

9/LPA 5.4

PROPOSED RAIL FREIGHT INTERCHANGE, PUBLIC OPEN SPACE AND COMMUNITY FOREST SITES, NORTH ORBITAL ROAD, ST ALBANS

APPEAL BY HELIOSLOUGH LTD UNDER SECTION 78 OF THE TOWN AND COUNTRY PLANNING ACT 1990 AGAINST THE REFUSAL OF THE CITY AND DISTRICT OF ST ALBANS TO GRANT OUTLINE PLANNING APPLICATION (APPROVAL OF MEANS OF ACCESS, SITING AND LANDSCAPING ONLY) FOR THE DEVELOPMENT OF A STRATEGIC RAIL FREIGHT INTERCHANGE COMPRISING INTERMODAL AREA, DISTRIBUTION BUILDINGS (CLASS B8 USE) AND OTHER RELATED FLOORSFACE (CLASS B1/B2 USE) UP TO 331,665 SQ.M. WITH A MAXIMUM HEIGHT OF 20 METRES TOGETHER WITH ASSOCIATED ROAD, RAIL AND OTHER INFRASTRUCTURE WORKS INCLUDING PARKING FOR UP TO 1602 CARS AND 617 LORRIES WITH EARTH MOUNDING, TREE PLANTING AND A NEW PARK STREET/FROGMORE RELIEF ROAD. INCLUDES ADDITIONAL LANDSCAPE AND OTHER WORKS ON FURTHER SITES TO PROVIDE PUBLIC ACCESS TO OPEN LAND AND COMMUNITY FOREST.

Jonathan M Billingsley MA(Oxon), BPhil, MLI

Summary Proof of Evidence

Landscape and Visual Issues

On behalf of

St Albans City and District Council

PLANNING INSPECTORATE REF: PP/B1930/A/09/2109433/NWF

LOCAL PLANNING AUTHORITY REF: 5/09/0708

APPELLANT REF: 4093

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The Landscape Partnership is registered with the Landscape Institute, the Royal Town Planning Institute, and is a member of the Institute of Environmental Management and Assessment

The Landscape Partnership

Registered office

Greenwood House

15a St Cuthberts Street

Bedford

MK40 3JB

Registered in England No. 2709001

1 Qualifications and Experience

- 1.1 I hold a 1st Class Honours degree in Geography from Oxford University and a BPhil degree in Landscape Design from the University of Newcastle-upon-Tyne. I became a fully qualified Landscape Architect in 1984. I have five years direct experience within local government and twenty one years experience in private practice with The Landscape Partnership, being appointed Director in 1999.
- 1.2 I am the Project Director responsible for the Landscape Character Assessment for Hertfordshire including the area of St. Albans City and District Council.

2 Introduction and Scope of evidence

- 2.1 The Landscape Partnership was appointed by St Albans City and District Council in 2009 to act as Landscape Consultants to advise on planning application 5/09/0708-OUTLINE.
- 2.2 I have been familiar with the general locality of the site and its environs for some ten years and have visited the site, surrounding areas, the five short listed alternative sites in the Helioslough Needs Case Report and all those short listed sites referenced in the SDG Alternative Site Assessment.
- 2.3 The proof of evidence focuses on the following areas:
- a. Review of sections of the ES and where there are differences of opinion with the methodology used by the applicant and/or the conclusions reached on the likely impacts.
 - b. The areas of agreement with the findings of the Inspector and conclusion of the Secretary of State from the 2007 Public Inquiry and any matters of disagreement with the conclusions reached.
 - c. Relevant planning policies in respect of landscape issues.
 - d. Highlighting any material changes in landscape and visual terms since the 2007 Public Inquiry both physically or in planning policy terms.

- e. Review the landscape and visual aspects of the applicants Alternative Site Assessment.
- f. Describe the landscape and visual aspects of the SDG Alternative Site Assessment prepared on behalf of the Council.

2.4 Items that have changed since the 2007 Public Inquiry include;

- o Publication of RSS - East of England Plan
- o Development of Handley Place residential development at Park Street.
- o New and approved Units within Ventura Park on Radlett Road.
- o Tree clearance along mainline railway.
- o M25 Junction 16 to 23 Widening approved by SoS.

3 Review of Landscape and Visual Matters

3.1 A number of key findings with regard to landscape and visual impacts arising from the proposed development at the Radlett site were established during the 2007 Public Inquiry which I do not seek to revisit or challenge at length. However as part of the determination of the current planning application, it is considered critical to consider the fundamental landscape and visual aspects of the application which are included within the following Reasons for Refusal;

1. Green Belt issues
2. Character and visual amenity
7. Impact on the landscape of Area 1.

3.2 The main agreed points are summarised in the Table below:

| | Topic | Findings of Inspector and Secretary of State | Ref | J Billingsley comment |
|---|---------------------------------|---|---------------------|------------------------------|
| 1 | Landscape Value of Area 1 and 2 | The landscape value of Areas 1 and 2 are 'high' | IR 16.14 DL p.25 | Agreed by all parties |

| | Topic | Findings of Inspector and Secretary of State | Ref | J Billingsley comment |
|---|--|---|------------------------|---|
| 2 | Landscape Impact on Area 1 at Year 15 | Impact would be 'significant adverse' | IR 16.14 DL p.25 | Agreed by all parties |
| 3 | Landscape Impact on Area 2 at Year 15 | Impact " <i>whilst marginally adverse overall, would not be significant</i> " (IR16.15) | IR 16.15 DL p.25 | Additional impacts considered to arise from embankments and cuttings for rail route increase the significance |
| 4 | Visual Impact by virtue of the scale, bulk and nature of development in Area 1 | Mitigation earthworks works would be artificial and intrusive. They would result in significant visual intrusion from some quarters including from Midland Mainline where the impact would be " <i>significant and adverse</i> " (IR 16.17) | IR 16.16-17 DL p.26 | Agree, particularly in the context of loss of openness and impact on views to St Albans Cathedral |
| | | Upper parts of development visible from higher vantage points of Area 5 and locations on Shenley Ridge | IR 16.18 DL p.26 | Agreed. Scale of impact considered to be moderate adverse. NB no conclusion on scale of impact given in IR from these locations |
| 5 | Proposals for Area 3-8 | That proposals would be beneficial for wildlife and recreation and would accord with objectives of Watling Chase Community Forest Plan | IR 16.19-20 DL p.27 | Agreed - subject to satisfactory arrangements for management in long term |
| | | Works will do practically nothing to ameliorate the impact of built development on Areas 1 and 2, but more discreet stand alone areas | IR 16. 21 DL p.27 | Agreed |

| | Topic | Findings of Inspector and Secretary of State | Ref | J Billingsley comment |
|---|---|--|-------------------------|---|
| 6 | Cumulative landscape and visual impacts of Areas 1 to 8 | Assessed cumulatively the landscape and visual impacts of the proposals for Areas 1 to 8 would be moderately adverse, considering the significant adverse landscape impact of Area 1 and the current condition and proposals, including planting, of Areas 3-8, and an overall impact on the entire site of moderately adverse. Balancing benefits against impact of development is in conflict with the development plan policies for the protection of the landscape | IR 16. 21-22 DL p.27 | Although the SRFI and the Country Park needs to be assessed separately, the harm identified in landscape and visual terms in relation to Areas 1 and 2 is not outweighed or balanced by the potential benefits of Areas 3-8 |
| 7 | Harm to the Greenbelt | There would be a substantial impact on openness of the Green Belt and harm that cannot be mitigated | IR 16. 7 DL p.20 | Agreed |
| | | The proposal would result in significant encroachment into the countryside | IR 16. 8 DL p.20 | Agreed |
| | | The proposal would contribute to urban sprawl | IR 16. 9 DL p.20 | Agreed |
| | | The proposal would not lead to the merging of towns (St Albans to Radlett or London Colney to Frogmore/Park Street) | IR 16. 10 DL p.21 | Although there would not be a touching of development there would be a significant erosion of the remaining space and 'perceptual coalescence'. |
| | | There would be some harm on the setting to the city of St Albans as seen from the Midland Mainline approach | IR 16. 11 DL p.22 | Agreed |

| | Topic | Findings of Inspector and Secretary of State | Ref | J Billingsley comment |
|--|--------------|--|----------------------|------------------------------|
| | | The proposals would not assist in the use of Brownfield land | IR 16. 12 DL p.23 | Agreed |

- 3.3 The 2009 application is broadly the same as that previously considered at the 2007 Public Inquiry. The proposal is for the installation of a particularly large SRFI development comprising buildings up to 20m in height and extending some 1.5km by 0.5km in area. The proposals are located within Green Belt close to the edge of an historic cathedral city.
- 3.4 The conclusions drawn on Landscape and Visual impact by the applicant in the ES remain unaltered in landscape and visual terms from the earlier application. There have been no substantive changes in the judgments to reflect the findings of the Inspectors Report, although there is some justification of why impacts have been unaltered, for example the consideration of views from the Midland Mainline Railway.
- 3.5 I have identified a number of criticisms of the ES in terms of information provided, lack of transparency of the methodology used and the inaccuracy of a number of the appellant's findings.
- 3.6 Having reviewed the ES and the Inspectors Report I am in agreement with the Inspector on a number of the conclusions he reaches including the significant adverse landscape impact on Area 1 by year 15 and the significant visual impact as a result of the scale and extent of the development on a number of receptors. I agree that the works to Areas 3-8 in the Country Park are beneficial, however these are not of sufficient weight or benefit to outweigh the significance of the landscape and visual impact for Areas 1 and 2. Furthermore I would also agree that despite

the findings of the ES, that the works in Areas 3-8 do practically nothing to ameliorate the adverse impacts in Areas 1 and 2.

- 3.7 There are areas where my judgement differs from the findings of the Inspector. Firstly I consider that the impact on Area 2 to be higher than he assessed. This judgement is based on the impact of earthworks including that required from the rail connection that was not detailed in the ES. In his report (Para 16.22) the Inspector concludes by combining the landscape and visual impacts into one judgement. My approach would be to maintain the separation of the SRFI and the Country Park and to conclude on the matters separately. With regard to the landscape impact of the SRFI, I consider there to be significant adverse at construction, opening year and Year 15. This is largely by virtue of the extensive nature and large scale of the proposals. Furthermore the permanent loss of the openness of the Green Belt and substantial erosion of the local open countryside character is of strategic importance in the rural area and Green Belt between St Albans, Radlett, Frogmore and London Colney.

4 Landscape Planning Policies

- 4.1 In terms of planning policy I agree with the Inspector's Report with regard to the adverse impact on the purposes of the Green Belt and in relation to the perceived and actual loss of openness, encroachment, urban sprawl and the adverse impact on the historic and townscape setting of St Albans. The impact on the views from the south including those from the train and the rights of way including those on Shenley Ridge would in my view have a serious harmful impact on the setting of St Albans. I conclude that there is a merging of settlements first by the effective joining of the SRFI site to Park Street /Frogmore and by the increased perceptual coalescence with Napsbury/London Colney as the existing open gap is seriously eroded. The proposals in Areas 1 and 2 also remain contrary to a raft of policies in PPS7, the 2008 RSS - East of England Plan, St Albans Local Plan and Watling Chase Forest Plan.

5 Country Park

- 5.1 The provision of the Country Park would bring some benefits to the local landscape. However it is considered that these are significantly overstated by the applicant in the 2009 ES and that the works involve improvements to Areas that are already present and currently deliver access and biodiversity benefits.
- 5.2 It would appear that Helioslough have retained their assessment of the net effects throughout Areas 1-8. I do not agree with their conclusion. With regard to the level of benefits in Areas 3-8, I would consider that the beneficial impacts would typically range from insignificant to moderate beneficial at Year 15 as the potential benefits are more upgrades of existing high value landscapes.
- 5.3 Some revisions to the draft conditions could provide greater clarity to some elements of the Country Park including rights of way.

6 Review of Applicants Alternative Sites Assessment

- 6.1 Helioslough's Landscape and Visual aspects of the Alternative Site Assessment has considered a short list of five sites in the north west sector. My review of the method has highlighted a number of aspects where there is a lack of transparency and inclusion of potential factors that are less relevant and omission of other pertinent points such as whether the SRFI would relate well to other adjacent land uses.
- 6.2 My comments with regard to the method used in the Helioslough Needs Case Appendix 8A is summarised as follows;
- a) The approach taken follows the broad approach of an 'outline' LVIA, rather than looking at the sensitivity and capacity of the sites to receive an SRFI.
 - b) It is unclear how the assessments were carried out in a series of 'workshops' and the role of the individual(s) who visited the sites.

- c) The landscape criteria selected are mainly focused on the impacts arising on the site rather than the wider suitability of the landscape to accept the development.
- d) There are no separate criteria to capture the scale of the development.
- e) There are no criteria to specifically assess the existing landscape condition.
- f) The impact on water bodies and courses is included as a category for all sites, although this is likely not to apply to all sites
- g) The visual criteria include the impact on Conservation Areas but not the setting of any other heritage feature.
- h) The visual impacts do not consider the wider context of the area and in particular the degree to which the proposal would be compatible with the other adjacent uses.
- i) Visual impacts from Industrial areas are included as one of the seven criteria although they are inevitably of low sensitivity and of a lesser and more limited significance.
- j) Some of the criteria used introduce the possibility of double counting e.g. the inclusion of rights of way in Landscape Impact and Rights of Way users in Visual Impact.
- k) The 'weighting' applied in the assessment is not mathematical
- l) The significance attributed to each of the criteria is provided as an overall impact with no separate consideration of the 'magnitude' or 'sensitivity'. There are no supporting matrixes that support the conclusions reached in regard to the level of significance and therefore the findings are not recorded in a transparent way.

6.3 In applying the methodology and following a review of the sites, I have the following comments;

- a) The application of landscape value is difficult to trace
- b) There is an arithmetic error within the Summary Table for Littlewick Green, This has been accepted and confirmed by the appellant.
- c) Basing the overall conclusion on only the number of significant effects does not take into account the overall range and spread of effects

- d) There are no descriptions to help identify the level of significance for the extent of impact on each criteria.
- e) Application of local Landscape Planning designations such as Local Gaps is not considered to be a valid comparison between sites due to differences in application by local authorities

6.4 By applying the Helioslough approach when visiting each of the sites I have drawn some differing conclusions on a number of the criteria. However despite the apparent failings in the methodology and the different judgements on the application of the method I have identified that Radlett is the more suitable site using Helioslough's own criteria. However in terms of the major criteria it would appear that Radlett and SIFE/Colnbrook are much more comparable to each other than the assessment of all the criteria would otherwise indicate.

7 SDG Alternative Site Study

7.1 The SDG Alternative Site Study has reviewed a number of other potential sites within the wider south east.

7.2 With regard to the landscape and visual aspects of the assessment, the methodology used by The Landscape Partnership derives landscape sensitivity utilising a range of landscape and visual factors, based on the guidance in 'Topic Paper 6 -Techniques and criteria for judging capacity and sensitivity' (Countryside Agency and Scottish Natural Heritage), which forms part of the reference 'Landscape Character Assessment Guidance for England and Scotland (2002). The methodology used was adapted for the application to an SRFI. Through an assessment of sensitivity of the site and the surroundings to accommodate an SRFI, the approach is centred on suitability and context, which contrasts with the Helioslough's method which focuses on impacts arising from the development. A measure of sensitivity will in turn help assess capacity of the landscape and visual resources to absorb this type of development. Capacity is the reverse of sensitivity, with a high sensitivity resulting in a low capacity. A landscape

sensitivity profile was produced for each site against the landscape and visual criteria.

7.3 An assessment based on sensitivity and capacity rather than one focusing on impacts is considered more suitable and appropriate to the Alternative Site Assessment as;

- Suitable for application to a wider range of sites
- Suitability and context are fundamental concepts
- Scale, complexity and pattern of the landscape is considered
- Scope to mitigate is considered
- Suitable for application to generic rather than project specific form of change

7.4 The study has shown that in landscape and visual terms there are a number of other sites that are assessed as being more suitable than the Radlett site. These include at least five that are in the 'very good' or 'good' category. Of these the best three performing sites are London Gateway, Barking/Dagenham and Swanscombe. All of these sites are outside the Green Belt and would therefore avoid one of the main concerns of the Inspector at the 2007 PI. The other two Redhill and Howbury Park are in Green Belt but are considered to perform relatively better than Radlett. The assessment has indicated that Radlett only falls within the 'adequate' group and is very similar in sensitivity to SIFE/Colnbrook.

7.5 This approach to the alternative sites in contrast to that undertaken by Helioslough produces a different conclusion on the relative suitability of the Radlett site in landscape and visual terms as compared to a number of alternative sites. Furthermore the study suggests there are other more suitable sites that lie beyond the Green Belt for which the impact of development on the openness and role of the Green Belt would not be affected.

8 CONCLUSIONS

- 8.1 A number of matters in relation to landscape and visual issues have changed since the first Appeal and these are material considerations for this Inquiry.
- 8.2 The proposed scheme is much the same as that considered at the first Appeal, with a substantial development proposed in the Green Belt and in close proximity to the important historic and landscape setting of St. Albans.
- 8.3 The previous Inspector's report identified the significant adverse landscape and visual impact of the proposals and I am in agreement with these conclusions, differing only in the magnitude of impact on Area 2 and in the separation of the impact of the SRFI and the potential benefits of the Country Park.
- 8.4 The proposed development in Areas 1 and 2 are in conflict to the landscape planning policy context and the Green Belt policies in PPS7, the RSS and the St. Albans City and District Local Plan.
- 8.5 In relation to the alternative sites, the Helioslough methodology focuses on the impacts arising from the development rather than the wider suitability of the landscape and the findings are not transparent.
- 8.6 In contrast the assessment of the SDG Alternative Site Study considers landscape sensitivity and the capacity of the landscape to accommodate the proposals, which is considered a more appropriate approach. The latter identified that in landscape and visual terms there are a number of alternative sites that are more suitable than the proposed Radlett site. Furthermore the study suggests there are other more suitable sites that lie beyond the Green Belt for which the impact of development on the openness and role of the Green Belt would not be affected.