

**CD11.7**

# **Proof of Evidence**

Landscape, Character  
and Appearance

From

*Greenbelt* (Rule 6 Party)

Presented by Paul King  
(Member and Advocate for Greenbelt)



In the appeal: APP/B1930/W/24/3343986

Planning Application Reference: 22/0267

Land between caravan site and Watling Street,  
Park Street, St Albans, AL2 2PZ

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## Personal Profile

I graduated from Liverpool University with an Honours degree in Engineering. I then spent 10 years in logistics and planning, running and designing transport systems and setting up distribution networks. After 10 years I moved into residential estate agency. I set up, and ran a sales and lettings company operating in the local area, which entailed undertaking every aspect of the business including sourcing land for development, interfacing with developers, but most of all ensuring that all clients received a professional service. I trained numerous staff to undertake their roles to a similar professional standard, including valuing properties and interfacing with clients and the public.

After 20 years I sold the business and became involved in addressing local issues relating to planning, specifically applications relating to Green Belt development. This included establishing the local campaign group *greenbelt* and forming a working relationship with other campaign groups around the district, to form the District Green Belt Alliance (DGBA) as well as interacting with local politicians, media outlets and of course supporters. I have been involved in this, on and off over the past 10 years, but have no professional qualification specific to planning issues.

I have lived in Park Street for 32 years and concurrent with all the above roles, I have been deeply involved in the residential rental market.

The evidence which I have prepared and provide for this appeal reference APP/B1930/W/24/3343986 in this proof of evidence, is true and I confirm that the opinions expressed are my true personal opinions.



## **Summary**

- The proposed 4.3 hectare site is currently open productive farmland with no built form anywhere on it.
- The land is highly visible from several directions and displays a high degree of intrinsic, tranquil beauty.
- The land has a minimal amount of its perimeter adjacent to any residential houses, only 11% of the perimeter abuts the settlement edge, which are the rear gardens from the Watling Street houses.
- Through the gaps in the trees to the west can be seen further open adjacent farmland, which is treated as one by the farmer that works them both.
- The gaps in the thin treeline demonstrate its inadequacy in fulfilling a role as a strong defensible boundary
- The proposed development would result in the loss of the rural character of the farmland. Its removal would eliminate the separation and significantly impact the individual character of Park Street.
- The change to the character and appearance of the site itself would be substantial, visually intrusive and could not be adequately mitigated.
- The land is the demarcation of Park Street from St Albans, therefore is integral to Park Street retaining its individual village character.
- The development would represent a “Residential Island”, cut off from other residential areas.

## **1. Landscape character and appearance**

1.1 The proposed 4.3 hectare site is currently open productive farmland with no built form anywhere on it. The land rolls gently downhill from the south to the north, which provides outstanding distant views to the north and west (Appendix A1).

1.2 The land is highly visible from several directions and displays a high degree of intrinsic, tranquil beauty:

1.2.1 From the north, travelling south along Watling Street (Appendix A2). This is the first view that is seen by residents when returning home from St Albans.

1.2.2 From houses adjacent to the land on the eastern side of it (Appendix B). From here the land slopes down to the north-west, providing views that would sit well in an album of “The most outstanding views across open farmland”.

1.2.3 From the south-east, with any houses in the south obscured by trees and vegetation (Appendix C1).

1.2.4 From houses south of the land, beyond the “wildlife reserve” to the south (Appendix C2)



1.2.5 From the edge of the woodland to the south-west, looking uphill towards the roundabout and filling station, which are out of view due to the contours of the land (Appendix D1).

1.2.6 From the northern part of the land, looking south, where distant properties can barely be seen (Appendix D2).

1.3 The land has a minimal amount of its perimeter adjacent to any residential dwellings, only 11% of the perimeter abuts the settlement edge, which are the rear gardens from Watling Street houses. The majority of the remainder of the eastern side is bounded by the Ancient Watling Street. To the west is a line of trees, that are thick in the south-west but sparse in the centre and the wildlife reserve is to the south. Appendix E details what land is adjoining the proposed site along its 1,365m perimeter.

1.4 Through the gaps in the trees to the west can be seen further open adjacent farmland. This is worked by the same farmer that works the Appellant land with the same grass crop usually grown on it. The two pieces of adjacent farmland are treated as one, with the farmer driving his tractor and other farming machinery between the two, through the large gaps in the treeline.

1.5 The proposed development would result in the loss of the rural character of the farmland, which together with the adjacent farmland and woodland, creates the only rural setting in this part of the district. Its removal would eliminate the separation and significantly impact the individual character of Park Street.

1.6 The change to the character and appearance of the site itself would be substantial, visually intrusive and could not be adequately mitigated.

1.7 The land is the demarcation of Park Street from St Albans, therefore is integral to Park Street retaining its individual village character.

## **2. Landscape and Visual Impact Assessment – Lockhart Garratt**

2.1 The above report (**CD1.22**) was produced on 13/1/22 in preparation for the submission of the planning application.

2.2 In 1.1 it states: “*This Landscape and Visual Impact Assessment (LVIA) has been prepared by Lockhart Garratt Ltd on behalf of M Scott Properties Ltd and others*” and then in 1.6 says: “*This report should be read in conjunction with all other information submitted **in support of the planning application**”.* This suggests that the report and its objectives are to support the application, rather than providing an independent assessment.

2.3 Reviewing the Baseline Assessment, the following should be noted:



*“3.34 - The Site lies within the Watling Chase Community Forest, close to its north-western extent”.*

*“3.35 - The purpose of the Watling Chase Community Forest is described within the St Albans District Local Plan review 1994 (Saved and deleted Policies version 2020) as follows. “The long-term vision for the forest is for widespread landscape improvement to provide a mosaic of land uses of predominantly broadleaved woodland, retained farmland and water features with increased opportunities for nature conservation, leisure and recreation.”*

The idea of building houses on such land, does not feature in the long term vision within the saved policies of the 1994 plan.

*“3.36. It is considered that whilst the Site is currently in agricultural use, its settlement edge location, with built form lying along two of its three boundaries somewhat diminishes this agricultural character, creating a transitional sub-urban character”.*

This is not the case at all. There are gardens backing onto only one side and not two, and only 11% of the perimeter of the land borders such gardens, 12 gardens in total. These gardens form a barrier with the associated houses which are set well forward, and in many cases cannot be seen from the land at all (Appendix F1). The agricultural character is very much in evidence and no such sub-urban character is created (Appendix F2).

*“3.37. The Site is read as part of the built form along Park Street, and it shares less of a relationship to the open countryside and Watling Chase Community Forest to the west of the Site”.*

Nothing could be further from the truth, the land is perceived for what it is, open countryside, in fact even more open than the adjacent land to the west, but very much a part of the large triangle of land of which both are part.

2.4 Section 4.4 references the Character Map of England produced by Natural England, with specific reference to National Character Area (NCA) 111 (**CD9.19**). The LVIA then states without basis:

*“4.5 Based upon the above appraisal, it can be concluded that the urban context of the Site is such that it only represents the character of the Thames Basin Heaths to a limited extent”.*

No such conclusion can be drawn from Natural England’s assessment. Instead on pages 50 it lists Landscape Opportunities, including:

- *“Protect and enhance the character of ‘undeveloped’ countryside on the edge of London, much assisted by significant areas of woodland cover, which retains a strong sense of*



*tranquillity and aids the retention of a clear distinction and separation between different settlements.*

- *Protect the overall agricultural diversity of the wider countryside with areas of arable, intensive horticulture and pasture, encouraging sustainable management to protect agricultural soils and enhance farmland biodiversity.”*

These opportunities would of course be lost with the development of this scheme

It would perhaps be more appropriate for the section to quote Natural England’s *raison d’etre* on page 70:

***“Natural England is here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England’s traditional landscapes are safeguarded for future generations”.***

2.5 4.6 to 4.14 quotes the Hertfordshire Landscape Character Area Assessment for 010 – St Stephens Plateau (CD9.20). Area 010 covers an area of approximately 2,500 hectares from Hemel Hempstead in the west to Watford in the South and Hertsmere in the east. In quoting from this assessment, the inference drawn could be that the comments relate specifically to this site eg

*“4.3 The evaluation of the landscape character area’s condition is considered to be moderate, and its robustness is considered to be weak. It is also noted that the impact of built development within the landscape is considered to be high”.*

However it is important to note that this statement, which derives from the assessment on page 27, refers to the entire 2,500 hectares, and not the 4.3 hectares which is subject to this appeal.

Notwithstanding the misrepresentation described, it fails to apply these definitions properly, omitting that the recommendation is to *“Improve and reinforce”* the landscape attributes, to address, for example the fact that the current impact on built development is high.

2.6 The Lockhart Garrett report then proceeds to make its own assessment, which is erroneous:

*“4.21. The presence of the existing settlement edge can be experienced along both the eastern and southern boundaries of the Site, where boundary vegetation is low or devoid”.*

Only 11% of the land is bounded by anything that could be described as settlement edge along the eastern boundary, and these are well concealed gardens. There is no settlement edge along the southern boundary, which is most certainly not devoid of vegetation. Rather there is an extensive densely vegetated wildlife reserve (Appendix G), and therefore the land does not exhibit settlement edge characteristics.





*“4.22. As a result, the Site displays a transitional sub-urban character and feels more connected to the settlement edge than to the arable land to the west, particularly in the northern and southern sections of the Site”.*

This statement is simply false, it does not at all display a transitional sub-urban character, is not connected to a settlement in the south as described above and there is no settlement in the north, apart from one old house, until the A414 has been crossed.

2.7 Sections 7 and 8 attempt to justify an assessment of a minimal adverse visual impact of the scheme. Discrepancies and surprising conclusions are too numerous to detail, but the following typifies some of the inaccurate and inappropriate statements:

*“7.41. Weak vegetation along the Site’s northern section of the eastern boundary allows for a clear connection between the northern section of the Site and the existing built form and road to the east. A lack of boundary structure along the southern edge of the Site, allows for a clear connection with the existing built form to the immediate south”.*

There is no such clear connection in the south due to the wildlife reserve, and in the following paragraph, they state the opposite argument that the “scrub” will “provide a wide offset”.

*“8.53. The wide buffer of overgrown grass and scrub that lies parallel to the Site’s southern boundary will also remain undeveloped, outside of the proposed development area, and therefore will provide a wide offset from the development Site and the existing dwellings”.*

The Appellant has no control over the land to the south which is privately owned, so cannot make any assumptions about the land continuing to provide a buffer.

The section uses three assumptions. Firstly, if the land adjoins any residential garden, that it “feels connected to the existing built form”; secondly, where there is no connection, just extensive views across the land, that are due to the lack of barrier obscuring the views, that it demonstrates a “clear connection .... to existing built form”; thirdly, where houses can be seen, but are not adjoining, pretend that they are adjoining and state “allows for a clear connection with the existing built form to the immediate south”.

Thus, no matter what the relationship is with the adjacent land, the report claims that the Appellant land is “connected” to built form, which can then be used to justify a false statement that it displays a “transitional sub-urban character”.

2.8 As highlighted in 2.2 above, this report uses its best endeavours to “support” the application, so cannot be regarded as an objective document.



### **3. Nicholson's Letter 8<sup>th</sup> August 2023**

3.1 On 8<sup>th</sup> August 2023 Nicholson submitted a letter on behalf of the Appellant (**CD2.22**), which contains inaccuracies and photographs open to misinterpretation.

3.2 Nicholson stated in relation to the 2013 SKM Final report (**CD14.1**), that Strategic Land Parcel 28 is “*one of a small number of sub-areas, all found to contribute least to the Green Belt purposes*”. This is incorrect since Strategic Land Parcel 28 is not a sub-area at all and all reviews, including SKM have stressed its importance in meeting Green Belt purposes. The original SKM report stated at page 50 of the Annex report (**CD14.2**):

*“Significant contribution towards maintaining the existing settlement pattern (providing gaps between St Albans and Park Street / Frogmore and How Wood)”*.

Nicholson appear to have mixed up the parcels of land that they were commenting on.

3.3 Nicholson glosses over how Arup judged the land to meet purpose b of the Green Belt. The reality is that Removal of this sub-area would merge the two communities west of Watling Street, with a continuous urbanisation from the Park Street roundabout to Park Street.

3.4 The letter then appears to attempt to diminish the attributes of the land in relation to its character, purposes and general qualities. Appendix H1 is a copy of the pictures in their letter.

3.4.1 The top picture suggests that there is “*a strong connection with the settlement edge*”, with a photo that appears to show houses adjacent to the land in the distance. However none of these houses are adjacent to the land, rather they are all on the eastern side of Watling Street, which has been the strong defensible boundary since the creation of Green Belt, but has been in situ for a couple of thousand years before the Romans paved it.

3.4.2 The second picture down, suggests that the treeline to the west of the land would serve as “*a strong defensible boundary*”. This is not correct. The angle that this photo is taken indeed gives the impression of a thick treeline, however Appendix H2 shows what it is actually like, when viewed straight on. Even Arup stated that if the development proceeded, “*The new boundaries would require strengthening.*” What has proved to be a strong defensible boundary is Watling Street which has defined the limit of the settlement for over 2,000 years.

3.4.3 On the matter of attempting to strengthen the boundary, the author of this report responded to the Landscape Team at Hertfordshire County Council on 30/5/22 (**CD2.11**), as follows:

*“With regard to mitigation measures, you have made the point that the western boundary of the Site should be planted with additional trees, creating a robust and continuous*





*boundary. This point is acknowledged, and additional areas of tree and shrub planting have been shown on the Illustrative Landscape Design Strategy. [Shown at Appendix I within updated LVIA.] It should however be noted, that due to the onsite constraints along this western edge of the Site including an existing easement and the provision of a new water attenuation feature within the south-western corner, **it may not be possible to plant a wide belt of trees along the entire length of this boundary**".*

Whilst there are doubts over whether extensive planting could ever make the treeline a strong defensible boundary, in the event that it was not possible to plant a wide belt of trees as described by the consultant, these doubts would be an even greater concern.

3.4.4 The third picture purports to show "*the presence of residential dwellings along the southern boundary*". This is not the case. There are no dwellings adjoining the land at the southern boundary and the picture is very misleading. Appendix I1 shows the actual situation with a photo from the other direction. Here can clearly be seen an extensive densely vegetated wildlife reserve in the foreground, with foliage growing to 3 metres high in the summer. This is privately owned Green Belt and there is no access across this land to the residential road of Old Orchard.

3.5 Arup awarded the land 5 out of 5 for Openness, which few objective observers would disagree with. In their attempt to suggest that the land should not be allocated this score for openness, Nicholson draw comparisons with the adjacent, larger parcel SA-107, which Arup rated at 3 out of 5 for this purpose. The reasons for this different classification is quite clear, in that much of the adjacent land cannot be seen, thus the visual element is reduced. However, this is not the case with the Appellant land.

3.6 In a further attempt to justify their argument, Nicholson draws comparison between the land in question and SA-113, which is to the south of Frogmore, and then states that because SA-113 scores 2 out of 5 for openness, SA-108 should as well. This argument is quite bizarre since it has none of the characteristics of the land in question. SA-113 comprises a large church, car park, cemetery and a minimal amount of grassland, all of which is visually obscured from the road. This is in complete contrast to SA-108, which incorporates no building of any form, is 100% agricultural and has a wide expanse of views from most directions. The difference between the two can clearly be seen in Appendix I2.

3.7 They proceed to state that "*Its settlement edge location creates a transitional suburban character.*" This is not correct. The land is 100% agricultural, with no built form or urban characteristics at all and is completely unspoilt. In fact, it resembles any field that could be found in the middle of the countryside.

3.8 Throughout this letter, Nicholson appear to attempt to add weight to contentious statements by adding "*in our professional opinion*". However, irrespective of their professional standing the facts must be considered on their own merits, and if their opinions, professional or otherwise, conflict with the facts, they should be disregarded.



3.9 Nicholson concluded:

*“In our professional opinion that parcel SA-108 should be scored 2 against purpose 3 of the Green Belt, which would give an Overall Performance of Weakly meets the assessment criteria”.*

As indicated above, we take issue with many of the points contained in Nicholson’s letter. The land is an extremely important *“Strongly Performing”* (Arup’s words) piece of Green Belt. It is beautiful open farmland, which is critical in retaining the separation between Park Street and St Albans, thus retaining the character of the Park Street settlement as a separate entity.

#### **4. Residential Island**

4.1 It has been demonstrated that the proposed development would have no access to any existing development close by. To the south is a wildlife reserve, preventing any public access to Old Orchard that lies beyond it, and there would be no physical access to that road either. To the west is Green Belt farmland with no public access. To most of the east is a busy road separating the development from other residences and the 12 houses whose rear gardens abut the land, are only connected for many residents by using a treacherous narrow track outside the development.

4.2 The development would thus assume a character of its own as a “Residential Island”, un-connected to existing development. It is an excellent example of why it is suggested in development plan making that building should only take place in buffers, if they are contiguous with existing development and not the “wrong” side of an effective defensible boundary, which is the case here, with Watling Street being that boundary.

4.3 This concept is explained in the methodology shown in Arup’s Green Belt Review (Final report, section 4.22). **(CD6.4)**

