

REBUTTAL PROOF OF EVIDENCE
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 2.15 Rebuttal Proof of Evidence

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1. **Rebuttal Evidence**

Introduction

- 1.1. This Rebuttal proof of evidence responds to the proof of evidence of Mr Phillip Hughes (Mr Hughes) on behalf of St Albans City and District Council (SACDC). I have focussed on what I consider to be the main points of dispute in relation to landscape and visual matters where I am able to provide further clarification, and my silence on any particular issue should not be taken to indicate agreement.
- 1.2. These points principally comprise the level of visual perception of the proposed development relative to the existing development on the Appeal Site, the level of openness of the Green Belt relative to the existing development, and the effect of the proposed development on the character of the locality.

Landscape and Visual Effects

- 1.3. There appears to be limited differences specifically identified from the findings of the LVIA, as highlighted by Mr Hughes in his PoE at Paragraphs 5.107 and 5.108. These are principally the sensitivity of the users of Lye Lane, and the impact on users of Lye Lane and neighbouring residents. As these same differences were highlighted in the Council's Statement of Case, I have addressed these in my PoE at Paragraphs 5.2 - 5.6 and 5.12 – 5.20.

Visual perception

- 1.4. Mr Hughes makes several statements in relation to the visual perception of the proposed development, without a full consideration of the baseline. He states that *"The average existing building height is c4 metres whereas the proposals would exceed 8 metres. Such an increase in height of the proposed buildings will increase the prominence on site as well as allowing passers by to experience the development and the loss of openness."* (SACDC Proof of Evidence, para 5.58)
- 1.5. Although I agree that redevelopment of the site as proposed will lead to increased prominence of development within certain parts of the site, this does not automatically follow for users of Lye Lane. In terms of the experience of users of

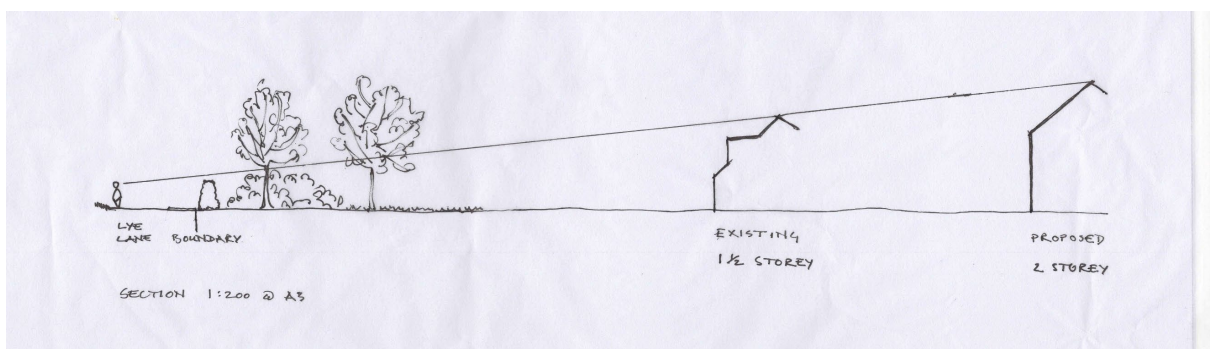
Lye Lane (passers-by), the factors at play are the height of the proposed buildings relative to the existing buildings, as viewed from Lye Lane (that is, those buildings that contribute to the frontage, principally the three buildings in closest proximity to Lye Lane), and the distance of the proposed buildings relative to the existing buildings from the viewer. I previously drew attention to this in my PoE at Paragraph 7.4. Whilst it should be noted that as the application was Outline and the location of the proposed buildings are not fixed, it is nevertheless useful to compare relative distances.

- 1.6. In relation to distance from the viewer, Mr Hughes alleges that "*These dwellings (along the frontage) would have a similar proximity to the road frontage to the existing Bricket Lodge and Social Club buildings.*" (SACDC Proof of Evidence, para 5.60) However, when measured, the northern frontage building (Bricket Lodge Social Club) is 14m from the road edge relative to the proposed buildings at 23.5m from the road edge, while the central frontage building (of one and a half storeys) is 18m relative to the proposed buildings of 29m from the road edge. These proposed distances are taken from CD 2.4.5 Propose Site Plan Revision D.
- 1.7. The following photograph illustrates the prominence of the existing one and a half storey central frontage building looking north along Lye Lane from a location in proximity to the site.



Photo of site frontage looking north along Lye Lane from north of M25 crossing

- 1.8. As the proposed frontage buildings are set back further than the existing frontage buildings, the two storey proposed development will not increase the sense of enclosure from Lye Lane compared to the closer one and a half storey existing building. This is further illustrated in the section below, which shows that the existing central frontage building creates the same level of visual enclosure as the proposed building, that is, the eye line is at the same angle for both buildings.



Section illustrating same level of visual enclosure of proposed building compared to existing one and a half storey building (most prominent existing building) due to increased setback from Lye Lane

- 1.9. The new greenspace alongside the front boundary allows for 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. Increased tree vegetation near the boundary would eventually increase the sense of vegetated enclosure, which would restore the character of the site frontage to that of the predominant character along this part of Lye Lane.

- 1.10. It should be noted that from a more distant viewing location on Lye Lane on the M25 crossing (shown in the photograph below), the main frontage of the existing one and a half storey building is not visible compared to the northern frontage building, which is visible. Its increased setback results in the building being screened by the adjoining woodland. In this more distant view, the proposed development will also not be visible (similarly screened by the adjoining woodland due to the increased setback). Therefore, there will be a less developed appearance from Lye Lane in more distant viewing locations from south of the site than the current development on site.



Photo of site frontage looking north along Lye Lane from M25 crossing

- 1.11. Mr Hughes also alleges that *“because of the lack of space between the units and the height of these units they will have a significantly greater impact on the sense of enclosure passing along this section of Lye Lane.”* (SACDC Proof of Evidence, para 5.60)

- 1.12. I have covered above why the height of the units will not have a greater impact than the existing buildings due to their greater setback. In relation to the space between the units, as this is an Outline application, the layout of the buildings is not set and there is the opportunity to increase space between buildings at the Reserved Matters stage.
- 1.13. In conclusion, I have demonstrated why the proposals will not cause an increased sense of enclosure due to the proposed built form if a reasonable setback is accommodated. With the incorporation of a landscape buffer along the frontage, there will be a reduced visual perception of development from Lye Lane, while additional vegetation along the frontage will enhance the character of this section of the lane.

Openness of Green Belt

- 1.14. Mr Hughes considers that *“The proposed residential estate is manifestly out of character with the rest of Lye Lane and as such its dense nature and the substantial loss of openness will be evident to passers-by along Lye Lane.”* (SACDC Proof of Evidence, para. 5.68)
- 1.15. This statement appears to compare the proposed development with other parts of Lye Lane rather than with the baseline character and openness of the existing Appeal Site as experienced by users of Lye Lane.
- 1.16. Mr Hughes further considers that *“the scale of development and the loss of openness will be perceived both spatially having regard to the openness of the existing appeal site and visually having regard to public and private views of the existing appeal site.”* (SACDC Proof of Evidence, para. 5.69)
- 1.17. I have addressed the visual changes from public views (which comprise Lye Lane) as a result of the proposed development, above in Paragraphs 1.4 – 1.13. In relation to private views (the two dwellings to the north of the Appeal Site), I refer to my Proof of Evidence at Paragraphs 5.9 – 5.11, which details the barely noticeable change which viewers from these dwellings will experience due to the intervening vegetation. In relation to public and private views from beyond the site, I consider that the spatial and visual perception of the proposed development has the potential

to be less developed in appearance from Lye Lane than the current development on site, as detailed in my Proof of Evidence at Paragraph 7.5.

1.18. Mr Hughes also suggests that *“having regard to the baseline the proposal would lead to a substantial and permanent loss of openness in both a spatial and visual context”* (SACDC Proof of Evidence, para. 5.70). As this view was highlighted in the Council’s Statement of Case, I have addressed this in my PoE at Paragraphs 7.3 - 7.6.

1.19. In conclusion therefore, in considering visual openness, it is relevant to consider the extent to which the Appeal Site is enclosed and the extent to which the perceived openness is already influenced by built form and vegetative enclosure. It is also important to distinguish between enclosure created by built form and that created by vegetation. As the frontage of the site is currently more open than the boundaries of Lye Lane in the vicinity of the site (apart from the M25 crossing), although increased enclosure from built form would be detrimental to the local area, increased vegetative enclosure (of a complementary character to vegetation along Lye Lane) would be beneficial in terms of safeguarding and managing the local landscape character.

Local Character

1.20. Mr Hughes considers, in Paragraph 5.109 of his Proof of Evidence, that:

“The impacts are proposed to extend beyond the appeal site itself and its new engineered and widened access and include widening of Lye Lane to incorporate pavements alongside the carriageway. These works will include removal of existing trees and vegetation and cutting back other plants, trees and shrubs to accommodate these proposed changes. Such changes would have significant adverse impacts for the perception of Lye Lane as a narrow country lane. Such change would be detrimental to the character of Lye Lane.”

1.21. I set out my assessment of the impact of the proposed footpath in my PoE at Paragraphs 3.3 – 3.10, with further response to Officer views in my PoE at Paragraphs 7.33 - 7.34. I concluded that *“the proposed development, including access and highway works, is considered to have a minor adverse landscape effect at the post construction stage and a minor neutral landscape effect at the residual*

stage on the Bricket Wood Local Character Area in the vicinity of the site, of which Lye Lane forms a part, which are not significant effects” (Proof of Evidence CD 2.9, para 7.34)

- 1.22. Mr Hughes considers that *“the proposed development would harm and not safeguard or manage the local landscape character in accordance with the guidelines for landscape change”* (SACDC Proof of Evidence, para 5.113) (Statement of Case, para. 5.42). As this view was highlighted in the Council’s Statement of Case, I have addressed this in my PoE at Paragraphs 7.9 - 7.12.
- 1.23. Mr Hughes concludes that *“the proposal would not recognise the intrinsic character and beauty of the countryside nor would it make a positive contribution to local character.”* (SACDC Proof of Evidence, para 5.120)
- 1.24. In considering the effect of the development on the Bricket Wood Local Character Area, I set out, in Paragraphs 4.4 – 4.12 of my PoE, why the landscape effect on the Bricket Wood LCA is a minor neutral landscape effect at the residual stage, which is not a significant effect.