

Rother Valley Railway

Proposed reinstatement of former Kent and East Sussex Railway
track (section between Northbridge Street and Junction Road)

Landscape and Visual Review

prepared by

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for

Temple Group Ltd on behalf of Rother Valley Railway Ltd

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Appendices

Appendix CT-A: Landscape and Visual Assessment Criteria

1. Introduction

1.1 Overview

- 1.1.1 In March 2020, I was commissioned by Temple Group Ltd on behalf of Rother Valley Railway Ltd (RVR) to carry out an independent review of landscape and visual matters relating to the proposal to reinstate a section of the former Kent and East Sussex Railway line. This report sets out the findings of my review.
- 1.1.2 My qualifications and relevant experience are set out at the end of this section.
- 1.1.3 The background to the proposed development (or 'scheme') is summarised below.
- 1.1.4 Section 2 explains the purpose and scope of this commission and sets out the key issues which are addressed. Section 3 describes the methods used and processes followed. A summary description of the scheme is provided in Section 4, Section 5 comprises the review of landscape and visual effects, and Section 6 sets out conclusions and recommendations.

1.2 Summary of Background to Current Scheme

- 1.2.1 The proposed scheme comprises the reinstatement of a c. 3.4km section of the former Kent and East Sussex Railway (K&ESR). Constructed in the early 20th century, it ran between Robertsbridge and Headcorn in Kent. The service was closed to passengers in 1954, and to freight in 1961.
- 1.2.2 Over the last 20 - 30 years, sections of the line have been reinstated incrementally (the project has been driven by RVR in association with K&ESR, much of the work apparently having been carried out by volunteers with inputs from professional consultants).
- 1.2.3 Today, along the River Rother valley between Tenterden and Bodiam, it operates as a 'heritage' steam railway, used by both tourists and businesses (the trains can be chartered). The westernmost section, between Robertsbridge train station and Northbridge Street, has also been reinstated, linking directly to the mainline Hastings to Tunbridge Wells railway.
- 1.2.4 Now, reinstatement of the 'missing' section between Northbridge Street and Junction Road (B2244) is required in order to allow trains to run between Tenterden and Robertsbridge stations (the track between Bodiam station and Junction Road has already been laid).
- 1.2.5 When the studies began, none of the land over which the railway would pass was owned by RVR, and comprised three separate landownerships (the railway corridor land was sold after the line was closed). Subsequently, the easternmost landholding was sold to RVR, and one section has already been built out.
- 1.2.6 The proposal is for the reinstated section to follow the original route (as far as I am aware, the former track bed is extant along the eastern half of the section, but the track in the western half has been pulled up and the land restored to agricultural use).
- 1.2.7 In c. 2011, RVR began to prepare for the future planning application. Due to factors such as the development's nature, size and location, and the potential for it to give rise to 'significant' effects, it fell under Schedule 2 Category 10d (Infrastructure projects: Construction of Railways) of the *Town and Country Planning (Environmental Impact Assessment) Regulations 2011*, and thus an Environmental Impact Assessment (EIA) was required.
- 1.2.8 In **October 2013**, RVR issued a formal scoping opinion request to the local planning authority (LPA) Rother District Council (RDC) to determine the scope of the EIA and content of the Environmental Statement (ES) that would accompany the planning application. Section 10

- dealt with *Landscape and Visual Impacts*¹, and the issues identified as 'key landscape or visual considerations' included the fact that the proposed development is situated entirely within the High Weald Area of Outstanding Natural Beauty (AONB).
- 1.2.9 RDC's formal scoping opinion was published in **January 2014**. The scope of the Landscape and Visual Impact Assessment (LVIA) was agreed², although some additional information was requested.
- 1.2.10 Other aspects of scoping are discussed in the following sections where relevant to specific matters.
- 1.2.11 In **June 2014**, RVR submitted a planning application to RDC for reinstatement of the former railway between Northbridge Street and Junction Road (application ref RR/2014/1608/P).
- 1.2.12 Due to what are described as 'minor' changes to the scheme design in response to ongoing discussions with the Environment Agency, and the county ecologist's request for further ecological assessment, the determination date was extended until February 2017.
- 1.2.13 In **November 2016**, an addendum to the ES was submitted which set out further explanation and information in relation to the assessment of ecological effects, and provided updates on the other topic assessments in response to the scheme changes, which included lowering the embankment between the A21 crossing and Salehurst, and changes to bridges and culverts mainly resulting from the former. Four bridges were also added.
- 1.2.14 The 2016 addendum reported the findings of the additional landscape and visual assessments carried out to determine whether the proposed changes would affect the previous conclusions. The LVIA author's opinion was that they would not.
- 1.2.15 The scheme was granted planning consent in **March 2017**, subject to a number of conditions including submission of a landscape and ecology management plan prior to construction commencing on site (the document was produced in February 2019).
- 1.2.16 The 9th February 2017 committee report states: *'The principle of reinstating the railway is supported in planning policy (saved Local Plan Policy EM8) subject to satisfying the specified criteria set out in full at section 1.2.1 above relating to: i) the floodplain, ii) the AONB, and iii) arrangements for crossing the three roads'*.
- 1.2.17 In terms of ii) the AONB, Policy EM8³ stated that the extension would be supported so long as *'it has an acceptable impact on the High Weald Area of Outstanding Natural Beauty'*.

¹ In many environmental assessments the words 'impact' and 'effect' are used interchangeably; however, the interpretation I use is 'an impact is an action that causes certain changes, and effects are the changes that arise as a consequence of that impact'. The LVIA's interpretation is: *'Landscape impacts relate to physical changes to the nature and quality of the individual landscape elements and characteristics on the site itself and the consequential effect of these changes on the landscape or townscape character of the surrounding areas'*.

² The purpose of LVIA is to provide objective, evidence-based information that informs the decision-making process. An LVIA should explain the implications of the proposed change for both landscape character and visual amenity, and whether or not it would have undue consequences for the maintenance of the baseline situation and / or the achievement of landscape planning policies and strategies.

³ Policy EM8 was a 2006 Local Plan policy relating specifically to the extension of the railway. It was 'saved' in the Rother Local Plan Core Strategy (adopted in September 2014). The 2017 committee report refers to the draft Development and Site Allocations (DaSA) Local Plan that was being produced at the time, which would implement the development strategy and policies set out in the core strategy, allocate sites for particular uses, and set out more detailed policies *'for the effective management of development in relation to key issues'*. The committee report explains that *'the proposal in the DaSA is that a positive policy is retained to support the continued allocation for the re-instatement of a railway link from Robertsbridge to Bodiam along its original route. The proposed DaSA policy is RVR1'*. The DaSA was published in December 2019, but did not include policy RVR1, presumably because the scheme had already been granted consent.

- 1.2.18 The committee report notes that the AONB Unit *'has raised no overall objection in principle'*, and that *'The [applicant's] assessment has identified that the heritage railway scheme would have an acceptable impact on the character of the High Weald AONB'*.
- 1.2.19 However, although the Unit's informal scoping opinion (in an email dated 13th August 2013) had stated *'I do not anticipate major impacts on the features of the landscape'*, the Unit's letter of 7th January 2015 had raised concerns, the author stating that *'Without a full appraisal against the AONB management plan, I am not yet in a position to assess and then advise you whether the proposed development either supports or is in conflict with the objectives of the AONB management plan and, in my opinion, this makes it difficult for Rother District Council to gauge whether the proposed development's benefits outweigh its potential adverse impacts or harm to the AONB'*.
- 1.2.20 Indeed, the issues raised by the Unit in January 2015 were not addressed in the 2016 ES addendum.
- 1.2.21 Because the proposed development is a railway, the granting of planning permission is not sufficient to allow lawful implementation of the scheme: before this can happen, the proposals must be assessed and approved by the Secretary of State (SoS) for transport.
- 1.2.22 The second stage of the project therefore entailed submission of an application by RVR to the SoS for a Transport and Works Act Order (TWAO)⁴, which would authorise RVR 'to construct, operate and maintain' the new railway, and enable the compulsory acquisition of land.
- 1.2.23 As part of the application process, in **May 2017**, RVR sought a scoping opinion from the SoS, which was received the following month.
- 1.2.24 The scoping opinion confirmed that the environmental information contained in the 2014 ES and 2016 ES addendum *'would provide an ES of sufficient scope for the purposes of a TWA application'*; however, this was subject to the qualification - under the heading 'Landscape and Visual Amenity' - that *'The ES should pay due attention to the importance and relevance of the High Weald AONB Management Plan: appraising the proposed scheme against all the key landscape components and objectives in the management plan, identifying whether the scheme meets or brings about conflict with those components and objectives'*.
- 1.2.25 That response is taken from the AONB Unit's January 2015 letter, an extract from which is set out below:
- *The ES clearly recognises the existence of the AONB designation but the only reference to the High Weald AONB Management Plan is a footnote in the report, which leaves the impression that the importance and relevance of the management plan has not been understood. The landscape section of the ES has concentrated on the potential visual impact that may be caused by looking at views to the site and while this is welcome, an assessment of a range of views is not sufficient to explain and/or justify the development's potential impacts (positive or negative) to the landscape itself. Of course, many people rightly value and celebrate the scenic beauty of the High Weald but the landscape is more than just the view and the ES should carefully appraise the proposed development against all the key landscape components and each objective in the AONB management plan and identify whether the proposal meets or brings about conflict with those components and objectives.*

⁴ The Department for Transport (DfT)'s publication *Transport and Works Act orders - A brief guide* (July 2013) explains that a TWAO *'is the usual way of authorising a new railway or tramway scheme in England and Wales, except for nationally significant rail schemes in England which require development consent under the Planning Act 2008... The procedure that has to be followed allows any interested person to have their say before the Secretary of State... [takes] their decision... The purpose of the procedure is to allow the Secretary of State... to come to an informed view on whether it is in the public interest to make the TWA order'*.

- *The ES does make reference to the High Weald AONB and it lists the five key landscape character components (section 8.4.4) outlined in the AONB management plan but there is no analysis of how this proposed development may directly or indirectly affect these components. This may explain why the ES has not, for example, shown how the proposal may increase opportunities for learning about and celebrating the landscape of the High Weald; identified either the historic routeway that runs the length of Beech House Lane south across the floodplain to Robertsbridge Abbey or the surviving historic field boundaries close to the proposed route; or recognized that the proposed use of culverts within watercourses may be in conflict with the AONB management plan's objective to promote the restoration of naturally functioning river catchments.*
- 1.2.26 As mentioned above, the LVIA (see Chapter 8 of the 2014 ES) had concluded that the scheme would have *'an acceptable impact upon the character of the High Weald AONB'*, and during the 2013 scoping process, whilst the Unit emphasised the importance and relevance of the High Weald AONB Management Plan and the need to appraise the proposed scheme against the key landscape components and objectives, the Unit's opinion was that they did *'not anticipate major impacts on the features of the landscape'*.
- 1.2.27 Nonetheless, the 2014 LVIA did not properly consider the scheme against the AONB plan's objectives (although the 2017 ES addendum states that *'the objectives set out in the AONB Management Plan were used to develop the Landscape Strategy for the scheme'*), and so, in the light of the SoS's scoping opinion, in **October 2017** a second ES addendum was published, the stated purpose of which was to *'provide further explanation and clarification of the impacts of the proposed Scheme against the key landscape components and objectives described in the AONB Management Plan and identifying, in each case, whether the scheme is in accordance with or in conflict with those components and objectives'*.
- 1.2.28 The addendum *'also describes the potential contribution of the Scheme to the associated objectives that seek to conserve and enhance the natural beauty of the area. Finally, consideration is given to the opportunities presented by the scheme to contribute positively to the understanding and enjoyment of the AONB'*.
- 1.2.29 These matters are covered further in the sections below, but in summary, the 2017 ES addendum stated that in terms of effects on the AONB in particular, *'the conclusions previously reached by the main ES remain fully valid'*. It also stated that *'there will be no material adverse change to the assessments previously undertaken... arising from the proposed changes to the Scheme design required by the Environment Agency to address flood risk'*.
- 1.2.30 Prior to its publication, a draft of the 2017 ES addendum was sent to consultees including the High Weald AONB Unit. The Unit's response was, *'Broadly it is considered that this appraisal is at an acceptable level of detail'*. However, the Unit suggested that a number of matters should be *'amended / added to the appraisal for completeness'*.
- 1.2.31 The Unit's comments were taken on board, and the addendum was revised accordingly.
- 1.2.32 The TWAO application was made in **April 2018**. A date was set for the associated public inquiry, but RVR requested a delay until early 2020, which was granted by the SoS, *'to allow for further information to be provided to address the concerns raised by Highways England and the Office of Rail and Road [ORR]'*. These concerns mainly related to the proposed A21 crossing, and the need for alternative solutions to be considered, but ORR also asked for options studies to be carried out for proposed crossings at Junction Road, Salehurst Bridleway, and Northbridge Street.
- 1.2.33 Also, additional temporary land-take for construction purposes and some street-lighting were

found to be needed and effects arising from these required assessment, as did effects that could potentially arise as a consequence of the allowable spatial deviation that the order confers on the scheme design.

- 1.2.34 The inquiry start date was subsequently rescheduled to **26th May 2020**, but had to be postponed due to the Covid-19 crisis. As far as I am aware, a new date has not been set, but documents are to be submitted in accordance with the original programme.

1.3 Relevant Experience

- 1.3.1 I am a Chartered Member of the Landscape Institute (CMLI), a Fellow of the Royal Society of Arts (FRSA), and a Member of the International Association for Landscape Ecology (MIALE). I specialise in landscape, environmental and colour assessment / planning, masterplanning and design, and have done so for over 35 years. I am currently a freelance consultant, but ran my own multidisciplinary practice with offices in the UK and France in the 1980s and 90s, and I have worked in both public and private sectors.
- 1.3.2 I have been instrumental in the promotion of the 'landscape-led and iterative' approach to development, which is now being adopted by local planning authorities and other bodies. I was a contributor to the Landscape Institute's *Guidance for Landscape and Visual Impact Assessment* 1st edition, and a reviewer of the current 3rd edition ('GLVIA3'). I am a member of Landscape Institute and Natural England working groups tasked with updating current guidance, and recently, providing consultation responses to the revised NPPF, the Government's 25 Year Environment Plan, and the Agriculture Bill.
- 1.3.3 In the 2000s, my main focus was on delivering large-scale, high-profile projects throughout the Middle East and Europe, working with architects such as Norman Foster and Richard Rogers, liaising with / presenting to governments, NGOs and clients, and managing EIA / design teams. Schemes included a £26 billion 'eco-resort' with major infrastructure in Montenegro, the offshore expansion of Monaco, a new marina in Gibraltar, and the regeneration of Longbridge (Birmingham).
- 1.3.4 Today, much of my work involves local communities, carrying out landscape and visual assessments for, and providing ongoing advice on, neighbourhood plans, helping people to develop a more in-depth and informed understanding of their landscapes, and 'landscape value'. In March 2020, I was invited to give a presentation on 'valued landscapes' at the Planning Inspectorate's Annual Training Event, and I am currently helping the Landscape Institute develop technical / guidance notes on the subject.
- 1.3.5 I regularly advise and produce guidance for AONB Units and local planning authorities, and am a member of design review panels. I am regularly called as an expert witness for planning inquiries, giving evidence on behalf of appellants, defendants, and 'Rule 6' Parties.

2. Purpose and Scope of Commission

- 2.1 The aim of this commission was to determine, through independent assessment, a) whether the findings of the landscape and visual studies carried out between 2013 and 2017 can be relied on for decision-making purposes, and b) whether any matters arising since 2017 required further study. In the event that they did, and subject to further instruction if required / time available, I would carry out the necessary studies and report the findings.
- 2.2 It is understood that the assessment will be included in an overall "revalidation report" which will form part of the evidence being considered at the forthcoming inquiry.
- 2.3 Having agreed the scope of the commission, I carried out preliminary studies to establish the background to the scheme and the details of what is proposed. I used this information to help me determine what the key issues were that my assessment would need to focus on.
- 2.4 The consent granted in March 2017 was (and still is) subject to a number of conditions including - prior to construction commencing on site - the submission of '*details for the planting proposals, details of any footpaths, fencing, lighting and a Landscape and Ecological Management Plan for the life of the scheme, to be approved by the local authority*' (2017 ES addendum). Some of this information has already been submitted to the LPA.
- 2.5 On that basis it must be assumed that (notwithstanding the AONB Unit's comments) the LPA had no residual concerns about landscape and visual effects, was satisfied that levels of effects were acceptable, and confident that the proposed mitigation / enhancement / compensation measures could be secured and delivered.
- 2.6 Also, whilst there were objections to the scheme from people living in local communities, the majority of the objections related to concerns about flooding and traffic (including safety at railway crossings and parking). Effects on biodiversity, public rights of way and the economy were also raised as concerns.
- 2.7 The committee report includes one response which states that the new railway would be 'an ugly scar' and an 'eyesore' within the 'very beautiful' AONB landscape, and one which refers to the proposal being contrary to AONB Management Plan Objective FH1, which relates to securing agriculturally-productive fields.
- 2.8 Otherwise, the general consensus appears to be that the landscape and visual effects that would arise from the scheme are not an issue.
- 2.9 The 2017 ES addendum was produced in order to address the AONB Unit's requirements for further information / assessment, reiterated in the SoS's June 2017 scoping opinion, i.e. *appraising the proposed scheme against all the key landscape components and objectives in the management plan, identifying whether the scheme meets or brings about conflict with those components and objectives*'.
- 2.10 As far as I am aware, the 2017 addendum satisfied the AONB Unit's concerns and no residual matters remain (apart from the need to assess effects arising from subsequent scheme changes); however, I still considered it necessary to review both the 2014 LVIA and the 2017 ES addendum, to draw my own conclusions about whether the findings of the studies could be relied upon.
- 2.11 Although the scope of the commission did not include dealing with planning policy *per se* (this has been / will be covered in Temple Group Ltd's submissions), my assessment does take into account and considers the requirements of relevant policy and material guidance where appropriate.

- 2.12 It must be noted that both policy and guidance have 'moved on' since 2013 / 14 when the EIA was being carried out. For example, the first version of the National Planning Policy Framework (NPPF) had been published (in March 2012), but it was revised in October 2018 and again in February 2019.
- 2.13 The LVIA in the 2014 ES referenced the 2004 version of the High Weald AONB Management Plan, which set out the strategy for a 20-year period (although version 2 appears to have been launched in April 2009 and remained valid until 31st March 2014).
- 2.14 The 2014-19 version was current when the 2017 ES addendum was produced and is the source of reference for that study. However, since then, the 2019-24 version has been published.
- 2.15 Based on the above, I concluded that the commission's objective was to address the following key issues:

Key Issue 1: Whether the 'quality' / adequacy / validity of the landscape-related material submitted with the application and subsequently in relation to comments made by consultees is acceptable / valid, and whether the studies' findings are reliable.

This will entail reviewing the LVIA and other studies, checking methods used and approaches followed, and carrying out high-level baseline, effects and other assessments in order to determine whether the studies' findings are valid.

The assessment will need to factor in a) any previously unidentified baseline information, and b) any material changes to the baseline situation, and / or the planning and / or guidance context that could affect the LVIA and other studies' conclusions.

The assessment will note if additional information is required and / or further studies / actions are recommended in the light of the findings.

Key Issue 2: Landscape and visual effects arising from scheme design changes made subsequent to the 2017 studies have not been assessed by the applicant (as far as I am aware, the only changes relevant to landscape and visual matters are a) the requirement for additional land-take during construction, and b) street-lighting). Nor have effects that could arise as a consequence of the allowable spatial deviation the order confers on the scheme design.

The necessary assessments will be carried out as part of this commission, and if additional information and / or further studies / actions are required, it will be noted.

Key Issue 3: This relates to the High Weald AONB and the need to establish whether, in the light of the AONB Unit's January 2015 letter and the SoS's associated June 2017 scoping opinion, the 2017 ES addendum has paid '*due attention to the importance and relevance of the High Weald AONB Management Plan: appraising the proposed scheme against all the key landscape components and objectives in the management plan, identifying whether the scheme meets or brings about conflict with those components and objectives*'.

Because the AONB Management Plan has been revised since the 2017 ES addendum was published, the assessment will also need to establish whether there are material differences between the two versions of the Plan, and if there are, to carry out the above exercise in relation to the current Plan, to include the new scheme elements / factors.

3. Method and Process

- 3.1 For commissions such as these I follow the methods, processes and techniques set out in relevant published guidance and 'topic papers'⁵.
- 3.2 The approach adopted here is set out below; however, it must be noted that to date (report submitted April 2020) it has not been possible to carry out site visits due to the imposition of travel restrictions during the Covid-19 crisis.
- 3.3 Under normal circumstances, on-the-ground surveys would have been undertaken as soon as the desktop studies were complete, to reinforce / augment the findings and identify interim baseline changes such as loss / growth of vegetation. At the same time or later, the area would have been visited a) to assess landscape and visual effects in order to 'test' the findings of the applicant's studies, and b) to assess landscape and visual effects arising from the proposed additional land-take, street-lighting, and potentially, from spatial deviation.
- 3.4 In my experience, if working remotely is the only option, it is easier to analyse baseline landscape character and assess likely effects as a 'desktop' exercise, using maps, Google Earth and available photographs, than it is to analyse the baseline visual situation and visual effects. However, there are aspects of landscape character that cannot be appreciated without visiting the place, especially condition / quality, and qualities such as sound and smell.
- 3.5 If time permits, when travel restrictions are lifted, site visits will be carried out and this report will be updated accordingly.

ADOPTED APPROACH

- i. Carry out desktop study to establish:
 - a) scheme background
 - b) current baseline landscape and visual situation
 - c) key landscape and visual issues
 - d) landscape and visual receptors
 - e) current planning policy and guidance context
 - f) scheme changes from inception to date.
- ii. Review landscape-related information submitted with both planning and TWAO applications including 2014 ES, and 2016 / 2017 addenda.
- iii. Review comments made during consultation, and responses.
- iv. Analyse findings.
- v. Compare existing baseline situation with situation in 2013 and 2017, note any changes, and assess whether assessments' findings are still valid.

⁵ *Landscape Character Assessment Guidance for England and Scotland* The Countryside Agency and Scottish Natural Heritage (2002); *Topic Paper 5: Understanding Historic Landscape Character* (ditto); *Guidelines for Landscape and Visual Impact Assessment 3rd Edition* (2013) Landscape Institute / Institute of Environmental Management and Assessment (usually referred to as 'GLVIA3'); and *An Approach to Landscape Character Assessment* (October 2014) Natural England. In June 2019, Natural England published *An Approach to Landscape Sensitivity Assessment* which is said to 'replace' The Countryside Agency and Scottish Natural Heritage's 2002 *Topic Paper 6: Techniques and criteria for judging sensitivity and capacity*; however, the former does not deal with capacity. Topic Paper 6 is still a useful source of reference, but many LSCA practitioners including myself now follow the principles set out in GLVIA3 to draw conclusions about both sensitivity and capacity.

- vi. Carry out preliminary assessment of effects.
- vii. Compare and test my findings with those of submitted documents.
- viii. Write up findings, conclusions and recommendations (desktop study only).
- ix. Reinforce / augment desktop study and review findings with on-the-ground surveys.
- x. Carry out site visits to complete effects assessments.
- xi. Following site visits, update findings, conclusions and recommendations.

4. Proposed Scheme

4.1 Description of Development

- 4.1.1 The proposed scheme comprises the reinstatement of a c. 3.4km section of the former Kent and East Sussex Railway line.
- 4.1.2 When the 2014 planning application was submitted, the scheme comprised the following (list below taken from the ES), all of which were the subject of the 2014 LVIA:
- 3.4km of new track;
 - three at-grade full carriageway level-crossings on Northbridge Street, the A21, and the B2244 Junction Road;
 - a signal cabin located adjacent to the A21 level-crossing and walking route adjacent to the north side of the railway between Northbridge Street and the signal cabin;
 - a footpath and a combined footpath and bridleway at-grade crossing;
 - new bridge crossings of the River Rother and Mill Stream;
 - a new unmanned halt serving the village of Salehurst (timber construction, 120m in length);
 - replacement of an existing bridge crossing of the River Rother (Bridge 26 located adjacent to / west of the passing-loop);
 - a train passing-loop to the west of Junction Road;
 - 5 no. agricultural access points crossing the railway;
 - 22 no. box culverts, pipe culverts and underbridges along the length of the reinstatement to maintain ditches and field drainage; and
 - operational track infrastructure (e.g. signalling).
- 4.1.3 Detailed designs for scheme elements such as planting, footpaths, fencing and lighting, and plans for how these would be maintained and managed in future, were to be the subject of planning conditions if the scheme was approved.
- 4.1.4 Following submission and prior to determination in March 2017, a number of changes were made to the scheme, including:
- lowering the embankment between the A21 crossing and Salehurst;
 - changes to bridges and culverts mainly resulting from the former; and
 - the addition of four bridges.
- 4.1.5 Effects arising from these were considered and reported in the 2016 ES addendum.
- 4.1.6 In terms of land-take, the 2017 ES addendum stated that *'The Scheme will require approximately 6.2 hectares (ha) of permanent landtake. Approximately 3.4 ha of the land required (54% of the total area required) consists of the former railway corridor, which has remained largely intact since the line was decommissioned. An additional 0.7 ha will be required on a temporary basis in order to facilitate construction. The proposed permanent and temporary land take is shown in Figure 2.4, Volume 4'*.
- 4.1.7 During 2018 / 19, more granular studies were carried out to inform the detailed designs, technical specifications and cost estimates; the studies found that more land than had originally been envisaged would be required to build the scheme.
- 4.1.8 The latest estimates (provided 15th April 2020) are that the permanent land-take requirement is c. 7.2ha (note this figure includes c. 0.92ha of land which accommodates the built out section

at the easternmost extent of the scheme), and the temporary land-take requirement is c. 1.51ha.

- 4.1.9 The proposed level crossings have also been subject to further assessment (and alternative options have been considered) at the request of the ORR (Highways England (HE) did not object to the planning application, but requested a number of conditions). As far as I am aware, currently (April 2020), the applicant does not propose any changes to the designs of the crossings, although this is subject to comments from the consultees.
- 4.1.10 However, I am advised that for safety reasons, there is now a requirement for a c. 40m length of street-lighting to be installed along the A21, north of the proposed level-crossing. This requirement had not been identified when the studies were being carried out.
- 4.1.11 In addition, the 2017 ES addendum states that *'Information would be supplied to the users of the Scheme about the railway and the engines, but it is anticipated that the literature could also provide material about the character of the AONB and opportunities for people to get involved with other conservation and enhancement initiatives. Such information could also be presented on information boards at suitable locations along the reinstated route'* and *'Subject to the approval of the local highway authority, RVR proposes to include information about the AONB at the Robertsbridge terminus and at appropriate locations along the route'*.

4.2 Mitigation / Enhancement / Compensation

- 4.2.1 It is important to understand the difference between mitigation, enhancement and compensation, especially from a decision-making perspective, and the difference between the three must be clear in the assessments.
- 4.2.2 The purpose of mitigation is to avoid, reduce, and if possible remedy 'significant' (or 'unacceptable' levels of) adverse effects identified during the assessment process. Mitigating measures in themselves cannot be 'double-counted' as 'enhancements'.
- 4.2.3 Enhancement has a different purpose to that of mitigation; in an assessment / planning context it means *'any proposals that seek to improve the landscape and / or visual amenity of the proposed development site and its wider setting beyond its baseline condition'* (GLVIA3 para. 3.39).
- 4.2.4 Examples include a) planting which is not required to reduce levels of adverse landscape and / or visual effects, but is proposed to restore / improve local landscape character, and b) improved land-management, or new habitat creation (so long as it is neither mitigation nor compensation).
- 4.2.5 If adverse effects are unavoidable and are unacceptable, then compensation may need to be considered. The aim should be to replace like with like or, where this is not possible, to provide features of equivalent value.
- 4.2.6 A variety of mitigating measures are proposed as part of the scheme, and where relevant these are described in the following sections.
- 4.2.7 It should be noted that there is some uncertainty about whether all the measures can be secured / will be effective. For example, ES LVIA Chapter 8 para. 8.7.1 states: *'It is anticipated that planting measures will be provided wherever it would mitigate a significant effect and would be both feasible and appropriate. However, these measures will need to be coordinated with other issues, such as the on-going function of the flood defence measures, in particular hydraulic connectivity across the embankment. Consequently, there are some uncertainties about the form and location of the planting proposals at this stage'*.

- 4.2.8 As far as can be ascertained, no landscape or visual enhancements are proposed, and no landscape / visual compensation is considered necessary.
- 4.2.9 The LVIA does note and factors in *'the potential beneficial effects due to the historic value of the restored railway'*, and the 2017 ES addendum identifies scheme benefits in terms of the contribution made by the reinstatement of the railway to AONB Management Plan's objectives (for further information see Section 5.7).
- 4.2.10 ES Chapter 9: Ecology and Nature Conservation states that there will be beneficial effects on certain habitats and species, and that *'a package of habitat compensation measures has been developed to minimise the potential footprint of the proposed route where it unavoidably affects ecological receptors'*.
- 4.2.11 Other positive and negative effects of the scheme are described in the ES and other documents, and where relevant to landscape and visual matters, in the following sections.

5. Landscape and Visual Effects

5.1 Overview

- 5.1.1 The aim of this commission was to determine a) whether the findings of the landscape and visual studies carried out between 2013 and 2017 could be relied on for decision-making purposes, and b) whether any matters arising since 2017 required further study. In the event that they did, and subject to further instruction / time available, I would carry out the necessary studies and report the findings.
- 5.1.2 In summary, as explained in Section 2 above, my preliminary review concluded that specific effects on landscape and visual amenity *per se* were not at issue here (apart from the need to assess effects arising from later scheme changes, which were not assessed in the applicant's studies), and that following publication of the 2017 ES addendum, no residual concerns about landscape and visual matters remained. However, I still considered it necessary to review both the 2014 LVIA and the 2017 ES addendum, to draw my own conclusions about whether the findings of the studies could be relied upon.
- 5.1.3 This section considers the landscape and visual effects likely to arise from the proposed development, but in the light and context of the factors and matters set out in the previous sections. It addresses the key issues set out in Section 2 above, in the order in which they are listed.
- 5.1.4 Due to travel restrictions imposed during the Covid-19 crisis, I was unable to visit the site prior to completion and submission of the review. Although it is usually possible to adequately analyse baseline landscape character and assess likely effects as a 'desktop' exercise only, using maps, Google Earth and available photographs, there are aspects of landscape character that cannot be appreciated without visiting the place, especially condition / quality, and qualities such as sound and smell. Analysing the baseline visual situation and assessing visual effects tends to be much more difficult, for obvious reasons.
- 5.1.5 If time permits, when travel restrictions are lifted, site visits will be carried out and this report will be updated accordingly.

5.2 LVIA Review: Introduction

- 5.2.1 **Key Issue 1** relates to whether the quality / adequacy / validity of the landscape-related material submitted with the application and subsequently in relation to comments made by consultees is acceptable, and whether the studies' findings are reliable.
- 5.2.2 The exercise began with a review of the LVIA and other studies carried out by the consultants, checking methods used and approaches followed.
- 5.2.3 The applicant's LVIA was carried out in 2013 / 14, and was based on methods and approaches set out in published guidance.
- 5.2.4 It broadly followed the third edition of the Landscape Institute's *Guidance on Landscape and Visual Impact Assessment* (usually known as 'GLVIA3': this had only recently been published - in April 2013 - and the 2nd edition of the guidance had undergone considerable revision). GLVIA3 is, of course, only guidance: it does not advocate an 'exclusive' approach, and the NPPF doesn't attribute primacy to it; nonetheless, over time it has become widely respected and accepted as best practice.

- 5.2.5 However, the LVIA has a number of shortcomings. Also, the LVIA reports that some of the measures recommended to reduce levels of landscape and visual effects could not in fact be implemented due to conflict with other aspects of the scheme. In addition, the assessments were carried out and judgements made without the benefit of on-site surveys (the landowners did not allow access), although a worst-case scenario was adopted. Where relevant, these matters are noted in the sections below.
- 5.2.6 The LVIA also followed published guidance on the use of photography and photomontage, and landscape character assessment⁶, and made reference to the Department for Transport (DfT)'s web-based guidance 'WebTAG'⁷.
- 5.2.7 The 2017 ES addendum notes that '[it] will, together with the 2014 ES and 2016 EA Addendum, support the TWA Order application for the Scheme and as such all three should be read in conjunction with each other'.
- 5.2.8 The 2016 ES addendum included consideration of effects arising from new scheme elements, but the technical assessment itself was not provided, and the conclusions were summarised.
- 5.2.9 The 2017 ES addendum 'provides further clarification relating to the scope and assessment of landscape and visual impacts in the 2014 ES insofar as they relate to the High Weald AONB's consultation response to the DfT', and considered effects on heritage assets (see Scoping section below), but otherwise did not address landscape and visual effects *per se*.

5.3 Scheme Design, Baseline and Policy Changes

- 5.3.1 As explained in the previous sections, since the LVIA was completed in 2014 there have been several changes to the scheme, including to the design, in planning policy and guidance, and in the landscape and visual baseline situation.

SCHEME DESIGN CHANGES

- 5.3.2 The original scheme design and the subsequent changes are set out in Section 4 above.
- 5.3.3 Effects arising from changes made to the scheme between 2014 and 2016 were considered and reported in the 2016 ES addendum. In terms of landscape and visual effects, the addendum concluded: '*While there are likely to be changes to landscape views as a result of the amendments to scheme design, with the addition of four bridges (Bridge 5A, Bridge 15, Bridge 16 and Bridge 17), these are not likely to result in any material changes to the significance of predicted landscape and visual impacts reported in the ES.*
- 'There are unlikely to be any changes to the landscape character assessment reported in the ES as a result of the changes to scheme design. The ES concluded that the landscape would not be degraded as a result of the Scheme due to the existing high level of woodland cover, and the ability of the proposals to retain the visually significant vegetation within the permanent land take of the Scheme'*
- 5.3.4 Effects arising from the post-2017 changes to the scheme design (additional land-take and street-lighting), and potentially, from the spatial deviation, were not assessed by the

⁶ *Photography and Photomontage in Landscape and Visual Impact Assessment Landscape Institute Advice Note 01/11* (this was replaced by *TGN 06/19 Visual Representation of development proposals* in September 2019), and *Landscape Character Assessment Guidance for England and Scotland* The Countryside Agency and Scottish Natural Heritage (2002).

⁷ Para. 8.3.7 of the LVIA states: '*Further useful guidance is provided by WebTAG, the Department for Transport's (DfT) webbased guidance for the appraisal of the impacts of transport schemes on landscape and townscape character and Volume 11 of the Design Manual for Roads and Bridges (DMRB). While the proposed Scheme is not specifically road traffic related, it is nevertheless a linear transportation feature, so limited reference to this guidance has been made where relevant.'*

applicant's consultants, and so have been the subject of my own assessment, the results of which are set out in Sections 5.5 and 5.6 below.

CHANGES TO LANDSCAPE & VISUAL BASELINE / NEW INFORMATION

- 5.3.5 The LVIA was carried out during 2013 / 14 i.e. over six years ago.
- 5.3.6 Para. 8.3.29 explains that *'The identification of baseline conditions must take into account predicted changes that would occur prior to the construction or opening of the Scheme, and that are entirely independent of the proposed Scheme. The baseline for impacts for the construction of the Scheme is therefore the situation as it is predicted to be at the start of construction'*.
- 5.3.7 In fact, the LVIA concludes that *'No changes to the landscape described in the LVA Photographs, (with the exception of minor growth of vegetation and winter/ summer leaf cover) are anticipated prior to the commencement of works on the Scheme'*). However, at that time, subject to obtaining consent, the works were scheduled to commence in July 2015, so the 'natural' landscape changes would indeed have been very small. In any case, predicting landscape change is not an exact science as there are so many variables and 'unknown unknowns' to factor in.
- 5.3.8 The most obvious changes that could occur in the interim period are to landscape elements and features, and landcover. For example, in the hiatus, trees and hedges may have grown taller, or they may have died / been removed; new trees and hedges may have been planted. There could have been changes in landuse and / or management practices.
- 5.3.9 Such changes can affect character and visual amenity (for better or worse), but they can also alter conclusions about the levels of effects arising from a scheme (for example if vegetation is relied on to screen certain views, which it is in this case - see Visual Effects section below).
- 5.3.10 Without the benefit of a site visit, it has been difficult to evaluate what changes have occurred since then, and whether / how those changes might affect judgements that were made if / when the situation was different. However, it has been possible for me to make certain assumptions based on Google Earth and Streetview, so that is the basis for this review at present. Where there is uncertainty, it is noted. If time permits, when travel restrictions are lifted, site visits will be carried out and the review will be updated accordingly.
- 5.3.11 In terms of other baseline changes, the desktop studies identified a Priority Habitat Inventory (PHI) site within the site boundary⁸ which did not appear to have been identified in the ecology or landscape assessments. However, the date of the first data source is given as 'National Forest Inventory 2014', so it is likely the designation post-dates the EIA.
- 5.3.12 Regarding new, relevant information, I am advised that for safety reasons, there is now a requirement for a c. 40m length of street-lighting to be installed along the A21, north of the proposed level-crossing. This requirement had not been identified when the studies were being carried out - see following section.

CHANGES TO PLANNING POLICY & GUIDANCE

- 5.3.13 The first version of the NPPF was published in March 2012, and was current when the planning application was determined. It was revised in October 2018, and again in February 2019.
- 5.3.14 The LVIA in the 2014 ES referenced the 2004 version of the High Weald AONB Management Plan, which set out the strategy for a 20-year period. My understanding is that version 2

⁸ Defra's Multi-Agency Geographic Information for the Countryside (MAGIC) map shows that the belt of woodland along the eastern section of the railway line is PHI Deciduous Woodland.

was launched in April 2009 and remained valid until 31st March 2014; however, in its August 2013 informal scoping response, the AONB Unit said that it would be assessing the scheme's effects '*against the High Weald AONB Management Plan 2004*'.

- 5.3.15 When the EIA was being carried out, the 2006 *Rother District Local Plan* was in place; however, soon after the planning application was submitted, the *Rother Local Plan Core Strategy* was adopted (in September 2014).
- 5.3.16 The LVIA states that '*The principle of reinstating the missing section of track is recognised by Policy EM8 in the Rother District Local Plan*'. Policy EM8 related specifically to the extension / reinstatement of the railway, and was 'saved' in the core strategy.
- 5.3.17 The 2017 committee report refers to the draft *Development and Site Allocations (DaSA) Local Plan* that was being produced at the time, which would implement the development strategy and policies set out in the core strategy, allocate sites for particular uses, and set out more detailed policies 'for the effective management of development in relation to key issues'. The committee report explains that '*the proposal in the DaSA is that a positive policy is retained to support the continued allocation for the re-instatement of a railway link from Robertsbridge to Bodiam along its original route. The proposed DaSA policy is RVR1*'. The DaSA was published in December 2019, but did not include policy RVR1 (or similar, nor EM8), presumably because the scheme had already been granted consent.
- 5.3.18 The LVIA used the 2010 *East Sussex Landscape Assessment (ESLA)* as a source of reference, as agreed during scoping; it was noted that the assessment '*was in the process of being updated and the revised guidance for the area may not be available in time for the assessment*'. The updated version (*East Sussex County Landscape Assessment (ESCLA)*) was published in 2016.
- 5.3.19 Another planning-related change in circumstances is that the Salehurst and Robertsbridge Neighbourhood Plan was made in July 2018.

5.4 Landscape and Visual Effects: Overview

- 5.4.1 This section and the following sections consider the effects on landscape character and visual amenity which are likely to arise as a result of the scheme being constructed and operated, comparing the findings of my assessments with those of the applicant's and setting out the findings of my additional assessments relating to new scheme elements / factors.
- 5.4.2 The sections broadly follow the rather linear structure of the LVIA process (see GLVIA3 *Figure 5.1 Steps in assessing landscape effects*), as this makes it easier to understand the reasoning behind judgements about levels of effects.
- 5.4.3 Here (Section 5.4), the nature of the effects likely to arise from the scheme are described, the sensitivity of receptors is set out, and the scoping exercises and the baseline situation are summarised. Section 5.5 sets out the findings of the landscape effects assessments, and Section 5.6 sets out the findings of the visual effects assessments.

NATURE OF EFFECTS

- 5.4.4 In order to establish levels of effects, it is necessary to identify and describe the nature of the effects which could potentially arise from the proposed development, both negative and positive. Effects can also be direct, indirect, temporary, permanent, and cumulative.
- 5.4.5 Most of the effects arising from a scheme of this type are considered to be permanent, apart from those which occur during the construction period, and those which are the result of an incident or accident, the adverse effects of which could potentially be remedied in the

foreseeable future.

- 5.4.6 Effects on landscape character should be considered in terms of a) individual / groups of landscape elements and features affected, and b) the character of the landscape as a whole, from the national areas and countywide types down to the local and site level.
- 5.4.7 Changes to the landscape's character will affect views experienced by certain people in certain places, and in different ways / to differing degrees. The matter of 'subjectivity' must be considered, as some people may react positively to the introduction of a new feature in the landscape whereas others may react negatively. The worst-case scenario should always be adopted when making judgements about effects.
- 5.4.8 Where relevant, project-specific effects are described in the following section; however, my own summary of the *permanent* negative landscape and visual effects likely to arise from a development of the type proposed here, and which require consideration in the landscape and visual effects assessments, is as follows:
- a) Introduction of rail infrastructure including track bed, embankments, culverts, bridges, level crossings, fencing, signage and other potentially urbanising features.
 - b) Introduction of lighting, smell, movement, activity, noise and disturbance⁹.
 - c) Adverse changes to host landscape character areas / types and / or AONB special qualities / historic landscape character.
 - d) Erosion / loss of existing landscape elements and features e.g. trees and hedgerows.
 - e) Re-severance of fields.
 - f) Reduction in biodiversity.
 - g) Reduction in / adverse changes to green and blue infrastructure.
 - h) Erosion / loss of positive aesthetic and perceptual landscape qualities.
 - i) Adverse changes to character and amenity value of public rights of way.
 - j) Adverse changes to / loss of views.
- 5.4.9 The *permanent* positive landscape and visual effects which could arise include:
- a) Protection / restoration / improvement / long-term management of characteristic landscape (and some historic) elements and features.
 - b) Positive contribution to the special qualities of the High Weald AONB and the objectives of the High Weald AONB Management Plan.
 - c) Restoration of the railway would increase in historic landscape value.
 - d) Visual interest for some receptors, increasing viewer enjoyment of the character of the steam railway and the surrounding landscape.

⁹ The estimated number of train movements per day generated by reinstating this section of railway is apparently based on the existing timetable, although in my opinion there could potentially be an increase in demand for services as a result of the 'missing link' having been restored. According to the ES, *'the operational timetable of the Scheme would vary significantly throughout the year (the railway would operate on a single day in January; but in the peak month of August the railway would operate every day). The number of services (i.e. train movements) would also vary on a seasonal basis'*. Chapter 13 of the ES states that *'Train frequencies are forecast to be 5-7 trains per day'*. The ES notes that there would be no scheduled services on 192 days of the year, but *'private chartered trains may still operate on these days'*, so the line could be operational for 352 days a year. Also, *'The timetabled service usually operates between 10:00hrs and 18:00hrs. However, the railway proposes to extend the evening diner service that currently operates weekly on the Kent & East Sussex Railway through to Robertsbridge. This service would finish at 23:00hrs'*.

- e) Improvements to / creation of terrestrial and aquatic habitats for flora and fauna which would also enhance local landscape character and visual amenity.
 - f) Improved green and blue infrastructure, with links to GI in wider areas.
 - g) High quality design of new built form and other required features, which respects and reflects local character / sense of place.
- 5.4.10 Some indirect benefits arising from the scheme were identified in the ES which are assumed not to be mitigating measures, for example '*opportunities to manage new small areas of wet grassland between the reinstated railway embankment and the river*', but they were not included in the applications as the areas are beyond the applicant's control.
- 5.4.11 Effects arising from construction are assessed in the ES, and due to their temporary nature are not considered here, although that does not mean they are not potentially 'significant' (indeed, in the LVIA, some of the construction effects were predicted to be significant).
- 5.4.12 According to the 2014 ES, the duration of the construction phase of the scheme is estimated to be 18 to 24 months.

LANDSCAPE AND VISUAL SENSITIVITY

- 5.4.13 GLVIA3 emphasises the importance of producing robust criteria before commencing the assessment. The criteria are used as a guide to determining levels of landscape and visual value, and susceptibility to change¹⁰.
- 5.4.14 GLVIA3 para. 5.28 explains that judgements about levels of landscape and visual value '*require definition of the criteria and factors that are considered to confer value on a landscape or on its components*'. GLVIA3 para. 5.43 states, '*Judgements about the susceptibility of landscape receptors to change should be recorded on a verbal scale (for example high, medium or low), but the basis for this must be clear, and linked back to evidence from the baseline study*'.
- 5.4.15 The LVIA sets out the criteria used for determining levels of landscape sensitivity in *Table 8.1 - Sensitivity of Landscape Receptors*, and for visual sensitivity in *Table 8.3 - Sensitivity of Visual Receptors*. Separate criteria for value and susceptibility to change are not provided, rather, they are summarily combined, so it is not possible to determine which specific value / susceptibility factors contributed to conclusions about levels of sensitivity.
- 5.4.16 The sensitivity criteria in LVIA Tables 8.1 and 8.3 are on a five-point scale from Very High to Negligible (a five-point scale is much more helpful than a three-point scale as it gives more granular results). However, they are very brief, and seem only relate to individual landscape elements and features, not designations or other value indicators (such as those set out in GLVIA3 Box 5.1).
- 5.4.17 I therefore used my own standard landscape and visual criteria for this review (see Appendix CT-A). In my opinion, the high- / very-high sensitivity landscape receptors likely to be affected by the scheme include:

Very High Sensitivity

- The High Weald AONB.

¹⁰ In LVIA, assessed levels of (landscape / visual) value and susceptibility to change are combined to arrive at levels of sensitivity. Theoretical overall levels of landscape and visual effects (professional judgement must be applied) are arrived at by combining the proposed development's 'magnitude of change' with the landscape and visual receptors' levels of sensitivity. The LVIA process can be expressed as an equation: A (Susceptibility to Change) + B (Value) = C (Sensitivity). C (Sensitivity) + D (Magnitude of Effect) = E (Overall Effect)

- Nationally-important heritage assets such as Scheduled Monuments and Grade I and II* listed buildings, and places with nationally-important cultural associations.

High Sensitivity

- Landscape performing significant wider landscape / visual function e.g. natural capital, ecosystem services, GI, green belt, context / setting of heritage asset, contribution to character of international or national importance, contribution to wider public amenity, access and recreation e.g. national trails, Open Access Land.
- Landscapes in excellent condition and / or of very high quality as defined by appropriate criteria.

5.4.18 My assessment concluded that the highest-sensitivity visual receptors likely to be affected by the scheme (the worst-case scenario is always adopted) include:

Very High Sensitivity

- People visiting the High Weald AONB specifically to appreciate its scenic beauty and other attributes.
- People visiting nationally-important heritage assets such as Scheduled Monuments and Grade I and II* listed buildings, and places with nationally-important cultural associations.
- People who live in / enjoy areas where the landscape setting makes a highly important contribution to visual and social amenity.

High Sensitivity

- People visiting Conservation Areas, other designated / undesignated heritage assets, public open spaces and other locally-important places where the landscape / feature is part of the reason for the visit
- People in areas engaged in outdoor recreation and / or travelling through the landscape for whom the views are a factor in the enjoyment of the activity
- People living in residential properties with a proprietary interest in the view.

SCOPING & PRELIMINARY STUDIES

5.4.19 The scope of the 2014 LVIA was discussed and agreed with the LPA and the AONB Unit, although some additional information was requested. An opinion was sought from the SoS on the scope of the 2017 ES addendum; the opinion confirmed that the environmental information contained in the 2014 ES and 2016 ES addendum '*would provide an ES of sufficient scope for the purposes of a TWA application*', but this was subject to the qualification - under the heading 'Landscape and Visual Amenity' - that '*The ES should pay due attention to the importance and relevance of the High Weald AONB Management Plan: appraising the proposed scheme against all the key landscape components and objectives in the management plan, identifying whether the scheme meets or brings about conflict with those components and objectives*'. This matter is dealt with in Section 5.7 below.

5.4.20 One 'anomaly' in the EIA process is the assessment of effects on heritage assets. In 2013, whilst the applicant's consultants were seeking the LPA's opinion on the scope of the LVIA, the county landscape officer advised that '*The setting of the Listed Abbey needs to be considered*'. However, it seems unlikely this was intended to mean that effects on heritage assets should be covered in the LVIA, simply that it was an important matter.

5.4.21 Indeed, looking at Section 10 of the October 2013 scoping report, it is clear that all the LVIA was going to do (quite correctly) was a) factor the presence of heritage assets into the

landscape baseline and value / sensitivity studies, and b) assess available views from / towards heritage assets. It advises that *'Impacts on the settings to these features will be considered in more detailed in Section 5: Archaeology and Cultural Heritage'* (the usual process is that the visual information is shared with the heritage consultants to inform their own assessments of effects on settings etc.).

- 5.4.22 However, unfortunately, the heritage consultants must have misunderstood both the LVIA process and what Section 10 of the scoping report said, as para. 5.1.4 of Section 5 states that the assessment *'excludes listed buildings, locally listed buildings, parks and gardens and conservations areas, which will be assessed in Chapter 10'*.
- 5.4.23 The anomaly appears not to have been queried by RDC - at least, it is not mentioned in January 2014 scoping opinion. Regardless, this approach was adopted for the EIA, and as a result, neither ES Chapter 8 Landscape and Visual, nor Chapter 12 Archaeology and Cultural Heritage, deal with effects on the settings of the aforementioned assets.
- 5.4.24 In practice, it would be very unusual for effects on settings to be assessed in the LVIA, unless the landscape practitioner had the relevant qualifications and experience (which is not the case here). The omission is within the Archaeology and Cultural Heritage chapter.
- 5.4.25 Notwithstanding this, the 2017 addendum dealt with concerns raised by Historic England in relation to effects on views to and from Robertsbridge Abbey Scheduled Monument as a result of the introduction of the new flood embankments.
- 5.4.26 According to the addendum, *'The landscape and visual impacts of the Scheme were assessed within the original ES including viewpoints in the immediate vicinity of the Abbey remains... The consultation response from Historic England noted the effects on Robertsbridge Abbey Scheduled Monument and Listed Buildings identified in the 2014 Environmental Statement. Whilst not objecting to the proposals or advocating additional assessment, Historic England recommended that the applicant should be advised to reduce potential harm to designated heritage assets through the design and implementation of the scheme'*.
- 5.4.27 I understand that effects on heritage assets are currently the subject of additional studies by heritage consultants, with whom I have liaised for the purpose of carrying out this review.

LANDSCAPE BASELINE

- 5.4.28 The LVIA process should always begin with a baseline landscape character assessment, to identify 'what is there', and determine the features and factors that could potentially be affected by the scheme. The most relevant aspects of character identified in the LVIA and / or my own assessments are summarised below, and noted in the Effects sections as appropriate.
- 5.4.29 Based on preliminary studies and site visits carried out to inform the scope of the LVIA, it was concluded that the scheme was unlikely to give rise to significant effects beyond c. 2km from the site, so the LVIA study area boundary was set at this distance. This appears to be reasonable, but would have to be verified with a site visit.
- 5.4.30 Note that if time permits, when travel restrictions are lifted, this review will be updated, taking into account findings of on-the-ground surveys that will identify any relevant physical baseline changes.
- 5.4.31 Both the 2014 LVIA and the 2017 ES addendum provide comprehensive descriptions and illustrations of the baseline situation as it existed at that point in time, so should be referred to for further information as required. Subject to site visits, where there are a) omissions, b) subsequent changes to the baseline, and c) new data / information, and where these are relevant, it is noted below and / or in the Effects sections.

- 5.4.32 The site lies within the eastern part of National Character Area¹¹ (NCA) 122: High Weald. The High Weald is described in the NCA profile as *'an example of one of the best preserved medieval landscapes in north-west Europe and has a strong sense of history'*. The NCA also highlights how the area's landscapes were influenced by the construction of railways in the 19th century: *'As early as 1825 William Cobbett commented on the artificial landscapes of the new gentry spreading out of London, and the arrival of the railways in the mid-19th century brought further building and the growth of country houses and estates. The railways also made a significant impact on agriculture, opening up the London market for hops, fruit and poultry'*.
- 5.4.33 The 2019-24 High Weald AONB Management Plan notes that the *'89km of historic railway line'* within the AONB also contributes to the area's *'Natural and cultural capital'*.
- 5.4.34 The 2016 ESCLA describes the High Weald as *'an essentially medieval landscape'*; however, the ESCLA covers a relatively large geographical area, and within it there are considerable local variations which contribute to individual areas' distinctiveness and sense of place.
- 5.4.35 The ESCLA categorises the County Landscape Character Area (CLCA) of the landscapes within which the majority of the site lies as *'13: Lower Rother Valley'*. This CLCA covers a broad swathe of land between Rye (east) and Robertsbridge (west).
- 5.4.36 Under the heading *'Landscape Evaluation'*, the ESCLA describes the Lower Rother Valley's *'Current Condition'*; of relevance is the following: *'This is a largely unspoilt and tranquil rural landscape with few intrusive features. The landscape is in generally good condition and well managed as farmland with a strong historic structure. Loss of hedgerows to intensive agriculture in the fertile valleys has led to loss of landscape structure. ... As with most of the High Weald landscape the historic field patterns of small fields and significant hedgerows remain intact'*.
- 5.4.37 However, one of the Lower Rother Valley's key characteristics is *'Engineered raised grass flood banks along the main river and straightened rivers channels which detract from the naturalness of the river valley'*. The ESCLA notes that *'river and larger channels [are] hidden behind raised grassy flood-banks'*.
- 5.4.38 There are also embankments associated with the K&ESR corridor, which runs through the north-western sector of the CLCA. Within the study area, the LVIA notes: *'As the site is located in the floodplain of the River Rother, flood events are commonplace and recent flood defence measures are a clearly evident part of the landscape character at the Robertsbridge end of the route'*.
- 5.4.39 Other key characteristics of the CLCA which are well-represented within the study area include *'An intricate pattern of rectangular fields bounded by reed fringed ditches in the flood plains'* and *'Scattered woodland across the valley slopes and higher ground, much of this is ancient woodland'* (both are also listed as *'Key positive Landscape Attributes'*). However, in respect of the woodland, the LVIA notes: *'In contrast to the surrounding landscapes the floodplain is much*

¹¹ Nationally, the country is divided into National Character Areas (NCAs). NCAs are the responsibility of Natural England. They are *'... areas that share similar landscape characteristics, and which follow natural lines in the landscape rather than administrative boundaries, making them a good decision-making framework for the natural environment.'* For each NCA, a *'profile'* document is produced (the profiles can be found at <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making/national-character-area-profiles>). The profiles are *'... guidance documents which can help communities to inform their decision-making about the places that they live in and care for. The information they contain will support the planning of conservation initiatives at a landscape scale, inform the delivery of Nature Improvement Areas and encourage broader partnership working through Local Nature Partnerships. The profiles will also help to inform choices about how land is managed and can change'*. Most NCAs cover large geographical areas and thus in that regard, levels of effects of development may be limited; however, it is important for LVIA's to consider a) whether any of the NCA's key characteristics are present in the study area, b) whether what is proposed may affect the key characteristics, and c) whether / how it responds to them as well as to the critical issues identified in the Statements of Environmental Opportunity (SEOs).

less heavily vegetated in the western site area... Further east the floodplain becomes increasingly vegetated'.

- 5.4.40 Another key characteristic evident in the study area is *'Extensive loss of hedgerow on the lower valley slopes with trimmed and remnant hedgerows resulting in a stark intensively farmed landscape ('Past / Current forces for change' include 'Loss of vegetation, landscape and habitat value along rivers and dykes due to maintenance regimes, agricultural intensification and engineering works')*.
- 5.4.41 Another of the CLCA's 'Key positive Landscape Attributes' is *'the Kent and East Sussex Steam Railway [which] runs from Bodiam to Tenterden in Kent'*. This was not noted in the 2014 LVIA, but may have been added subsequently, when the 2010 ESLA was being updated.
- 5.4.42 The LVIA notes that *'The original railway line constructed in 1896 and closed in 1961, forms part of the historic landscape setting in this area and the remnants of the railway have remained as readily identifiable features within the existing landscape'*.
- 5.4.43 As far as can be ascertained without a site visit, this remains true today. The railway corridor across the site is clearly visible even on maps and Google Earth, especially as the length of the western half of the section and parts of the eastern half are well-wooded. In fact, the majority of the rail corridors in the area form distinctive features in the landscape.
- 5.4.44 The western boundary of CLCA 13 runs along the A21, and the westernmost section of the site lies west of it, within CLCA 6: Upper Rother Valley.
- 5.4.45 One of CLCA 6's key characteristics is *'The Hastings to Tunbridge Wells railway follows the valley from Robertsbridge to Wadhurst'*. The K&ESR is not mentioned in the CLCA 6 profile, but currently the only section that exists is the restored section between Robertsbridge Station and Northbridge Street, which is at the easternmost edge of CLCA 6 and therefore exerts very limited influence on CLCA 6's wider character.
- 5.4.46 The LVIA describes the CLCA 6 landscapes through which the reinstated railway would pass as follows: *'This section is very open in character, with water meadows and the grassy flood defence bunds that have now become part of the landscape character. The A21 road runs on an embankment and influences character along with housing, fencing and other settlement edge features'*.
- 5.4.47 CLCA 9: Darwell Valley lies to the south west of the site, west of the A21 and south of CLCA 6. Due to the presence of intervening topography, infrastructure, built form and dense, mature vegetation, there appears to be very limited interinfluence and / or intervisibility between this CLCA and the site.

5.5 Landscape Character Effects: Assessment

- 5.5.1 The LVIA has identified seven different 'character sections' along the route of the railway through the site. Section 1 is at the western end of the site, and Section 7 at the eastern end. I considered these as part of the desktop studies and subject to a site visit, it appears that they form an appropriate basis for the assessment of landscape character effects.
- 5.5.2 The LVIA Chapter summarises its conclusions about the likely effects of the proposed scheme on the landscape character of each of the sections in turn, followed by an explanation of the mitigating measures proposed in each section. However, it does not state the assessed levels of landscape value, susceptibility to change, sensitivity, magnitude of effect, or overall level of effect.

- 5.5.3 Table 8.6 follows, setting out the proposed mitigating measures, the magnitude of residual effect, and the '*significance of residual effect*' (see below). However, for some reason, Table 8.6 is not based on character sections 1 - 7; instead, it is based on 'Assessment Viewpoints' A - P.
- 5.5.4 Assessment Viewpoints A - P are set out separately in ES Volume 4, Figure 8.6: Assessment of Landscape and Visual Impacts (A-P).
- 5.5.5 Each Assessment Viewpoint is the subject of a separate figure. Each figure has a photograph taken from the viewpoint, and summarises a) the 'baseline assessment', and b) the 'assessment of landscape and visual impacts'.
- 5.5.6 The baseline assessment section notes the location and direction of the view, and the number / type of visual receptors. It also states the sensitivity of the receptors (apparently only visual, not landscape, although landscape and visual receptor sensitivity may have been combined see below). The nature of the view is described, including the landscape elements, features and factors that are visible from that viewpoint.
- 5.5.7 The 'assessment of landscape and visual impacts' section states the levels of magnitude of effect and the '*significance of impact*' (i.e. the level of overall effect - see below) a) during construction, b) following completion of the works, and c) once mitigation has become effective (up to 15 years). Again, it is not clear whether these are levels of visual effects only, or levels of landscape and visual effects combined. However, given the process the LVIA followed, I assume it is the latter.
- 5.5.8 If so, it is an error in the LVIA process. LVIA para. 8.3.13 states: '*It is necessary to bring these two [landscape and visual] assessments together in order to identify any changes that the proposals may have on landscape character*' (notwithstanding this, para. 8.3.9 correctly notes that '*In accordance with the published guidance, landscape (elements and character) and visual impacts are assessed separately*').
- 5.5.9 The problem with combining the results is that a development may be proposed within a Very High sensitivity landscape which is remote with no available views, and thus levels of visual sensitivity are Very Low. The combination is theoretically 'Medium' sensitivity, which could potentially be considered an acceptable threshold for the introduction of new development; however, in reality, a highly valuable landscape could be damaged / lost.
- 5.5.10 I therefore carried out my own high-level desktop assessment of effects and, as far as practicable, compared the results with those set out in the LVIA. I did not carry out a full LVIA as that exercise was beyond the scope of the commission, and the results of my assessment are summarised. Furthermore, so far I have not been able to visit the site and surrounding areas.
- 5.5.11 Firstly, I overlaid LVIA Figure 8.5 (East and West) onto Figure 8.1 Landscape and Visual Assessments Overview Map. From this it was possible to identify which Assessment Viewpoint/s related to which character section/s, and what levels of effects were predicted in the LVIA. From the text in Figure 8.6 Assessment Viewpoints A - P it is possible to establish some of the overall landscape character effects arising from the scheme, as opposed to simply how character changes would be perceived at certain viewpoints.
- 5.5.12 Table CT-1 below shows this information, along with the LVIA's reported levels of combined magnitudes of effect, and of residual landscape and visual effects (set out in the LVIA chapter and in Figure 8.6).
- 5.5.13 LVIA Table 8.2 sets out the criteria for magnitude of effects as follows:

Table 8.2 - Magnitude of Landscape Impacts

Magnitude / Impact

Major Dominant or Total change to baseline character or condition**Moderate** Clearly Noticeable change to baseline character or condition**Minor** Perceptible change to baseline character or condition**Negligible** Barely Perceptible change to baseline character or condition**No Change** No change to baseline character or condition

- 5.5.14 NB although not specifically stated in Table 8.6, the LVIA confirms that all effects would be negative. The LVIA does identify some scheme benefits (see Section 4); however, it also states that *'There is the potential for some of the impacts to progressively change from adverse to beneficial as the mitigation measures mature and become fully established'*. This is not a correct assumption: as mentioned in Section 4, mitigating measures cannot be double-counted as enhancements.

Table CT-1

Sector	Viewpoint/s	LVIA Magnitude	LVIA Residual
1	A	Minor Adverse	Slight Negative
	B	Minor Adverse	Slight Negative
	C	Minor Adverse	Neutral
2	D	Minor Adverse	Slight Negative
	O	Minor Adverse	Slight Negative
3	E	Minor / Moderate Adverse	Slight / Moderate Negative
	F	Minor / Moderate Adverse	Slight / Moderate Negative
	O (west)	Minor Adverse	Slight Negative
4	H	Neutral / Negligible Adverse	Neutral / Slight Negative
5	G	Minor Adverse	Moderate Negative
	N	Negligible / Minor Adverse	Neutral
6	I	Negligible / Minor Adverse	Slight Negative
	L (south-east)	Negligible / Minor Adverse	Neutral / Slight Negative
	M	Negligible Adverse	Neutral / Slight Negative
	P	Negligible Adverse	Neutral
7	J	No Change / Negligible Adverse	Neutral
	K	Minor Beneficial / Minor Adverse	Slight / Moderate Negative
	L	Negligible / Minor Adverse	Neutral / Slight Negative

ADDITIONAL EFFECTS ASSESSMENTS

- 5.5.15 The information in Table CT-1 above relates to the original scheme's effects. In terms of effects arising from scheme changes made since then but prior to determination in 2017, the 2017 ES addendum concluded that *'there will be no material adverse change to the assessments previously undertaken... arising from the proposed changes to the Scheme design required by the Environment Agency to address flood risk'*. As far as I can ascertain, that appears to be the case.
- 5.5.16 **Key Issue 2** of this review relates to the requirement for additional independent landscape and visual effects assessments to be carried out due to scheme design changes made subsequent to the 2017 studies, as these have not been assessed by the applicant (as far as I am aware, the only changes relevant to landscape and visual matters are a) the requirement for additional land-take during construction, and b) street-lighting). Nor have effects that could arise as a consequence of the allowable spatial deviation the order confers on the scheme design.
- 5.5.17 Note that these assessments are based on desk-top studies only. If time permits, when travel restrictions are lifted, site visits will be carried out to establish the current baseline situation and assess effects, and this section will be updated accordingly.

Additional Land-Take

- 5.5.18 During 2018 / 19, more granular studies were carried out to inform the detailed designs, technical specifications and cost estimates; the studies found that more land than had originally been envisaged would be required to construct the scheme.
- 5.5.19 The latest estimates (provided 15th April 2020) are that the permanent land-take requirement is c. 7.2ha. This figure includes c. 0.92ha of land which accommodates the built out section at the easternmost extent of the scheme, so the increase over the ES figure is actually c. 0.08ha.
- 5.5.20 The temporary land-take requirement is now c. 1.51ha, an increase of c. 0.8ha.
- 5.5.21 As far as can be ascertained, the majority of the additional land required is grassland / arable field, which, along with the other grassed / cultivated parts of the construction area, would be reinstated following completion of the works. However, there appear to be four separate belts / blocks of vegetation within the additional land which would presumably have to be removed.
- 5.5.22 Two of these are fairly narrow c. 50m long tree belts lining the west and east sides of the A21 Robertsbridge by-pass, north of the proposed level-crossing. Based on Google Earth / Streetview, these appear to be young / semi-mature native trees probably planted when the by-pass was opened in 1989, so some 30-years-old (with some self-seeding). They make a small but important contribution to local landscape character, especially along the approach to Northbridge Street and its southern 'gateway'.
- 5.5.23 There is also a small (c. 0.045ha) block of trees on the east side of the by-pass, at the northern apex of a triangular field; along its western edge, it merges with the roadside trees. The trees appear to be slightly taller / older than the roadside trees, but this may be due to differences in the species mix and / or management regimes.
- 5.5.24 If some or all of the trees have to be removed *permanently*, appropriate compensation should be proposed. Otherwise, mitigation measures could include 'like-for-like' reinstatement i.e. young / semi-mature native trees / shrubs (the species mix may require adjustment especially

in the light of tree pests / diseases¹², climate change, and local landscape character studies). Or, it may be concluded that a different approach is required, for example designing a planting scheme that not only reduces adverse effects, but also complements both the scheme and the settlement. Subject to public consultation, a new gateway feature (natural or ornamental) could be considered in the vicinity.

- 5.5.25 The fourth 'feature' is hedgerows and trees south of the western end of Church Lane (which runs west - east between Northbridge Street and Salehurst). Construction access is proposed between Church Lane and the railway corridor to the south, through an arable field. There is an existing field gate off Church Lane which would presumably be used, but if it had to be widened, one or two small sections of what appears to be a good native roadside hedge would be lost.
- 5.5.26 The proposed construction access runs along the west side of a field boundary hedge, and there are a few possibly semi-mature / mature escaped trees along the hedgerow's length. Although the field has been cultivated by machinery, and the access corridor appears to be c. 10m away from the edge of the nearest tree canopy, I recommend seeking arboricultural advice to ensure that there would be no damage to tree canopies or roots. Root protection areas (RPAs) may need to be established, and protective fencing erected.
- 5.5.27 If ecological effects arising from damage to / loss of the above vegetation have not already been assessed, then they should be.
- 5.5.28 In my opinion, the proposed increase in land-take is minimal in relation to the overall scheme area, and the LVIA's judgements about levels of effects would not be materially affected, so long as appropriate mitigation measures were adopted.
- 5.5.29 Note that the above is based on desk-top studies only, and if necessary, will be updated following the field studies.

Night-Time Lighting

- 5.5.30 The LVIA does not appear to have considered effects arising from night-time lighting, although it is possible that originally, none was proposed.
- 5.5.31 I am advised that for safety reasons, there is now a requirement for a c. 40m length of street-lighting to be installed along the A21, north of the proposed level-crossing (there is no street-lighting south of the crossing point, and none is proposed). This requirement had not been identified when the EIA / addenda studies were being carried out.
- 5.5.32 Without the benefit of a night-time site visit, it is not possible to properly assess lighting effects on landscape character or visual amenity. At this stage, the main issue appears to be whether the introduction of urbanising street-lighting into a rural area would give rise to significant / unacceptable levels of landscape and visual effects. The existing context must be factored in: the street-lighting would actually be an extension of existing street-lighting, at the gateway to an urban area.
- 5.5.33 If ecological effects arising from proposed night-time lighting have not already been assessed, then they should be.

¹² There appears to be ash (*Fraxinus excelsior*) in the roadside mix, which currently can't be planted in the UK due to ash dieback disease.

Spatial Deviation

- 5.5.34 The scope of this commission included assessing the effects that could potentially arise as a result of the allowable spatial deviation that the TWAO confers on the scheme design.
- 5.5.35 What this means is that whilst the design of the proposed scheme has factored in existing levels, known existing / future constraints and other matters, when works commence on site it may be found that certain adjustments are necessary.
- 5.5.36 The TWAO therefore allows a measure of flexibility so the built scheme can 'deviate' from the approved original, although only within stated limits.
- 5.5.37 Deviation may be lateral (the lateral limits are shown on the Order plans), and / or vertical (upwards deviation of up to 1.5m would be allowed, and any extent downwards).
- 5.5.38 The EIA should consider effects arising from construction of the works across the permitted limits. Effects arising from the scheme constructed in accordance with the approved drawings have already been assessed; now it is necessary to identify significant effects that could arise if the scheme were to be built within the limits defined in the Order.
- 5.5.39 Based on a) my desktop study and b) the information with which I was provided, I concluded it was unlikely that the permitted lateral and vertical increases would give rise to significant negative effects of landscape character. In my opinion, significant negative effects on visual amenity are also unlikely, but this would have to be verified in the field.
- 5.5.40 However, I am advised that in reality, 'material' deviation from the original scheme is unlikely due to a) existing 'fixed' constraints (e.g. road and rail infrastructure); b) 'fixed' design points (e.g. connections to existing track, use of existing bridges etc.); c) environmental constraints; and d) engineering feasibility constraints. (And presumably, cost constraints.)

LANDSCAPE CHARACTER EFFECTS: CONCLUSIONS

- 5.5.41 Although there are omissions in the LVIA and I do not agree with some of the methods used and assumptions made, and although a) my judgements were based on different methods / assumptions, and b) this review is based on desk-top studies and not site visits, overall I agree with the LVIA's conclusions.
- 5.5.42 In summary, the main conclusion is that *permanent* effects on landscape character would not be significant, and that there is the potential for the scheme to deliver certain benefits.
- 5.5.43 The justification for my opinion is as follows:
- i) According to the LVIA's sensitivity criteria, the site's level of landscape value would be High ('*May include nationally important landscape features*'). The site is within the High Weald AONB. NB I usually categorise AONBs as being of Very High value (see criteria in Appendix CT-A), the reasons including a) they are recognised as Category V protected landscapes by the International Union for the Conservation of Nature, and b) many AONBs attract visitors from abroad).
 - ii) The LVIA did not provide criteria for, or report levels of, landscape susceptibility to change. According to my criteria, overall, the site's level of susceptibility to change is Low. This is mainly due to the clear existing references to the type of development proposed within the existing landscape (including vegetated corridor, traces of railway line, railway and flood embankments, bridges, crossings, signs, lighting, movement, activity, noise, smell and so on).

- iii) However, levels of susceptibility to change vary slightly along the route, depending on the existing situation and context. The LVIA notes that *'In contrast to the surrounding landscapes the floodplain is much less heavily vegetated in the western site area, as can be seen in photographs 6 and 9, (Figure 8.4, Volume 4). Due to the low lying land, the reduced vegetation and the small embankments and railings as a result of flood defence, this landscape has a slightly different character. The landscape here is perhaps less sensitive to change than the surrounding, ancient and intricate pattern of small fields and woodland. Further east the floodplain becomes increasingly vegetated'*.
- iv) Theoretically, the combination of a High level of value with a Low level of susceptibility to change results in a Medium level of receptor sensitivity. This, combined with a Minor to Moderate Adverse magnitude of effect, theoretically results in an overall level of effect of between **Minor** and **Moderate Negative** (the LVIA uses the term 'Slight' for a 'Minor' effect).
- v) This result is in accord with the predicted levels of effects set out in LVIA Table 8.6 (transposed to Table CT-1 above).
- vi) In summary, overall (and subject to the above comments about the LVIA having combined landscape and visual effects), the LVIA predicts - and I agree - that based on the worst-case scenario (see below), levels of effects on the landscape character of the site and surrounding areas would predominantly range from **Neutral** to **Slight Negative**, apart from in and around:
 - a) Section 3 (where the magnitude of effect is highest - between Minor and Moderate Negative) - **Slight to Moderate Negative** effects are predicted;
 - b) Section 5 (although the magnitude of effect is Negligible / Minor Adverse, the overall level of effect is **Moderate Negative**, presumably due to the 'Very High' sensitivity visual receptors at Assessment Viewpoint G - but see Significance of Effects below); and
 - c) Section 7 (although the magnitude of effect ranges from Minor Beneficial to Minor Adverse, the overall level of effect is **Slight to Moderate Negative**, presumably due to the 'Very High' sensitivity visual receptors at Assessment Viewpoint K).
- vii) As with susceptibility to change, levels of effects are likely to be lower where there are clear existing references to the type of development proposed within the existing landscape.

The LVIA states: *'broadly speaking the embankment would appear similar to the existing flood bunds in the landscape close to Robertsbridge but would appear more intrusive in the more rural landscapes to the east... [in the eastern sections, the] new engineered feature... will appear initially rather alien on completion of the works. Longer term effects on this landscape character will depend upon the extent to which mitigation planting to screen the bund can be incorporated'*. Whereas in Section 1, *'Although the Scheme will extend the settlement edge features further across these meadows, the embankment feature would not appear obtrusive in this context'*.
- viii) Indeed, the AONB Unit's August 2013 response to the request for scoping advice acknowledges this, saying, *'I believe that most of the line embankment is still in situ and the surrounding area largely arranged to meet the line, so I do not anticipate major impacts on the features of the landscape'*.
- ix) The LVIA adopts the 'worst-case scenario', which is based on several assumptions. One is that certain measures recommended to reduce levels of effects may not be appropriate /

feasible due to conflicts with other aspects of the scheme. For example, the LVIA states, *'The planting of low hedgerows along the embankment and tree planting into the field corners would help to integrate the Scheme into the landscape, compensating for the loss of trees required to form the A21 crossing. However, the on-going function of the flood defence system could be compromised by this, so it is not possible to include these measures as part of the application. The approach therefore, will be to simply grass the new embankments'*.

- x) The LVIA considers effects on some of the landscape's aesthetic and perceptual qualities, such as changes to field and settlement patterns, but does not appear to have factored in effects arising from noise, activity, movement, odour and so on; however, the matter of 'tranquillity' is considered in the 2017 ES addendum - see Section 5.7 below.
- xi) Another assumption which often has to be considered in EIA / LVIA relates to the matter of 'subjectivity'. Some people may react positively to the introduction of a new feature in the landscape (or the reinstatement of an old one), whereas others may react negatively. The reasons for the reactions are likely to be very different, based on personal preference / experience.

The worst-case scenario should always be adopted when making judgements about effects. However, in this case, there is a relatively high degree of consensus that the heritage steam railway is recognised for the positive contribution it makes / can potentially make to landscape character and visual amenity (and related areas such as social / cultural / economic sustainable travel / tourism, green infrastructure and natural capital):

- a) *'The Kent and East Sussex Steam Railway [which] runs from Bodiam to Tenterden in Kent'* is one of CLCA 13's stated 'Key positive Landscape Attributes' (this was not noted in the 2014 LVIA, but may have been added subsequently, when the 2010 ESLA was being updated).
 - b) The ESCLA states, *'With appropriate planning control the High Weald may have the ability to absorb more informal green recreation and tourism. This is becoming increasingly important to the local economy'*.
 - c) The 2019-24 High Weald AONB Management Plan notes that the *'89km of historic railway line'* within the AONB contributes to the area's 'Natural and cultural capital'.
 - d) The LVIA notes and factors in *'the potential beneficial effects due to the historic value of the restored railway'*.
 - e) The 2017 ES addendum identifies scheme benefits in terms of the positive contribution made by the reinstatement of the railway to AONB Management Plan's objective of maintaining the historic pattern and features of the network of routeways.
 - f) Objective (R1) has been carried forwards into the 2019-24 version of the AONB Management Plan (see Section 5.7 below).
- xii) Finally, levels of certain negative landscape effects, and many visual effects, could potentially be reduced to more acceptable levels by ensuring that careful attention is paid to detail, and thus a high quality scheme would be delivered, that respects and reflects the receiving landscape's character. Many of the scheme's elements are the subject of planning conditions. The scheme designers should make reference to, and be guided by, published guidance / studies / advice; there is also the potential for landscape and visual enhancements to be delivered (see Recommendations in Section 6).

SIGNIFICANCE OF LANDSCAPE EFFECTS

- 5.5.44 When a development is categorised as 'EIA' development, as is the case here, it is necessary for the ES to state which of the predicted effects - whether positive or negative - are considered to be 'significant'.
- 5.5.45 The LVIA states (para. 8.3.28) that '*An effect is deemed to be significant when it is assessed as being moderate, large or very large*'.
- 5.5.46 LVIA para. 8.9.2 states that '*the residual effects of the Scheme would not result in any significant adverse impacts, as set out in Table 8.6*'. However, in Table 8.6, the overall level of effect (or what the LVIA calls the 'significance of residual effect', although the term 'significance' is not relevant in that context) for 'Receptor G' (character section 5) is reported as being '**Moderate**' (Negative), and the effect should therefore be categorised as '**significant**'.
- 5.5.47 Of course, this information was known to the LPA when the planning application was approved, so it must be assumed that this significant effect was not 'unacceptable'.
- 5.5.48 Notwithstanding this, in my opinion, the fact that the LVIA has erroneously combined landscape and visual effects means that whilst a Moderate Negative / significant effect on character section 5 is reported, in reality, the high degree of negative effect would be experienced by visual receptors (see next section), and the residual effects on landscape character along this section - based on the worst-case scenario - would in reality be **Slight / Moderate Negative**, and thus not significant.
- 5.5.49 My conclusions about whether the scheme design changes made subsequent to the 2017 studies would give rise to significant effects on landscape character are set out in the previous sections. In summary:
- a) Additional land-take: This increase is minimal in relation to the overall scheme area, and judgements about levels of effects would not be materially affected, so long as appropriate mitigation measures were adopted. Effects are unlikely to be significant.
 - b) Night-time lighting: Without the benefit of a night-time site visit, it is not possible to properly assess lighting effects on landscape character. However, in my opinion, effects are unlikely to be significant.
 - a) Spatial deviation: Based on a) my desktop study and b) the information with which I was provided, I concluded it was unlikely that the permitted lateral and vertical increases would give rise to significant negative effects on landscape character. However, in reality, 'material' deviation from the original scheme is unlikely due to various constraints.

5.6 Visual Effects: Assessment

- 5.6.1 As previously mentioned, the LVIA has combined the landscape and visual effects assessments, so it is very difficult to identify separate levels of landscape and visual effects. This is dealt with below. However, in summary, the LVIA does provide a comprehensive assessment of effects on visual amenity, with a total of 68 photographs taken from viewpoints throughout the study area.
- 5.6.2 Proper consideration is given to uncertainties and assumptions, and seasonality is factored in. Table 8.3 sets out the criteria for judgements about visual receptor sensitivity (as per landscape sensitivity, criteria for visual value and susceptibility to change are not given), and although brief, they are in line with my own.

- 5.6.3 Further uncertainty about levels of visual effects have been introduced due to the amount of time that has passed since the assessments were carried out (the majority in 2013 / 14), and the possibility that the landscape baseline situation has changed sufficiently to alter judgements about levels of visual effects, and conclusions.
- 5.6.4 As explained above, whilst all effects were assessed on the basis of '*the situation as it is predicted to be at the start of construction*', the LVIA assumed that construction would commence in July 2015, and concluded that '*No changes to the landscape described in the LVA Photographs, (with the exception of minor growth of vegetation and winter/ summer leaf cover) are anticipated prior to the commencement of works on the Scheme*'.)
- 5.6.5 It is possible that in the interim, trees and hedges have grown taller, or have died / been removed; new trees and hedges may have been planted. There could have been changes in landuse and / or management practices.
- 5.6.6 Unfortunately, due to travel restrictions, it has not been possible to properly assess visual effects (including those arising from later scheme changes / new information).
- 5.6.7 As explained above, in my experience, if working remotely is the only option, it is easier to analyse baseline landscape character and assess likely effects as a 'desktop' exercise than it is to analyse the baseline visual situation and assess visual effects. However, there are also aspects of landscape character that cannot be appreciated without visiting a place, especially condition / quality, and qualities such as sound and smell.
- 5.6.8 If time permits, when travel restrictions are lifted, site visits will be carried out and this report will be updated accordingly. In the meantime, below is a summary of my conclusions so far.
- 5.6.9 The LVIA identified sixteen (A - P) representative 'Assessment Viewpoints' (AVPs) from which effects on visual receptors were assessed.
- 5.6.10 Each AVP is the subject of a separate figure (see ES Volume 4, Figure 8.6: Assessment of Landscape and Visual Impacts (A-P)). Each figure has a photograph taken from the viewpoint, and summarises a) the 'baseline assessment', and b) the 'assessment of landscape and visual impacts'.
- 5.6.11 The results are set out in Table 8.6. Although the level of residual effect is a combination of levels of landscape and visual effects, it is possible to interpolate levels of visual effects because the sensitivity of the visual receptor and the magnitude of effect are provided.
- 5.6.12 Using a combination of the LVIA's criteria and my own matrix (see *Table 12: Matrix for Determining Overall Levels of Visual Effects* in Appendix CT-A), I concluded that there is theoretically the potential for **Moderate Negative** and thus **significant** visual effects to occur along Church Lane looking south (AVPs D, E, F and G), and from south of the river looking north at AVP H.
- 5.6.13 However, the scheme was granted approval on this basis, so as with landscape effects, this level was deemed 'acceptable'. Also, the LVIA's results are based on the worst-case scenario of certain recommended mitigating measures not being achievable, although ultimately they may be, or acceptable alternative measures could be developed (see Recommendations in Section 6).
- 5.6.14 In addition, the matter of 'subjectivity' must be considered: this is explained in the landscape character effects conclusions section above, but in summary, some people may react positively to the introduction of a new feature into a certain view, whereas others may react negatively. Regardless, the worst-case scenario was adopted in the LVIA. However, in this case, there is a relatively high degree of consensus that the heritage steam railway is recognised for the

positive contribution it makes / can potentially make to landscape character and visual amenity (and related areas such as social / cultural / economic sustainable travel / tourism, green infrastructure and natural capital) - see previous section.

5.6.15 My conclusions about whether the scheme design changes made subsequent to the 2017 studies would give rise to significant effects on views and visual amenity are as follows:

- b) Additional land-take: This increase is minimal in relation to the overall scheme area, and judgements about levels of visual effects would not be materially affected, so long as appropriate mitigation measures were adopted. Effects are unlikely to be significant.
- c) Night-time lighting: Without the benefit of a night-time site visit, it is not possible to properly assess lighting effects on visual amenity. However, in my opinion, effects are unlikely to be significant.
- d) Spatial deviation: Based on a) my desktop study and b) the information with which I was provided, I concluded it was unlikely that the permitted lateral and vertical increases would give rise to significant negative effects on views and visual amenity, but this would have to be verified in the field. However, as explained in the landscape character effects section, in reality, 'material' deviation from the original scheme is unlikely due to various constraints.

5.7 High Weald AONB Management Plan Components and Objectives

5.7.1 **Key Issue 3** relates to the High Weald AONB and the need to establish whether, in the light of the AONB Unit's January 2015 letter and the SoS's associated June 2017 scoping opinion, the 2017 ES addendum paid '*due attention to the importance and relevance of the High Weald AONB Management Plan: appraising the proposed scheme against all the key landscape components and objectives in the management plan, identifying whether the scheme meets or brings about conflict with those components and objectives*'.

5.7.2 Prior to its publication, a draft of the 2017 ES addendum was sent to consultees including the High Weald AONB Unit. The Unit's response was, '*Broadly it is considered that this appraisal is at an acceptable level of detail*'. However, the Unit suggested that a number of matters should be '*amended / added to the appraisal for completeness*'.

5.7.3 The Unit's comments were taken on board, and the addendum was revised accordingly.

5.7.4 Because the AONB Management Plan (AONBMP) has been revised since the 2017 ES addendum was published, this assessment also needed to establish whether there are material differences between the two versions of the Plan, and if there are, to carry out the above exercise in relation to the current Plan (to include the new scheme elements / factors).

5.7.5 Both the 2014-19 and the 2019-24 versions of the AONBMP set out five defining (or 'key') components of the AONB's character.

5.7.6 The 2019-24 list is as follows:

1. Geology, landform and water systems
2. Settlement
3. Routeways
4. Woodland
5. Field and Heath

- 5.7.7 The only differences between the two lists are a) the first item on the 2014-19 version list included the word 'climate', and b) in the 2014-19 version, the word 'woodland' was plural.
- 5.7.8 The objectives relating to the above components are almost exactly the same in both versions with the same lettering and numbering (Geology = G, Settlement = S etc.), apart from slight (but sometimes important) changes of wording. For example, in the 2014-19 version, Objective S3 was *To enhance the architectural quality of the High Weald*; the 2019-24 version adds, *and ensure development reflects the character of the High Weald in its scale, layout and design*. This is relevant to the proposed scheme.
- 5.7.9 The 2019-24 version has two new objectives under the heading *Land-based economy and related rural life*:
- Objective LB1: To improve returns from, and thereby increase entry and retention in, farming, forestry, horticulture and other land management activities that conserve and enhance natural beauty.*
- Objective LB2: To improve amenities, infrastructure (including the provision of appropriate affordable housing), and skills development for rural communities and related sectors that contribute positively to conserving and enhancing natural beauty.*
- 5.7.10 The scheme's compatibility with these is considered below.
- 5.7.11 Under the heading *Understanding and enjoying the Area's special qualities*, the 2014-19 version of the AONBMP listed five 'UE' objectives. The 2019-24 version omits this heading, but incorporates some of the UE objectives under the heading 'Other Qualities' (OQ policies).
- 5.7.12 'Old' objective UE1 is the same as 'new' objective OQ1. 'Old' objective UE2 is the same as 'new' objective OQ2, apart from adding 'communities' to the text.
- 5.7.13 'Old' objective UE3 has been omitted, but the reference to 'community' is now in OQ2.
- 5.7.14 'Old' objective UE4 has been replaced by Objective OQ3, although the objective has been reworded somewhat.
- 5.7.15 'Old' objective UE5 has been replaced by objective OQ4, with the word 'protect' added.
- 5.7.16 The 2017 ES addendum explains that *'The compatibility of the Scheme with the objectives set out in the AONB Management Plan is summarised in Table 2.1. The full list of Objectives is set out in Appendix D. Based on the relevance of the various objectives to the Scheme, Table 2.1 then identifies the issues considered as part of the design development and, where appropriate, how the proposals respond to the key issues reviewed in section 2.3 of this document. Conclusions are then presented relating to the extent to which the Scheme would either be in accordance or conflict with the identified objectives'*.
- 5.7.17 In Table 2.1, levels of compatibility with the objectives are measured on a seven-point scale ranging from 'Large: Strong Conflict' to 'Major: Strong Accord', with 'Neutral' in the middle.
- 5.7.18 The 2017 ES addendum's concluded that the scheme was 'Neutral' in relation to seven of the twenty-one 2014-19 objectives as they were not relevant to the proposed development and / or landscape and visual matters (for example, ecological functioning).
- 5.7.19 The addendum study assessed *Objective S3 Enhance the architectural quality of the High Weald using local materials* as Neutral on the basis that *'Reinstatement proposals do not include any works to existing architectural features'*. However, the objective applies to new scheme features; furthermore, the 2019-24 S3 objective adds the words *'and ensure development reflects the character of the High Weald in its scale, layout and design'*. In my opinion, so long as careful

attention was paid to detail (see Recommendations in Section 6), there is the potential for the scheme to have a 'Moderate Accord' in this regard.

5.7.20 A 'Slight Conflict' with two objectives was reported in the addendum:

Objective W1 To maintain existing extent of woodland and particularly ancient woodland. 2019-24 Objective W1 is the same. Addendum response: '*Initial limited loss of existing tree cover from remnant embankments to reinstate line, mitigated by planting*'. This conflict would be temporary.

Objective FH1: Secure agricultural productive use of fields as part of sustainable land management. 2019-24 Objective FH1 is the same. Addendum response: '*Reinstatement of low embankment south of Church Lane could subdivide recently enlarged fields, with potential impact to agricultural productivity. Land use of smaller fields adjacent to river could change for arable to wet grassland management,, thereby improving landscape and ecological value, but any such changes not within control of applicant*'.

5.7.21 The addendum reports 'Minor Accord' with seven of the objectives, and 'Moderate Accord' with three.

5.7.22 It reports 'Major Accord' with two:

Objective R1: Maintain the historic pattern and features of routeways. 2019-24 objective R1 is the same. Addendum response: '*Scheme reinstates alignment of historic railway. Alignment of other historic routeways maintained*'.

Objective UE4: Develop and manage services that support informal open-air recreation to facilitate 'green' use by residents and visitors. 2019-24 objective UE4 has been replaced by objective OQ3 - see below. Addendum response: '*Providing integrated non-car access to existing heritage / open-air attractions within AONB is one of the key objectives of Scheme*'.

5.7.23 2019-24 Objective OQ3 is as follows: *To develop and manage access to maximise opportunities for everyone to enjoy, appreciate and understand the character of the AONB while conserving its natural beauty.*

5.7.24 Objective OQ3 does have similarities with OQ1 (*To increase opportunities for learning about and celebrating the character of the High Weald*), and the addendum reports a 'Moderate Accord' with that objective.

5.7.25 The justification for that conclusion (with which I agree, although some of the opportunities identified are beyond the control of the applicant) is set out in paras. 2.4.4 - 2.4.6 of the addendum as follows:

'The remnant parts of the railway are still readily identifiable features within the modern day landscape, and therefore contribute to the overall 'time depth' within the locality. Consequently, the Scheme provides opportunities to identify, Interpret and better understand this part of the landscape's history, and the part that it plays, together with the other landscape and heritage features along the route in forming the current landscape, thereby contributing positively to some of the objectives set out in Part 2 of the AONB Management Plan.

'Part of the user experience for the railway will include information about the original construction of the railway and the social and economic contribution that it made to the area at that time. It is anticipated that this will not only describe the railway, the rolling stock and their operation, but also the landscape through which the railway runs, together with the landscape and heritage features that it passes.

'The part of the railway that is currently operational from Tenterden, Kent to Bodiam just east of Junction Road, already serves as an alternative means of accessing the nearby Bodiam Castle. Completion of the line through to Robertsbridge will enable visitors to travel to the castle by train from further afield by virtue of its connection to the mainline network. There is an opportunity for the railway to provide additional signage and educational material at Robertsbridge relating to the castle, the history of the railway and how they fit within the wider landscape'.

- 5.7.26 Objective OQ3 emphasises the need to balance 'enjoyment / appreciation / understanding of the character of the AONB' with 'conserving its natural beauty'. Clearly, recreational pressure on valuable / sensitive resources can erode the very qualities that are protected and which people enjoy.
- 5.7.27 In this case, reinstating this section of the railway could help to reduce such pressure by reducing use of local roads and other public rights of way; however, matters such as effects arising from increased visitor parking and access would need to be properly planned-for and well-managed.
- 5.7.28 There will always be a measure of subjectivity in judgements about whether or not the reinstatement of this section of the railway would conserve the natural beauty of the AONB. However, as noted in Section 5.6, there is a relatively high degree of consensus that the heritage steam railway is recognised for the positive contribution it makes / can potentially make to landscape character and visual amenity (and related areas such as social / cultural / economic sustainable travel / tourism, green infrastructure and natural capital).
- 5.7.29 Notably, one of CLCA 13's stated 'Key positive Landscape Attributes' is *'the Kent and East Sussex Steam Railway [which] runs from Bodiam to Tenterden in Kent'*.
- 5.7.30 Also, the 2019-24 Management Plan notes that the *'89km of historic railway line'* within the AONB contributes to the area's 'Natural and cultural capital'.
- 5.7.31 In terms of the scheme's compliance with 'new' objectives LBE1 and LBE2, LBE1 relates to land management activities such as farming, forestry and horticulture, so is not directly relevant to the scheme.
- 5.7.32 The stated rationale behind Objective LBE2 is *'To foster community life and economic activities – including heritage conservation, sustainable tourism and outdoor education – that support conservation of the AONB'*. In my opinion, the scheme would be at least 'Moderately' compliant with these objectives.
- 5.7.33 My assessment also considered whether the post-2016 scheme changes and other factors would be compliant with the 2019-24 Management Plan's objectives.
- a) Additional land-take: This increase is minimal in relation to the overall scheme area, and would not affect judgements about compliance.
 - b) Night-time lighting: Relevant objective is OQ4 (dark skies are one of the High Weald AONB's 'special qualities'). Without the benefit of a night-time site visit, it is not possible to draw conclusions about compliance.
 - c) Spatial deviation: Based on a) my desktop study and b) the information with which I was provided, I concluded it was unlikely that the permitted lateral and vertical increases would affect judgements about compliance.
- 5.7.34 It has not been possible for me to properly assess the scheme's compliance with Objective OQ4 in relation to 'tranquillity', as this can only be evaluated in the field.

5.7.35 In summary, in relation to matters relating specifically to the High Weald AONB Management Plan, my conclusions are as follows:

- i) The 2017 ES addendum paid '*due attention to the importance and relevance of the High Weald AONB Management Plan: appraising the proposed scheme against all the key landscape components and objectives in the management plan, identifying whether the scheme meets or brings about conflict with those components and objectives*'.
- ii) The scheme could be in slight conflict with Objectives W1 (temporary), and FH1; otherwise, the scheme meets all the other relevant objectives. In certain aspects, the scheme demonstrates a high degree of compliance with the objectives.

6. Conclusions and Recommendations

- 6.1 The aim of this commission was to determine, through independent assessment, a) whether the findings of the landscape and visual studies carried out between 2013 and 2017 could be relied on for decision-making purposes, and b) whether any matters arising since 2017 required further study. In the event that they did, and subject to further instruction / time available, I would carry out the necessary studies and report the findings.
- 6.2 Based on factors identified during the early stages of my assessment, I identified three 'key issues' that needed to be addressed. These are set out in Section 2.
- 6.3 In summary Key Issues 1 and 2 relate to a) and b) above.
- 6.4 Key Issue 3 relates to the High Weald AONB and the need to establish whether, in the light of the AONB Unit's January 2015 letter and the SoS's associated June 2017 scoping opinion, the 2017 ES addendum has paid *'due attention to the importance and relevance of the High Weald AONB Management Plan'*.
- 6.5 This entailed reviewing the LVIA and other studies; carrying out high-level baseline, effects and other assessments; factoring in new information / baseline changes; either carrying out, or noting the need for, further studies as required; and making recommendations as required.
- 6.6 Because the AONB Management Plan was revised following publication of the 2017 ES addendum, my assessment also needed to establish whether there were material differences between the two versions of the Plan, and if there were, to carry out the above exercise in relation to the current Plan, to include new scheme elements / factors.
- 6.7 The main limitation to the assessment was the fact that it was not possible to visit the site and surrounding area due to travel restrictions imposed during the Covid-19 crisis. If time permits, when travel restrictions are lifted, site visits will be carried out and this report will be updated accordingly.

CONCLUSIONS

- 6.8 Subject to survey and assessment in the field, my conclusions are as follows:
- i) Although there are certain shortcomings, overall, the findings of the applicant's landscape and visual studies carried out between 2013 and 2017 can be relied on for decision-making purposes.
 - ii) The scheme would not give rise to significant effects (positive or negative) on landscape character.
 - iii) There is the potential for the scheme to give rise to significant negative visual effects. These would probably only be experienced along Church Lane looking south at certain points, and only by the highest sensitivity receptors; however a) this information did not preclude permission being granted; b) levels of some visual effects could be reduced through mitigating measures - see Recommendations below; and c) 'subjectivity' has to be factored in.
 - iv) Although the assessments of effects assume the worst-case-scenario i.e. that some people may find the scheme unacceptable for a variety of reasons, there is a relatively high degree of consensus that the heritage steam railway is recognised for the positive contribution it makes / can potentially make to landscape character and visual amenity (and related areas such as social / cultural / economic sustainable travel / tourism, green infrastructure and natural capital). *'The Kent and East Sussex Steam Railway [which] runs from Bodiam to*

Tenterden in Kent is one of CLCA 13's stated 'Key positive Landscape Attributes'. The 2019-24 High Weald AONB Management Plan notes that the '89km of historic railway line' within the AONB contributes to the area's 'Natural and cultural capital'.

- v) The scheme could be in slight conflict with Objectives W1 (temporary), and FH1 (permanent) of the 2019-24 High Weald AONB Management Plan; otherwise, the scheme meets all the other relevant objectives. In certain aspects, the scheme demonstrates a high degree of compliance with the objectives.
- vi) There is the potential for the scheme to deliver some meaningful landscape and visual enhancements. Although many of these appear to be outside the applicant's control, that situation may change in future, so this should be followed up if the scheme goes ahead.

RECOMMENDATIONS

- 6.9 The AONB designation sets a very high standard in terms of the quality of any proposed development. It is very important to note that if the scheme does go ahead, the valuable landscapes through which the reinstated railway would pass must be protected and enhanced, which requires great attention to detail during design and construction, and proper maintenance and management.
- 6.10 The consent granted in March 2017 was (and still is) subject to a number of conditions including - prior to construction commencing on site - the submission of '*details for the planting proposals, details of any footpaths, fencing, lighting and a Landscape and Ecological Management Plan for the life of the scheme, to be approved by the local authority*' (2017 ES addendum).
- 6.11 Further conditions could be imposed through the TWAO, if considered appropriate.
- 6.12 Both scheme design and management should refer to, and be informed by, published guidance and other documents, in particular the latest versions of the AONB Management Plan, and the ESCLA and information relating to CLCA 13: Lower Rother Valley (especially the *Vision and Strategy and Guidelines for Managing Change*).
- 6.13 The High Weald AONB has published guidance on the design of signs¹³, and also commissioned an Environmental Colour Assessment (ECA) for the AONB¹⁴.
- 6.14 Other recommendations which are noted in this report include:
 - i) Developing detailed designs for the approach to Northbridge Street from the south, and perhaps a new 'gateway' feature.
 - ii) Seeking arboricultural advice to ensure that there would be no damage to tree canopies or roots.
 - iii) Carrying out additional ecological assessments as required.

Carly Tinkler BA CMLI FRSA MIALE April 2020

¹³ <http://www.highweald.org/downloads/publications/land-management-guidance/2026-high-weald-aonb-sign-guidance-1/file.html>

¹⁴ <https://www.highweald.org/downloads/publications/uk-landscape-research-reports/2058-high-weald-aonb-colour-study/file.html>. For further information about ECA, see <https://www.landscapeinstitute.org/technical-resource/environmental-colour-assessment/> and / or contact the author of this report (examples of ECA planning conditions can be provided).

APPENDIX CT-A

Landscape & Visual Assessment Criteria

Tables of Criteria and Matrices for Landscape and Visual Assessment

Landscape

Table 1: Criteria for Judging Levels of Landscape Quality

Table 2: Criteria for Judging Levels of Landscape Value

Table 3: Criteria for Judging Levels of Landscape Susceptibility to Change

Table 4: Matrix for Evaluating Levels of Landscape Sensitivity

Table 5: Criteria for Judging Levels of Magnitude of Effect (Landscape Character)

Table 6: Matrix for Evaluating Overall Level of Landscape Effects

Visual

Table 7: Criteria for Judging Levels of Visual Value

Table 8: Criteria for Judging Levels of a Landscape's Visual Susceptibility to Change

Table 9: Criteria for Judging Levels of Visual Receptors' Susceptibility to Change

Table 10: Matrix for Evaluating Levels of Visual and Visual Receptor Sensitivity

Table 11: Criteria for Judging Levels of Magnitude of Effect (Views and Visual Amenity)

Table 12: Matrix for Determining Overall Levels of Visual Effects

Table 1: Criteria for Judging Levels of Landscape Quality

Level of Quality	Definition
Very High	<ul style="list-style-type: none"> • Landscapes of an 'awe-inspiring' or 'sublime' nature and which are important and valued on an international and national level (DMRB) • Unspoilt areas comprising a strong, clear and highly aesthetically-pleasing composition of highly characteristic landscape elements and features in excellent condition and health, intact and distinctive • Excellent representation of the landscape area / type • Very high level of management, or care, or pristine natural / semi-natural environment • Exceptional scenic integrity • Very strong sense of place • Negligible or no atypical or incongruous features or detractors
High	<ul style="list-style-type: none"> • Very attractive landscapes which are of high value nationally and can be defined as highly scenic (DMRB) • Areas with components combined in an aesthetically pleasing composition, in very good condition and health • Very good representation of the landscape area / type • High level of management, or care, or natural / semi-natural environment in very good form and health • Very good scenic integrity • Strong sense of place • Few atypical or incongruous features or detractors
Moderate	<ul style="list-style-type: none"> • Good landscape containing areas that, although still attractive, have less significant and more common landscape features (DMRB) • Areas of some value for their landscapes, components combined in an aesthetically pleasing composition but showing signs of erosion and loss, in good to fair condition and health • Good to fair representation of the landscape area / type • Good to fair level of management, environment in good to fair form and health • Good to fair scenic integrity • Some loss of, or change to, intrinsic sense of place • Some atypical or incongruous features or detractors
Low	<ul style="list-style-type: none"> • Ordinary landscape containing areas that have only common landscape features and some intrusive elements such as conspicuous infrastructure with scope for improvement in management (DMRB) • Areas of limited landscape value, disturbed and lacking coherence and structure. Limited aesthetically-pleasing composition. Signs of urbanisation and / or erosion, characteristic landscape elements and features degraded and / or lost. Poor condition / health • Limited representation of the landscape area / type • Limited management, or care, environment in fair to poor form and health • Poor scenic integrity • Little if any sense of place • Several atypical or incongruous features or detractors

Level of Quality	Definition
Very Low	<ul style="list-style-type: none">• Poor landscape with areas that contain frequent detracting aspects and/or lack of management which results in a degraded landscape with very few valued features (DMRB)• Areas with few or no valued landscape components or comprising degraded and / or lost characteristic elements and features, making negative contribution to aesthetic composition• Poor or no representation of the landscape area / type• Little or no management, or care, environment in very poor form and health• Little or no scenic integrity• Negative sense of place• Widespread atypical or incongruous features or detractors

Table 2: Criteria for Judging Levels of Landscape Value

Level of Value	Definition
Very High	<ul style="list-style-type: none"> • ‘Outstanding’ landscapes (ELC) • Internationally and / or nationally-designated landscapes e.g. World Heritage Sites, National Parks, AONBs • Presence of internationally and / or nationally-designated areas / features of landscape, nature conservation, archaeological, historic, geological and / or other importance e.g. SACs, SSSIs, Scheduled Monuments, Grade I and / or II* listed buildings, Registered Historic Parks and Gardens, Local Geodiversity Sites • Significant wider landscape / visual function e.g. Green Belt, context / setting of heritage asset, contribution to character of settlement of international or national importance • Landscapes in excellent condition and / or of very high quality as defined by appropriate criteria • Significant cultural associations • Exceptional representation of landscape area / type / characteristics and / or rare • Exceptional aesthetic and perceptual attributes and qualities e.g. significant scenic beauty, iconic views, very distinctive sense of place, very high degree of wildness / remoteness, tranquillity • No detractors present • The quality / qualities of, and / or features in, the landscape are likely to be the primary purpose of the visit • Significant contribution to wider public amenity, access and recreation e.g. national trails, Open Access Land • Significant Green Infrastructure assets
High	<ul style="list-style-type: none"> • Landscapes between ‘Outstanding’ and ‘Everyday’ (ELC) • Regionally / locally-designated landscapes e.g. Areas of Great Landscape Value (AGLV) which may be subject of strategy and / or guidance • Presence of regionally / countywide-level designated areas / features of landscape, nature conservation, archaeological, historic, geological and / or other importance e.g. Country Parks, TPOs, National Forest Inventory, Priority Habitat Inventory sites, Local Wildlife Sites / Local Nature Reserves, Grade II Listed Buildings, Conservation Areas, Unregistered Historic Parks and Gardens, SMR / HER. Also National Trust land • Important wider, or significant local, landscape / visual function e.g. context / setting of heritage asset, contribution to character of settlement of regional importance, green gap, buffer zone etc. • Landscapes in very good condition and / or of high quality as defined by appropriate criteria • Important cultural associations • Very good representation of landscape area / type / characteristics and / or uncommon • Very good aesthetic and perceptual attributes and qualities e.g. high degree of scenic beauty, fine / key views, distinctive sense of place, high degree of wildness / remoteness, tranquillity • Negligible / few detractors present • The quality / qualities of, and / or features in, the landscape are likely to be one of the main reasons for the visit • Important contribution to wider public amenity, access and recreation e.g. long-distance / themed trails, well-used public rights of way, Heritage Coast, Public Open Space / Local Green Space. May be protected by / subject of planning policy • Important wider, or significant local Green Infrastructure assets

Level of Value	Definition
Moderate	<ul style="list-style-type: none"> • ‘Everyday’ landscapes (ELC) • Undesignated landscapes although may be subject of strategy and / or guidance • Presence of undesignated, ‘informally’ designated and / or locally-important areas / features of landscape, nature conservation, archaeological, historic, geological and / or other interest • Important local landscape / visual function e.g. context / setting of heritage asset, contribution to character of settlement, green gap, buffer zone etc. • Landscapes in good to fair condition and / or of moderate quality as defined by appropriate criteria but good potential for improvement • Important local cultural associations • Good to fair representation of landscape area / type / characteristics but common • Good to fair aesthetic and perceptual attributes and qualities e.g. moderate degree of scenic beauty, local key views, moderate sense of place, moderate degree of wildness / remoteness, tranquillity • Some detractors present • The quality / qualities of, and / or features in, the landscape are unlikely to be one of the main reasons for the visit, but make a positive contribution to the experience • Important contribution to local public amenity, access and recreation e.g. well-used public rights of way, green open spaces, common land • Good local Green Infrastructure assets
Low	<ul style="list-style-type: none"> • Landscapes between ‘Everyday’ and ‘Degraded’ (ELC) • Undesignated landscapes unlikely to be subject of strategy and / or guidance (unless for restoration) • Few if any areas / features of landscape, nature conservation, archaeological, historic, geological and / or other interest • Little or no local landscape / visual function • Landscapes in fair to poor condition and / or of low quality as defined by appropriate criteria but some potential for improvement • Few if any cultural associations • Fair to poor representation of landscape area / type / characteristics and common • Few if any aesthetic and perceptual attributes and qualities: little sense of place, little or no sense of wildness / remoteness, tranquillity • Several detractors present • The quality / qualities of, and / or features in, the landscape are unlikely to be a reason for visiting • Little or no contribution to public amenity, access and recreation • Few Green Infrastructure assets

Level of Value	Definition
Very Low	<ul style="list-style-type: none"> • ‘Degraded’ landscapes (ELC) • Undesignated landscapes, and not subject of strategy and / or guidance (unless for restoration) • No areas / features of landscape, nature conservation, archaeological, historic, geological and / or other interest • Negligible or no landscape / visual function • Landscapes in very poor condition and / or of very low quality as defined by appropriate criteria – may be contaminated land. Situation likely to be permanent, and very little if any potential for improvement • No cultural associations • Poor representation of landscape area / type / characteristics • Negative aesthetic and perceptual attributes and qualities: no sense of place, high levels of landscape and visual disturbance • Widespread detractors present / dominant • The quality / qualities of, and / or features in, the landscape may discourage people from visiting • No contribution to public amenity, access and recreation • Very few or no Green Infrastructure assets

Table 3: Criteria for Judging Levels of Landscape Susceptibility to Change

Level of Susceptibility	Definition
Very High	<ul style="list-style-type: none"> • The landscape is of a very large scale and / or there is a negligible level of containment, resulting in a significant degree of interaction between landform, topography, vegetation cover, field pattern and built form • There is no existing reference or context within the landscape to the type of change / development proposed • Detracting features are not present in the area • The majority of the existing landscape characteristics / elements / features of value (e.g. ancient woodland, mature / veteran trees, traditional orchards etc.) could not be replaced / substituted and their loss could not be compensated for • Very limited or no opportunities for mitigation • The landscape receptor has a very low level of ability to tolerate the nature / scale of change / development proposed: permanent serious negative consequences in terms of the maintenance of the baseline situation • The proposed change / development would not comply with relevant national planning policies, guidance, and / or strategies
High	<ul style="list-style-type: none"> • The landscape is of a large scale and / or there is a low level of containment, resulting in a high degree of interaction between landform, topography, vegetation cover, field pattern and built form • There is very limited existing reference or context within the landscape to the type of change / development proposed • Few detracting features in the area and where present, these have little influence on the character and experience of the landscape • Many of the existing landscape characteristics / elements / features of value would not be easy to replace or substitute, and it is unlikely that loss could be compensated for • Some potential for mitigation and enhancement • The landscape receptor has a low level of ability to tolerate the nature / scale of change / development proposed: long-term / permanent consequences of concern in terms of the maintenance of the baseline situation • The proposed change / development is unlikely to comply with relevant national planning policies, guidance, and / or strategies
Moderate	<ul style="list-style-type: none"> • The landscape is of a medium scale and / or there is a moderate level of containment, resulting in a moderate degree of interaction between landform, topography, vegetation cover, field pattern and built form • There is some existing reference or context within the landscape to the type of change / development proposed • Some detracting features and / or major infrastructure are present in the area, and these have a noticeable influence on the character and experience of the landscape • Existing landscape characteristics / elements / features of limited value and could potentially be replaced / substituted, and / or loss satisfactorily compensated for • Good potential for mitigation and enhancement • The landscape receptor has a moderate level of ability to tolerate the nature / scale of change / development proposed: some concern in terms of the maintenance of the baseline situation without mitigation • The proposed change / development may be in conflict with some relevant national planning policies, guidance, and / or strategies, but may comply with others

Level of Susceptibility	Definition
Low	<ul style="list-style-type: none"> • The landscape is small scale and / or has a high level of containment, resulting in only a slight degree of interaction between landform, topography, vegetation cover, field pattern and built form • There are many existing references within the landscape to the type of development / change proposed • Several detractors present which have a negative influence on the character and / or experience of the landscape • Few / no landscape characteristics / elements / features of value are present or, where they are present, they can easily be replaced / substituted and / or loss could be satisfactorily compensated for • The landscape receptor has a high level of ability to tolerate the nature / scale of change / development proposed: limited concern in terms of the maintenance of the baseline situation • Very good opportunities for mitigation and enhancement • The proposed change / development is unlikely to be in conflict with relevant national planning policies, guidance, and / or strategies. The site may be allocated for the type of development proposed
Very Low	<ul style="list-style-type: none"> • The landscape is of such a small scale and / or has such a high level of containment, that there is little or no interaction between landform, topography, vegetation cover, field pattern and built form • The landscape displays the characteristics of the type of development / change proposed • Widespread detractors present which negatively influence the character and / or experience of the landscape • No landscape characteristics / elements / features of value are present • The landscape receptor has a very high level of ability to tolerate the nature / scale of change / development proposed: no concern in terms of the maintenance of the baseline situation • Change / development could result in noticeable improvements to the area • The proposed change / development is likely to comply with relevant national planning policies, guidance, and / or strategies. The site may be allocated for the type of development proposed or for restoration

Table 4: Matrix for Evaluating Levels of Landscape Sensitivity

		Level of Landscape Susceptibility to Change				
		Very High	High	Moderate	Low	Very Low
Level of Landscape Value	Very High	Very High	High to Very High	High	Medium to High	Medium
	High	High to Very High	High	Medium to High	Medium	Low to Medium
	Moderate	High	Medium to High	Medium	Low to Medium	Low
	Low	Medium to High	Medium	Low to Medium	Low	Very Low to Low
	Very Low	Medium	Low to Medium	Low	Very Low to Low	Very Low

Table 5: Criteria for Judging Levels of Magnitude of Effect (Landscape Character)

Level of Magnitude	Definition
Very Large Adverse	<ul style="list-style-type: none"> • Major alteration to, or complete loss of, key elements, features, characteristics and functions of the baseline condition • The size, scale and / or geographical extent of change is considered very large due to the extent and proportion of loss of, or change to, existing landscape components • Effects likely to be experienced at a very large scale, influencing several character areas or types • Major alteration to, or complete loss of, key elements, features, characteristics and functions of the baseline condition, and / or the addition of highly uncharacteristic, conspicuous elements, features and / activities, would result in major alteration to, or complete loss of, aesthetic and / or perceptual qualities • The duration of effect would be considered permanent and irreversible
Large Adverse	<ul style="list-style-type: none"> • Noticeable alteration to, or significant loss of, key elements, features, characteristics and functions of the baseline condition • The size, scale and / or geographical extent of change is considered large due to the extent and proportion of loss of, or change to, existing landscape components • Effects likely to be experienced at a large scale, influencing the character area and / or type within which the change is proposed • Noticeable alteration to, or loss of, key elements, features, characteristics and functions of the baseline condition, and / or the addition of uncharacteristic, conspicuous elements, features and / activities, would result in noticeable alteration to, or loss of, aesthetic and / or perceptual qualities • The duration of effect would be considered long-term / permanent and probably irreversible
Moderate Adverse	<ul style="list-style-type: none"> • Partial alteration to, or loss of, key elements, features, characteristics and functions of the baseline condition • The size, scale and / or geographical extent of change is considered medium due to the extent and proportion of loss of, or change to, existing landscape components • Effects likely to be experienced at a moderate scale, influencing the character type within which the change is proposed but at a local level • Partial alteration to, or loss of, key elements, features, characteristics and functions of the baseline condition, and / or the addition of elements, features and / activities which are not characteristic in the area, would result in partial alteration to, or loss of, aesthetic and / or perceptual qualities • The duration of effect would be considered long-term / permanent and very difficult to reverse in practical terms

Level of Magnitude	Definition
Small Adverse	<ul style="list-style-type: none"> • Minor alteration to key elements, features, characteristics and functions of the baseline condition • The size, scale and / or geographical extent of change is considered small due to the extent and proportion of loss of, or change to, existing landscape components • Effects likely to be experienced at a small scale, influencing the landscape within which the change is proposed at a local level • Minor alteration to, or loss of, key elements, features, characteristics and functions of the baseline condition, and / or the addition of elements, features and / activities which are not characteristic in the area, would result in minor alteration to aesthetic and / or perceptual qualities • The duration of effect may be considered long-term / permanent but is potentially reversible
Negligible Adverse	<ul style="list-style-type: none"> • Barely discernible alterations to key elements, features, characteristics and functions of the baseline condition • The size, scale and / or geographical extent of change is considered very small due to the extent and proportion of loss of, or change to, existing landscape components • Effects likely to be experienced at a very small scale, with no influence beyond the site and its immediate surroundings on the landscape within which the change is proposed • Barely discernible alterations to key elements, features, characteristics and functions of the baseline condition, and / or the addition of elements, features and / activities which are entirely characteristic in the area, would result in barely discernible alteration to aesthetic and / or perceptual qualities • The duration of effect may be considered temporary (i.e. short- or medium-term); but if long-term / permanent, effects potentially reversible (and may be likely to happen)
Neutral	<ul style="list-style-type: none"> • No change to the baseline condition
Negligible Beneficial	<ul style="list-style-type: none"> • Barely discernible improvements to key elements, features, characteristics and functions of the baseline condition • The size, scale and / or geographical extent of improvement is considered very small due to the extent and proportion of new landscape components • Beneficial effects likely to be experienced at a very small scale, with no influence beyond the site and its immediate surroundings on the landscape within which the improvement is proposed • Barely discernible improvements to existing, or addition of new, key elements, features, characteristics and functions of the baseline condition would result in barely discernible improvements in aesthetic and / or perceptual qualities • Improvements are temporary (i.e. short- or medium-term)
Small Beneficial	<ul style="list-style-type: none"> • Small but noticeable improvements to key elements, features, characteristics and functions of the baseline condition • The size, scale and / or geographical extent of improvement is considered small due to the extent and proportion of new landscape components • Beneficial effects likely to be experienced at a small scale, influencing the local landscape • Small but noticeable improvements to existing, or addition of new, key elements, features, characteristics and functions of the baseline condition would result in discernible improvements in aesthetic and / or perceptual qualities • Improvements are medium- to long-term

Level of Magnitude	Definition
Moderate Beneficial	<ul style="list-style-type: none"> • Noticeable improvements to key elements, features, characteristics and functions of the baseline condition • The size, scale and / or geographical extent of improvement is considered medium due to the extent and proportion of new landscape components • Beneficial effects likely to be experienced at a moderate scale, influencing the character type within which the change is proposed but at a local level • Noticeable improvements to existing, or addition of new, key elements, features, characteristics and functions of the baseline condition would result in noticeable improvements in aesthetic and / or perceptual qualities • Improvements are long-term / permanent
Large Beneficial	<ul style="list-style-type: none"> • Major improvements to key elements, features, characteristics and functions of the baseline condition • The size, scale and / or geographical extent of improvement is considered large due to the extent and proportion of new landscape components • Beneficial effects likely to be experienced at a large scale, influencing the character area and / or type within which the change is proposed • Major improvements to existing, or addition of new, key elements, features, characteristics and functions of the baseline condition would result in considerable improvements in aesthetic and / or perceptual qualities • Improvements are long-term / permanent
Very Large Beneficial	<ul style="list-style-type: none"> • Substantial improvements to key elements, features, characteristics and functions of the baseline condition • The size, scale and / or geographical extent of improvement is considered very large due to the extent and proportion of new landscape components • Beneficial effects likely to be experienced at a very large scale, influencing several character areas or types • Substantial improvements to existing, or addition of new, key elements, features, characteristics and functions of the baseline condition would result in substantial improvements in aesthetic and / or perceptual qualities • Improvements are permanent

Table 6: Matrix for Evaluating Overall Levels of Landscape Effects

NOTE 1: The level of Magnitude of Effect can be expressed as Adverse or Beneficial, and the overall Level of Effect can be expressed as Negative or Positive.

NOTE 2: If the Magnitude of Effect is Neutral (i.e. 'No Change'), all effects will be Neutral

		Sensitivity of Receptor				
		Very High	High	Medium	Low	Very Low
Level of Magnitude of Effect	Very Large	Substantial	Major	Moderate to Major	Moderate / Moderate to Major	Moderate
	Large	Major	Moderate to Major	Moderate / Moderate to Major	Moderate	Minor to Moderate
	Moderate	Moderate to Major	Moderate / Moderate to Major	Moderate	Minor to Moderate	Minor
	Small	Moderate / Moderate to Major	Moderate	Minor to Moderate	Minor	Negligible to Minor
	Negligible	Moderate	Minor to Moderate	Minor	Negligible to Minor	Negligible

Table 7: Criteria for Judging Levels of Visual Value

Level of Visual Value	Criteria
Very High	<ul style="list-style-type: none"> • Views from, or towards, designated landscapes and / or features of international and national importance (e.g. World Heritage Sites, National Parks, AONBs, Registered Historic Parks and Gardens, Scheduled Monuments, Grade I or II* Listed Buildings etc.) especially where contributing to the significance of an asset / feature • View is of outstanding scenic beauty and very high quality • View makes a highly important contribution to understanding of landscape function / contribution • Likely to be the subject of planning policy and / or guidance / protected views • Views from landscapes / viewpoints within highly popular visitor attractions / tourist destinations, and / or from national trails, used by very large numbers of people • Views with social / cultural / historic associations (e.g. in art and literature, or an historically-important vista over a battlefield) of international / national importance
High	<ul style="list-style-type: none"> • Views from within, or towards, designated landscapes and / or features of regional or countywide importance (e.g. Areas of Great Landscape Value (AGLV), Country Parks, Conservation Areas, Grade II listed buildings, National Trust land etc.), especially where contributing to the significance of an asset / feature • View is of high scenic beauty and high quality • View makes an important contribution to understanding of landscape function / contribution • Views from well-used and popular visitor attractions / tourist destinations, including long-distance / themed trails, Heritage Coasts, Public Open Spaces / Local Green Spaces, used by relatively large numbers of people • Views with social / cultural / historic associations of countywide importance • Views in which receptors have a proprietary interest, including people living in residential properties
Moderate	<ul style="list-style-type: none"> • Views from within, or towards, undesignated landscapes and / or features of local importance • View is of moderate scenic beauty and moderate quality • View makes a moderate contribution to understanding of landscape function / contribution • Views from locally-popular recreation areas / green open spaces / public rights of way, but not used by many visitors • Views with social / cultural / historic associations of local importance
Low	<ul style="list-style-type: none"> • Views from within, or towards, undesignated landscapes and / or features of site-wide importance • View is of low scenic beauty and low quality • View makes a very limited contribution to understanding of landscape function / contribution • Views from landscapes / viewpoints which are not particularly popular or recognised as being destinations in their own right, including infrequently used rights of way • Views with no social / cultural / historic associations
Very Low	<ul style="list-style-type: none"> • Views from, or towards, undesignated landscapes and / or features of no importance • View is of poor scenic beauty / quality - landscape may be permanently degraded

Table 8: Criteria for Judging Levels of a Landscape’s Visual Susceptibility to Change

Level of Visual Sensitivity	Definition
Very High	<ul style="list-style-type: none"> • Highly visible in wider area • Forms part of exceptional / iconic / very highly valued views • Internationally / nationally important visual function (context, setting, gateway, gap, screen, buffer, transition zone, skyline, panorama, vista, focal point, cultural association etc.) • Very open to public or private views of the countryside or open space which are significant • Development would create unacceptable visual intrusion into the wider landscape that almost certainly could not be mitigated
High	<ul style="list-style-type: none"> • Visible in wider area • Highly visible in local area • Forms part of wider important / highly valued views • Forms part of views of significant local value • Important wider visual function • Significant local visual function • Very open to public or private views of the countryside or open space which are of wider importance • Development would be uncharacteristically conspicuous in the wider area and mitigation unlikely to reduce adverse effects • Development would create unacceptable visual intrusion into the local landscape that almost certainly could not be mitigated
Moderate	<ul style="list-style-type: none"> • Not visible from wider area or of no influence • Locally visible but limited influence • Views are of some wider importance but there is scope for mitigating potential adverse visual effects • Locally highly-valued views • Limited wider visual function • Important local visual function • Partially open to public or private views of the countryside or open space which are of wider importance • Open to views public or private views of the countryside or open space which are of local importance • Development likely to be perceptible in the wider area but would not significantly alter the balance of features or elements within the existing view • Development would be uncharacteristically conspicuous in the local area and mitigation unlikely to reduce adverse effects

Level of Visual Sensitivity	Definition
Low	<ul style="list-style-type: none"> • Not visible from wider area • Limited local visibility • Views of limited importance • Development could be integrated into the land- / town- / villagescape although possibly only with mitigation • Site is fairly well-screened from public and private views • Development may be discernible in the wider area but would not result in loss of, or change to, important views or wider visual amenity • Development likely to be perceptible in the local area but would not significantly alter the balance of features or elements within the existing view
Very Low	<ul style="list-style-type: none"> • Not visible from wider area • Little or no local visibility • Views of little or no importance • Development would not lead to unacceptable visual intrusion into the landscape, or adverse effects on the settlement, with or without mitigation • Site is very well-screened from public and private views • Development would not be discernible or would enhance views or existing visual amenity

Table 9: Criteria for Judging Levels of Visual Receptors' Susceptibility to Change

Level of Susceptibility	Criteria
Very High	<ul style="list-style-type: none"> • Receptors (tourists / visitors) within, or looking towards, internationally- or nationally- designated landscapes, areas and features such as World Heritage Sites, National Parks, Areas of Outstanding Natural Beauty, Registered Historic Parks and Gardens, Scheduled Ancient Monuments, Grade I and II* listed buildings and other places where the landscape / feature is the main reason for the visit • People using national trails and other nationally-designated routes where the view is likely to be the focus of attention
High	<ul style="list-style-type: none"> • Receptors (tourists / visitors) within, or looking towards, landscapes, areas and features with regional / countywide designations e.g. Areas of Great Landscape Value (AGLV), Country Parks, Conservation Areas, Grade II listed buildings, National Trust land etc. and other places (such as Open Access Land) where the landscape / feature is part of the reason for the visit • People using long-distance footpaths / scenic routes / themed trails / engaged in outdoor recreation (e.g. walkers, riders, cyclists, boat users, motorists), whose attention may be focused on the landscape and / or particular views, and / or for whom the view is a factor in the enjoyment of the activity • People living in residential properties • Communities living in areas where the landscape setting makes a highly important contribution to visual amenity
Moderate	<ul style="list-style-type: none"> • Receptors within, or looking towards, undesignated landscapes, areas and features of local importance, and in places where the landscape / feature is not necessarily part of the reason for the visit • People using local public rights of way / engaged in outdoor recreation whose attention is unlikely to be focused on the landscape and / or particular views, and / or for whom the view is not necessarily a factor in the enjoyment of the activity • People staying in hotels and healthcare institutions who are likely to appreciate and / or benefit from views of their surroundings • People working in premises where the views are likely to make an important contribution to the setting, and / or to the quality of working life
Low	<ul style="list-style-type: none"> • Receptors in commercial and industrial premises, schools, playing fields etc. where the view is not central to the use • People using main roads, rail corridors, infrequently used / inaccessible public rights of way and likely to be travelling for a purpose other than to enjoy the view
Very Low	<ul style="list-style-type: none"> • People moving past the view often at high speed (e.g. on motorways and main line railways) and with little or no focus on or interest in the landscape through which they are travelling

Table 10: Matrix for Evaluating Levels of Visual and Visual Receptor Sensitivity

		Level of Visual Susceptibility to Change				
		Very High	High	Moderate	Low	Very Low
Level of Visual Value	Very High	Very High	High to Very High	High	Medium to High	Medium
	High	High to Very High	High	Medium to High	Medium	Low to Medium
	Moderate	High	Medium to High	Medium	Low to Medium	Low
	Low	Medium to High	Medium	Low to Medium	Low	Very Low to Low
	Very Low	Medium	Low to Medium	Low	Very Low to Low	Very Low

Table 11: Criteria for Judging Levels of Magnitude of Effect (Views & Visual Amenity)

Level of Magnitude	Definition
Very Large Adverse	<ul style="list-style-type: none"> • Significant and substantial deterioration in, or a significant and substantial change to, a very large proportion of the existing view • Complete loss of, or substantial change to, site's visual function / contribution • The change may be noticeable over a large geographical area, or substantial over a more limited area • Development, or a large part of it, would be a dominant new component and / or focus in the view, and would have a strongly-defining influence on it • The duration of effect would be considered permanent and irreversible
Large Adverse	<ul style="list-style-type: none"> • Development would cause a highly noticeable deterioration in, or a highly noticeable change to, a large proportion of the existing view, or significant deterioration in or a significant change to a smaller proportion of the existing view • Noticeable loss of, or change to, site's visual function / contribution • Development, or a large part of it, would be a significant new component and / or focus in the view, and would have a defining influence on it • The duration of effect would be considered long-term / permanent and probably irreversible
Moderate Adverse	<ul style="list-style-type: none"> • Development would cause a visible deterioration in, or change to, a large proportion of the existing view, or highly noticeable deterioration in, or change to, a smaller proportion of the existing view • Partial loss of, or change to, site's visual function / contribution • Development appears at odds with local landscape character and would form an apparent element within local views • The duration of effect would be considered long-term / permanent and very difficult to reverse in practical terms
Small Adverse	<ul style="list-style-type: none"> • Development would cause a small deterioration in, or change to, a large proportion of the existing view, or a visible deterioration in, or change to, a smaller proportion of the existing view • Small change to site's visual function / contribution • Development would form a minor constituent of the view, being partially-visible, or at a sufficient distance to be a limited component of a view • The duration of effect may be considered long-term / permanent but is potentially reversible
Negligible Adverse	<ul style="list-style-type: none"> • Development would cause a barely-perceptible deterioration in, or change to, the existing view • Barely-perceptible change to site's visual function / contribution • The duration of effect may be considered temporary (i.e. short- or medium-term); but if long-term / permanent, effects potentially reversible (and may be likely to happen)
Neutral	<ul style="list-style-type: none"> • No change to the existing view
Negligible Beneficial	<ul style="list-style-type: none"> • Development would result in a barely-discernible improvement in the existing view • Improvements are temporary (i.e. short- or medium-term)

Level of Magnitude	Definition
Moderate Beneficial	<ul style="list-style-type: none"> • Development would result in a noticeable improvement to a large proportion of the existing view, or locally-important improvement to a smaller proportion of the existing view • Improvements are long-term / permanent
Large Beneficial	<ul style="list-style-type: none"> • Development would result in an important improvement to a large proportion of the existing view, or significant improvement to a smaller proportion of the existing view • Improvements are long-term / permanent
Very Large Beneficial	<ul style="list-style-type: none"> • Development would result in a significant improvement to a large proportion of the existing view • Improvements are permanent

Table 12: Matrix for Determining Overall Levels of Visual Effects

NOTE 1: The level of Magnitude of Effect can be expressed as Adverse or Beneficial, and the overall Level of Effect can be expressed as Negative or Positive.

NOTE 2: If the Magnitude of Effect is Neutral (i.e. 'No Change'), all effects will be Neutral

		Sensitivity of Receptor				
		Very High	High	Medium	Low	Very Low
Level of Magnitude of Effect	Very Large	Substantial	Major	Moderate to Major	Moderate / Moderate to Major	Moderate
	Large	Major	Moderate to Major	Moderate / Moderate to Major	Moderate	Minor to Moderate
	Moderate	Moderate to Major	Moderate / Moderate to Major	Moderate	Minor to Moderate	Minor
	Small	Moderate / Moderate to Major	Moderate	Minor to Moderate	Minor	Negligible to Minor
	Negligible	Moderate	Minor to Moderate	Minor	Negligible to Minor	Negligible