

Appendix EP1 of the Proof of Evidence of Esme Portsmouth

(Landscape Proof of Evidence prepared by Nigel Weir)

Leicestershire County Council (A511 Growth Corridor) (Side Roads) Order 2023

Leicestershire County Council (A511 Growth Corridor) Compulsory Purchase Order 2023

PINS Ref: NATTRAN/EM/HAO/299

Proof of Evidence of Nigel Weir

Landscape

dated 20 May 2024

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1 Introduction

1.1 Qualifications and experience

1.2 I, Nigel Weir, am the Landscape Architect for the Scheme. I have been in this role since 2021. In my role I led the team undertaking the landscape and visual impact assessment and associated landscape design. I have previously worked as Landscape Architect for multiple major highway projects, including:

1.2.1 assessment of and landscape design for the M1 J10-13 smart motorway and attendance at public inquiry;

1.2.2 assessment of and landscape design for the M1 J10A junction and evidence to the DCO hearing;

1.2.3 assessment of and landscape design for the M6 J10A-13 smart motorway;

1.2.4 supervision of the A63 Melton junction (Hull) landscape implementation and maintenance works;

1.2.5 design and supervision of landscape mitigation associated with the Mersey Gateway project;

1.2.6 assessment of and landscape design for the A38 junctions scheme and attendance at the DCO hearing;

1.2.7 assessment of and landscape design for the M54/M6 Link and on call attendance at the DCO hearing;

1.2.8 assessment of the A46 Walsgrave junction optioneering, Coventry;

1.2.9 optioneering assessment of the A1 Doncaster to Darrington;

1.2.10 landscape detailed design for the M11 J7A and link; and

1.2.11 assessment of and landscape design for the North and East Melton Mowbray Distributor Road and gave evidence to the CPO Public Inquiry in September 2021.

1.3 Accordingly, I have extensive experience in landscape matters relating to highway schemes and have worked in this industry for approximately 39 years.

1.4 This proof of evidence is made in respect of the Leicestershire County Council (A511 Growth Corridor) (Side Roads) Order 2023 (the **SRO**) and the Leicestershire County Council (A511 Growth Corridor) Compulsory Purchase Order 2023 (the **CPO**) (together, the **Orders**) in connection with the Leicestershire County Council A511 Growth Corridor (also referred to in this Proof of Evidence as the **Scheme**).

1.5 The facts and matters set out in this proof of evidence are within my own knowledge. The facts set out below are true to the best of my knowledge and belief. Where reference is made to facts which are outside my knowledge, I set out the source of my information and I believe such information to be true.

1.6 I have been assisted by other professional advisors and officers of the Council with the preparation of this proof of evidence, some of whom will also provide evidence to the inquiry.

1.7 **Involvement with the Scheme**

1.8 I have been working on the Scheme, comprised of various changes and alterations to the A511, including the Bardon Link Road and Roundabout as part of AECOM since 2021. My role involved:

1.8.1 Supervising the landscape team in preparing initial sketch designs/options for landscape designs and assessment of potential effects and mitigation;

1.8.2 Review of materials and designs provided for public consultation;

1.8.3 Undertaking the Landscape and Visual Appraisal (**LVA**) and reporting on effects of the Bardon Link Road application;

1.8.4 Supervising and reviewing the detailed landscape design and mitigation proposals;

1.8.5 Production of a high-level costing for implementation of the landscape mitigation and subsequent maintenance.

1.9 Throughout my time working on the Bardon Link Road application I have been working with others in the multi-disciplinary team, principally the project management, planning and ecology teams, as well as coordinating with representatives at Leicestershire County Council (the **Council**), including at regular progress meetings.

2 **Scope of evidence**

2.1 I set out the following in my evidence:

- 2.1.1 AECOM's landscape role in the optioneering and evolution of the Bardon Link Road;
- 2.1.2 Landscape evidence based on the LVA and the landscape mitigation;
- 2.1.3 Undertaking the LVA and reporting on effects of the Bardon Link Road;

2.2 Within this evidence I address matters relating to landscaping design and mitigation for the Scheme as a whole given it is a single proposal. In landscape terms however, as most of the Projects forming part of the Scheme are limited in their nature and are located mainly within existing highway boundaries, requirement for any material landscape intervention or mitigation is confined to the Bardon Link Road element of the Scheme.

2.3 The following Projects (described in full within in the Proof of Evidence of Ann Carruthers) do not require any significant landscape intervention:

- 2.3.1 A511 / Hoo Ash Roundabout (widened entry and exit to the roundabout allowing two ahead lanes for the A511 in both directions)
- 2.3.2 A511 / Thornborough Road Roundabout (widened entry and exit to the roundabout allowing two ahead lanes for the A511 in both directions)
- 2.3.3 A511 Stephenson Way Dualling (alter the existing single lane road to a dual carriageway on Stephenson Way between the Thornborough Road and Whitwick Road roundabouts)
- 2.3.4 A511 / Whitwick Road Roundabout (widened approaches and exits allowing two ahead lanes for A511 in both directions and from Thornborough Road from the south)
- 2.3.5 A511 / Broom Leys Road Junction (altering the existing left turn lane on Stephenson Way into Broom Leys Road (eastbound) to enable ahead and left traffic; carriageway widening that will provide two ahead lanes for traffic travelling northbound on Stephenson Way)
- 2.3.6 A511 / Birch Tree Roundabout (widened entry and exit lanes allowing three lanes around part of the roundabout to enable an additional lane on the exit towards Coalville; widening on the A511 southbound approach to facilitate an additional lane on the exit of the A511 eastbound)
- 2.3.7 A511 / Flying Horse Roundabout (modification of the current partially signalised roundabout so that traffic from Stanton Road and traffic from Copt Oak Road can only turn left onto the A511)
- 2.3.8 A50 / Field Head Roundabout (introduction of part time signals on the A50 approaches to the roundabout. A two-lane exit is proposed on Launde Road).

- 2.4 The works in those locations benefit from deemed planning permission under the Town and Country Planning (General Permitted Development) (England) Order 2015 and the changes which are intended within the Scheme do not give rise to the need for landscape mitigation.
- 2.5 This evidence therefore focuses on the works to create the Bardon Link Road and the new roundabout on Bardon Road, for which express planning permission has been granted (The Original Bardon Link Road Planning Permission and the Section 73 Bardon link Road Planning Permission). As it is in this location and this Project which has required assessment of the impact on surrounding landscape/visual receptors and landscape mitigation required, as a result of the Scheme. A comprehensive LVA was carried out to inform the landscape design.
- 2.6 Further, in my professional opinion landscape evidence is not a factor in relation to:
- 2.6.1 OBJ 1 - WM Morrisons;
 - 2.6.2 OBJ 2 - Mr and Mrs Measures;
 - 2.6.3 OBJ 3 - Network Rail Infrastructure Limited;
 - 2.6.4 OBJ 4 - North-West Leicestershire District Council; and
 - 2.6.5 OBJ 6 - Cadent Gas Limited.
- 2.7 This is because the nature, scale and extent of Scheme elements and changes concerning Objections 1-4 and 6 are not related to land required for landscape interventions and are entirely highway related.
- 2.8 The landscape evidence therefore relates primarily to OBJ 5 (Wilson Enterprises Limited) and OBJ 7 (Ms Connors).

3 Landscape evidence

3.1 Landscape Design Optioneering for Public Consultation

3.2 Matters relating to landscape and visual amenity were considered from the outset as part of an iterative design process. AECOM's Landscape team developed an early series of mitigation and site analysis plans showing relevant constraints and opportunities. The intention was to demonstrate the intention of integrating the Bardon Link Road into the landscape context, including associated pedestrian and cycle links.

3.3 Opportunities for mitigation and enhancement of the Bardon Link Road were presented for comment by the public during and after the public consultation. The consultation proposals included, amongst other elements:

3.3.1 Creation of a green infrastructure framework, with interconnected areas of new and/or improved habitats such as species-rich grassland and woodland. Such habitats will improve landscape quality and offer visual interest to users of shared cycle and walking routes linking existing and proposed residential areas.

3.3.2 Provision of native woodland planting (including wet woodland) east of the carriageway, to mitigate visual effects on views from existing residential properties; as well as enhancing biodiversity around the Local Wildlife Site.

3.3.3 Integration of Sustainable Urban Drainage (**SuDS**) into the wider site design, with provision of new and improved habitats along existing or re-aligned watercourses offering enhanced biodiversity, landscape and visual value.

3.3.4 Sensitive design of the large SuDS pond, with shallow sloping margins and varied depths to provide a variety of aquatic habitats for native species.

3.3.5 Highway verges to be sown with low-growing 'flowering lawn' native wildflower species, to provide low maintenance, attractive edges to the proposed road as part of the wider green infrastructure strategy.

3.3.6 Provision of new hedgerows to provide definition to the new road and reinforce the green corridor.

3.3.7 Management of existing grassland to enhance the ecological value of species-poor grassland, thus complementing areas of new grassland noted above.

3.3.8 Retention and protection of existing woodland, which will be subject to management such as selective thinning and removal of deadwood, to improve overall landscape condition.

3.4 The constraints of the Bardon Link Road planning application site (the Site), presented on the A511 Bardon Link Road Landscape Sketch Plan, for comment by the public during and after the public consultation included, amongst other elements:

3.4.1 Minimise loss of trees within Coalville Grassland and Scrub Candidate Local Wildlife Site;

3.4.2 Minimise loss of trees within Coalville Wet Woodland Local Wildlife Site;

- 3.4.3 Provision of an easement for Network Rail access alongside the railway line, where planting would not be undertaken.
- 3.5 The consultation feedback from the public and other consultees was incorporated into revised landscape proposals, subsequently taken forward as the Detailed Landscape Design presented on the Landscape Design Masterplan Sheet 1, 60647945_ACM_LD_01 (Document P34 in the List of Documents).
- 3.6 The design also evolved in order to achieve Biodiversity Net Gain (**BNG**) targets. In particular, the provision of a wider range of native wetland plant species was required to meet river metric requirements: examples of such planting were located along the realigned drain to the east of the carriageway, where they would also offer visual amenity to users of the adjacent shared footway/cycleway.
- 3.7 It should be noted that given the highway need to connect to the A511 at the optimal location of the Bardon Road roundabout with the proposed developer spine road; and the constraint of the mineral railway line crossing, the route between these two points is largely fixed.
- 3.8 Therefore, no alternative or feasible route alignments exist other than that chosen in relation to this part of the Bardon Link Road or associated changes to the roundabout.
- 3.9 **Summary of Effects of the Scheme on Landscape and Visual Receptors**
- 3.10 A Chartered Landscape Architect undertook an appraisal of likely effects on landscape character and visual amenity (in the LVA) arising from the Bardon Link Road (Documents P20 and P32 in the List of Documents). In accordance with the Guidance for Landscape and Visual Impact Assessment third edition (Document NP14 in the List of Documents), the appraisal is proportionate to the scale, context and nature of the development.
- 3.11 During construction, adverse effects on landscape character will arise from the presence of construction activity having an incongruous influence on local landscape character, with the change in land use from semi-rural to construction activity in a context of low sensitivity. Unlike the completed highway, construction effects will be both reversible and of short duration and overall; and the effect on landscape character will be of negligible importance.
- 3.12 In Year 1 (post construction) effects on the wider character of the landscape will be of negligible importance reflecting the localised extent of change within the character areas and negligible loss of characteristic elements. The change in landscape character is therefore predominantly at the scale of the site and its immediate context. It affects land which is characteristic of the wider landscape but with no elements of landscape value being lost.
- 3.13 The Bardon Link Road will seek to retain and reinforce the characteristics of the Site and its surroundings, albeit introducing a new section of highway. Effects will diminish in magnitude by Year 15, as a result of landscape mitigation embedded in the design but given the permanent introduction of the highway they will remain of negligible importance.
- 3.14 Visual impacts of the Bardon Link Road development have been evaluated for eight representative locations in the wider study area of the Site. Generally, changes in visual amenity will be of minor importance in construction, due to the screening effect of intervening vegetation, landform and viewing distance/direction and duration of impact. However, for a small number of residents on Bardon Road, the combined view of the highway compound

and construction will result in temporary effects of moderate importance. These impacts were weighed in the planning balance when the Council as local planning authority determined the Original Bardon Link Road Planning Application and the S73 Bardon Link Road Planning Application. In operation, effects on visual amenity will not exceed minor importance in Year 1 and will diminish further at three locations by Year 15, due to maturing of mitigation planting.

- 3.15 The landscape and visual effects present no over-riding landscape or visual reasons, identified by this LVA, to suggest that the Bardon Link Road, and accordingly the Scheme more generally, will cause important harm to landscape or visual amenity other than briefly and locally in proximity in construction, which is typically the case for most highway construction schemes.

3.16 **Bardon Link Road Mitigation Measures**

- 3.17 The landscape masterplan approved by the Original Bardon Link Road Planning Permission and the Section 73 Bardon Link Road Planning Permission (documents P22 and P34 in the list of documents respectively) was informed by the need for mitigation of landscape and visual effects to reduce or partially mitigate the effects identified in the LVA. The objectives of the landscape mitigation, best illustrated by reference to the Landscape Masterplan (Document P34 in the List of Documents) were:

- 3.17.1 to replace trees and shrubs (including wet woodland) lost as a result of the proposed Bardon Link Road;
- 3.17.2 to replicate landscape elements such as hedgerows and woodland in a way which reflects to the urban/rural fringe landscape context and integrate the proposed Bardon Link Road into it;
- 3.17.3 to provide screening of the proposed Bardon Link Road and vehicles using it through the use of tree and shrub planting;
- 3.17.4 to incorporate features of ecological and conservation value with the landscape and to mitigate effects on biodiversity;
- 3.17.5 to integrate ancillary elements such as non-motorised user access, as part of connectivity within the wider South-east Coalville Masterplan;
- 3.17.6 to ensure maintenance access for Network Rail property is retained;
- 3.17.7 to provide a pleasant highway environment for users of the highway and associated shared footway/cycle routes.

- 3.18 The landscape mitigation required to integrate the highway corridor into its context is primarily provided by new woodland, hedgerows and scrub to improve/enhance green infrastructure corridors along the road and create new boundaries to it.

- 3.19 The visual mitigation is primarily in the form of tree planting along the highway corridor and particularly between the houses south of the A511 London/Bardon Road and for properties and open space to the east in the vicinity of John Cooper Way and Palmer Close.

3.20 Land Acquisition Justifications in Relation to Landscape Matters

- 3.21 There is no landscape requirement for land acquisition in relation to CPO objections 1-4 and 6 as set out in paragraph 2.1.2 of this document. As stated above, this is because the nature, scale and extent of Scheme elements and changes concerning Objections 1-4 and 6 are not related to land required for landscape interventions and are entirely highway related. Neither do they create or give rise to significant landscape effects that might require mitigation.
- 3.22 OBJ 5 relates to the CPO Map 4 covering land plots 012 to 038, and specifically plots 036, 037 and 038. The landscape design was achieved within the land take required for the Bardon Link Road as a whole and did not require any additional land in order to mitigate effects identified within the LVA or specifically for landscape purposes on their own (that is, separate to land access/engineering reasons).
- 3.23 OBJ 7 relates to land in land Plots 018 to 022. Plots 018 to 021 are required for working areas during construction but on completion of the works will be planted as woodland or grassland as shown on the Landscape Masterplan approved by the S73 Bardon Link Road Planning Permission. Part of Plot 018 is also required to provide a footway to the highway. There are existing trees and physical boundaries which define the Scheme red line boundary to the south of 46, 50-58 Bardon Road, which form the logical boundary and will assimilate the Scheme at this location into the landscape minimising its overall impact to provide appropriate landscape mitigation.
- 3.24 Woodland planting within Plots 018 to 021 will achieve screening of the highway from first floor locations to the east (noting views are oblique), including 50-58 Bardon Road, supplementing existing tree cover and avoiding a gap in the highway boundary mitigation to the south of 46 Bardon Road. Inclusion within the Scheme boundary of Plot 022 facilitates access and connectivity between the path from Bardon Road and the Scheme, through land Plot 022.
- 3.25 Plots 014 and 022 are acquired for a construction compound but on completion of the works will be landscaped in accordance with the approved Landscape Masterplan with a variety of trees, mixed trees/shrubs, native woodland and grasses. Again, the physical boundaries to the south of 8 to 36 Bardon Road form the logical boundary of the Scheme to provide landscape mitigation,
- 3.26 Plot 33 is acquired for the purposes of northern area drainage attenuation but will be planted with mixed trees/shrubs and native woodland to provide screening.
- 3.27 Although not acquired specifically for the purposes of ecological mitigation, the Scheme landscaping has ecological and biodiversity net gain benefits. Please refer to the Proof of Evidence of Professor Max Wade in this regard.
- 3.28 In my opinion, the landscape treatment is proportionate to a Scheme of this type and represents the minimum required to achieve adequate landscape and visual mitigation.
- 3.29 There are areas of land take identified within OBJ 5, as well as land north of the railway (such as plot 026) which are required for the purposes of sustainable highway drainage, which form part of the BNG and landscape benefits of the Scheme but are not acquired on that basis. In particular this relates to the attenuation / drainage pond to the south of the railway.

- 3.30 The location and form of the pond was driven by engineering considerations related to volumes of run-off associated with the highway, which would flow downhill towards this pond. Land either side of the Bardon Link Road to the north of the railway does not have the required capacity due to topographical and spatial constraints, and on that basis a pond south of the railway is required.
- 3.31 Overall, I consider that the land take to achieve the landscape/environmental mitigation is proportionate and necessary for a scheme, of this scale, in the landscape and visual context.
- 3.32 The landscape and wider environmental proposals have the benefit of planning permission (the Original Bardon Link Road Planning Permission and the S73 Bardon Link Road Planning Permission) in the form that is shown on the submitted drawings, with the proposed considered in detail by the planning authority prior to determination.

4 **Conclusion**

- 4.1 As is explained above, I have been working on the Scheme since 2021. My role has involved all aspects of landscape design and assessment, both in the production of landscape designs and the landscape and visual appraisal of the Bardon Link Road.
- 4.2 Based on location, nature and design of the overall proposals, in support of each specific Order as well as the overall Scheme, including the S73 Bardon Link Road Planning Permission; I conclude that the required land take for the Scheme as a whole and in relation to the Bardon Link Road as it passes through Plots 12-38 referred to in OBJ 5 and Plots 018-022 referred to in Obj 7 is appropriate to integrate the Scheme into the context; and reduce and mitigate potential effects on landscape character and visual amenity as well as deliver biodiversity gains and pedestrian connectivity.
- 4.3 This has been achieved without specific requirement of additional land purely for landscape mitigation, and to the extent that land with multiple purposes is also adopted for landscape mitigation, it is proportionate to the overall aims and design of the Scheme; and in my opinion is not excessive or unjustifiable in relation to land take.

5 **Statement of Truth and Declaration**

5.1 **Statement of Truth**

5.1.1 I confirm that I have made clear which facts and matters referred to in this report are within my own knowledge and which are not. Those that are within my own knowledge I confirm to be true. The opinions I have expressed represent my true and complete professional opinions on the matters to which they refer.

5.2 **Declaration**

5.2.1 I confirm that my report has drawn attention to all material facts which are relevant and have affected my professional opinion.

5.2.2 I confirm that I understand and have complied with my duty to the inquiry as an expert witness which overrides any duty to those instructing or paying me, that I have given my evidence impartially and objectively, and that I will continue to comply with that duty as required.

5.2.3 I confirm that I am not instructed under any conditional or other success based fee arrangement.

5.2.4 I confirm that I have no conflicts of interest.

5.2.5 I confirm that I am aware of and have complied with the requirements of the rules, protocols and directions of the inquiry.

Signed:



Dated: 20 May 2024

NIGEL WEIR