

**SUMMARY PROOF**  
on  
**Landscape and Visual Matters**

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For site at:

**Bricket Lodge Sports and Country Club,  
Lye Lane, Bricket Wood, AL2 3TF**

On behalf of Appellant:

**JD Rudkin Builders Ltd**

CD 2.10 Summary Proof

PINS Reference Number:

**APP/B1930/W/24/3338501**

LPA Reference number:

**5/2022/2443**

Date: May 2024



## Summary Proof

1.1. The Appeal Application would have been refused, had the Council been in a position to do so, with two issues relating to landscape and visual impact. In respect of the putative reasons for refusal set out in the Statement of Case, I have considered the following matters, as summarised below:

- Harm (of the proposed development) through impact on the openness of the Green Belt, and impact on the landscape character and appearance of the site and surrounding area, and to protected landscape features;
- Harm to the character, appearance and visual amenity of the locality.

### Impact on Openness

1.2. In terms of overall openness in relation to landscape effect, the site sits at the southern end of a wedge of development along the east side of Lye Lane. The site is predominantly enclosed by woodland to the east and south, a conifer belt to the north and hedgerow and tree vegetation along either side of Lye Lane to the west. Although development north of the site is generally large houses in generous grounds, the site itself has considerable development in the western and southern areas, with the appearance of uninterrupted (overlapping) one and one and a half storey development (albeit that the central section is a little further set back from the road), across the frontage of the site, apart from at the southern access.

1.3. Spatially, the built form of the proposed development will extend further across the north-east of the site within the enclosed part of the site, though visually there will be relatively little change from beyond the site to the overall openness of the wider area, with the appearance of the existing development replaced by new, higher quality development. As the proposed development is set back further than the existing development, the two and two and a half storey proposed development will not increase the sense of enclosure from Lye Lane compared to the closer one and one and a half storey existing development, though increased tree vegetation near the boundary would eventually increase the sense of (vegetated) enclosure.

1.4. In overall visual terms, the site currently appears developed from the public realm of Lye Lane, with existing buildings on the site being visible for approximately 150m from

the edge of the site from the south (to the private road access just beyond the M25 crossing), and for approximately 30m from the edge of the development from the north (to the north of the access to Lye House). The development proposal provides the opportunity to create a less developed appearance, through a greater set back of buildings from the road frontage, combined with the incorporation of a planted buffer including native hedgerow and trees across the site frontage, providing a more vegetated boundary which would better filter views of development on the site from the lane in the longer term.

- 1.5. The development proposal will therefore have some limited effect on spatial openness of the area through the increase in development as experienced within the site, though will not have a detrimental effect on openness in landscape and visual terms from Lye Lane, where the development will be experienced publicly beyond the site.

**Impact on Landscape Character and Appearance of the Site and Surrounding Area/ Harm to the Character, Appearance and Visual Amenity of the Locality**

- 1.6. Rather than cause harm to landscape character, the proposed development provides the opportunity to contribute to the safeguarding and management of the local landscape character in accordance with the Bricket Wood LCA Guidelines for Managing Change. For instance, the adjoining Ancient Woodland will be safeguarded and benefit from improved management through removal of access and removal of all evidence of paintballing activity; native buffer planting can be provided along the boundaries of the Ancient Woodland to further protect the woodland and screen boundary/ acoustic fencing; the existing boundary hedgerow along Lye Lane will undergo restoration through reinforcement and gapping up, while further native tree and shrub planting can also be planted along the frontage behind the hedge. These measures along with a strong Green Infrastructure and Landscape Framework across the development, are all details that can be provided at the Reserved Matters Stage and that the Council can require through condition of providing such documents and drawings as Landscape Strategy, Landscape Masterplan, Hard and Soft Landscape Plans, and Landscape or Woodland Management Plan.
- 1.7. Appearance and visual amenity have been considered as part of visual effect. Through the field survey, the site was found to have a very limited zone of visual influence, only being visible at close range, while from a distance, its broad location was only

identifiable by reference to the telecommunication masts to the south of the site's boundary.

- 1.8. In terms of appearance, the site currently appears developed from the public realm (that is, from localised views from Lye Lane, where the site can be publicly viewed), where visual impact is primarily assessed as part of an LVIA. The development proposal provides the opportunity to create a less developed appearance of the site from Lye Lane and a more rural character to this section of the lane in the longer term, through a greater set back of the proposed buildings from the road frontage, and through the incorporation of a planted buffer including native hedgerow and trees across the site frontage, providing a more vegetated boundary which would better filter views of development on site from the lane and enhance the character of the lane. The character and appearance of the proposed footpath along Lye Lane will also generally complement the character of the lane. Therefore, there will not be a significant visual effect on users of Lye Lane, and in the long term, there will be a slight beneficial residual significance of effect on users when passing alongside the site or south up to the junction of the lane with West Riding.
- 1.9. In terms of residential amenity, residents of 'Lye House' and to a lesser extent, 'Silver Birches', to the immediate north of the site, will not experience any significant visual effect from the proposed development, due to the existing mature evergreen boundary vegetation which can be reinforced with further native supplementary planting.
- 1.10. Rather than cause harm, I consider that the site has the potential to accommodate the quantum of development proposed at this Outline stage, within a strong landscape framework, through sensitive and robust detailed design of the site, to provide improvements to the character and appearance of the site and immediate setting.

### **Impact on Protected Landscape Features**

- 1.11. There are no protected landscape features within the site, however there is Ancient Woodland to the south of the site. The proposed development has the potential to deliver a beneficial effect to the Ancient Woodland to the south of the site (included in the blue line ownership boundary), that is currently degraded due to existing paintballing activity and structures within the woodland. Removal of access to the Ancient Woodland through protection with fencing (along the site boundary) and removal of structures and evidence of paintballing activities, will provide post

construction benefit in terms of improvement to the immediate condition and will allow the woodland to recover, particularly the field and shrub layers, in the longer term.

- 1.12. The culverting of the ditch through introduction of the footpath along Lye Lane to the south of the motorway, along the edge of the Ancient Woodland, is considered to be an adverse landscape impact in relation to the loss of a landscape feature (though not a *protected* landscape feature as it appears to be beyond the Ancient Woodland boundary). It is, however, considered to be counterbalanced by the beneficial impact of the removal of access to the Ancient Woodland to the south of the site and the resultant gradual improvement in condition of the woodland as it recovers.

### **Overall Conclusions**

- 1.13. In relation to landscape and visual impacts, there will be no long term significant adverse effects arising as a result of the proposed residential development and it can be considered as being beneficial in some respects due to landscape enhancements that will be brought into a site which, apart from its retained boundaries, is currently limited in any landscape features and is of limited ecological value.
- 1.14. In relation to paragraph 154(G) of the NPPF, as the site is generally very well enclosed and screened and is not visible beyond the close range road frontage of Lye Lane, with only limited (partial) visibility at close range, and as the proposed development has the potential to create a less developed appearance from Lye Lane than the current development on site, despite the proposed development increasing the built form spatially within the enclosed part of the site, I do not consider that the redevelopment of the site would cause “substantial harm” to the openness of the Green Belt.