be illogical in practice. It also has a category of 'negligible' sensitivity, which would also be a departure from low, medium and high, which is typically used and as defined in paragraph 6.35 of GLVIA3.
- 3.1.6 GLVIA3 favour text descriptions over just using diagrams and matrices, which is what our methodology does, as it can "oversimplify" assessments. GLVIA3, paragraph 3.36 states "To

overcome these potential problems, there should be more emphasis on narrative text describing the landscape and visual effects and the judgements made about their significance. Provided it is well written, this is likely to be most helpful to non-experts in aiding understanding of the issues. It is also good practice to include a final statement summarising the significant effects. Tables and matrices should be used to support and summarise descriptive text, not to replace it."

- 3.1.7 Paragraph 1.6 notes that *"there is insufficient information in the submission."* We strongly disagree with this statement. The information provided, in relation to landscape, is consistent with an outline planning application. Having had numerous visits to the site and through working on the design for many years, we understand the proposal sufficiently to complete the assessment. The landform of the site is complex and the scale of the development along with its integration with the scope of the hillside is unique. A site visit is essential to appreciate this.
- 3.1.8 Regarding comments on the landscape assessments, paragraphs 1.7 to 1.9 provide a review and separately a table. Our response to each of the comments are provided in Table 1 below. It is also noted that NRW's comments, dated 1st June 2022, *"are in general agreement with the findings of the LVA. Adverse landscape effects are largely contained to direct impacts on the site and nearby areas."*
- 3.1.9 In relation to the Special Landscape Area (SLA), paragraph 1.8, the conclusion of the LVIA, paragraph 12.9.3.16 address the potential impacts on part of the expansive local landscape designation.
- 3.1.10 In relation to the BBNP, paragraph 1.9, the response from the BBNPA provided on the 9th of May 2023 stated that the "Authority concurs with the assessed impacts from Viewpoint 10 Cefn Cil-Sanws and the conclusion that the proposed development would not affect the special qualities of the National Park (paragraph 12.3.9.17 of the ES)".
- 3.1.11 In relation to visual assessments, paragraphs 1.10 to 1.13 provide a review, and separately a table. Our response to each of the comments are provided in **Table 2** below.
- 3.1.12 It is noted that the review of the landscape and visual assessment use a different terminology to the LVIA and its methodology. Given that no methodology for this review is provided, we assume that references to "magnitude of effect" refers to magnitude of change, as set out in the LVIA. Furthermore, the review does not provide criteria that significance is based upon. Without the detail on methodology all we can say is that the review differs to our assessment. It is also noted that the review of the LVIA has made no reference to the Technical Guidance Note 1/20 (10 Jan 2020) - Reviewing Landscape and Visual Impact Assessments (LVIAs) and Landscape and Visual Appraisals (LVAs), published by the Landscape Institute. The guidance sets out how LVAs should be reviewed in a structured way for consistency.

- 3.1.13 Paragraph 1.14 states “the development appears to be in conflict with Policy EnW5: Landscape Protection...” The LVIA assesses the potential impacts to landscape character and visual amenity. It concludes that adverse landscape effects are largely constrained to the direct impacts on the site itself. The visual assessment has identified adverse impact for PRoW within the site and areas beyond the site boundary with open views towards the site. Built development within the urban area reduces the extent of areas where uninterrupted views are available. The LVIA does not address historic character or alternative sites, this is provided by others.
- 3.1.14 Finally, paragraph 1.15 notes that the *“proposals also appear to be in conflict with Policy CW1: Historic Environment due to the effects on its historic character and features and its relationship with Cyfarthfa and other parts of Merthyr Tydfil. This would require review by historic specialists.”* We would expect comments on the historic environment from a Heritage consultant as this is beyond the expertise of landscape architects. However, we do note that GGAT have reviewed the Cultural Heritage Environmental Statement Chapter, the Archaeology and Heritage Baseline Assessment and the ASIDOHL2 Assessment. GGAT raise no objection to the proposal subject to a standard planning condition. Cadw have also concluded similarly.