

Independent Examination of the Dacorum Core Strategy

Issue 12: Tring

Aylesbury Vale District Council's Response to the Inspector's Questions

3,000 word limit

1. Thank you for the opportunity to consolidate upon our written representations which are being considered by the Planning Inspector, Mr David Hogger. We wished to respond to the Inspector's Questions from our concerns expressed at the Pre Submission stage to the Core Strategy and from dialogue we have had with Dacorum Borough Council officers leading up to the Examination.
2. This statement responds to the Inspector's Questions set out in paragraphs 12.1-12.6 of the Programme, Issues and Questions Version 1 (14th August 2012).
3. Our concerns cover:-
 - Insufficient account has been taken of the Dacorum Landscape Character Assessment or the Aylesbury Vale Landscape Character Assessment.
 - That very little information has been made available on how the development principles in the Tring Place Strategy could be realised on the ground. It is therefore very difficult to accept if in principle the proposals would or would not cause unacceptable harm to the natural and built environment around the site.
 - Insufficient details have been provided on how any harm caused by the proposed development of the site will maintain or enhance the existing contribution the site makes to the landscape of the area.
 - The timing and need for a Landscape and Visual Impact Assessment (LVIA) to inform detailed proposals. The LVIA initial work is inadequate to make an informed judgement on potential impacts, mitigation and suitability. The LVIA has been produced too late to inform the setting of the Tring Place Strategy principles including the number of homes on the site and statements such as the building form should be 'two storey'.
 - Inadequacies about the methodology and detail in the LVIA (August 2012) explained in various communications between AVDC officers, Dacorum and Barton Willmore producing the LVIA.

The Landscape Character Assessment evidence

4. The site is highly exposed to views both from the immediate vicinity (the B488 and B635), public footpath through the site and also extensive public footpath networks over looking the site from higher ground to the south of the A41 and B4009. The site lies wholly within the metropolitan green belt with the western half of the site additionally within the Chilterns AONB. This western area is also covered by an Article 4 Direction which controls the erection of structures connected with poultry production. Topographically the site is situated on the top and down the south east facing slope of a lower ridge spur running north from the higher Chilterns hills to the south.
5. The Inspector is referred to the following decisions where the Aylesbury Vale Landscape Character Assessment and Areas of Sensitive Landscape evidence bases have been used in a positive way by a Planning Inspector in making appeal decisions. These are:-
 - *APP/JO405/A/10/2120226* Land at Greenacre Stables, Oving Road, Whitchurch (14

January 2011)

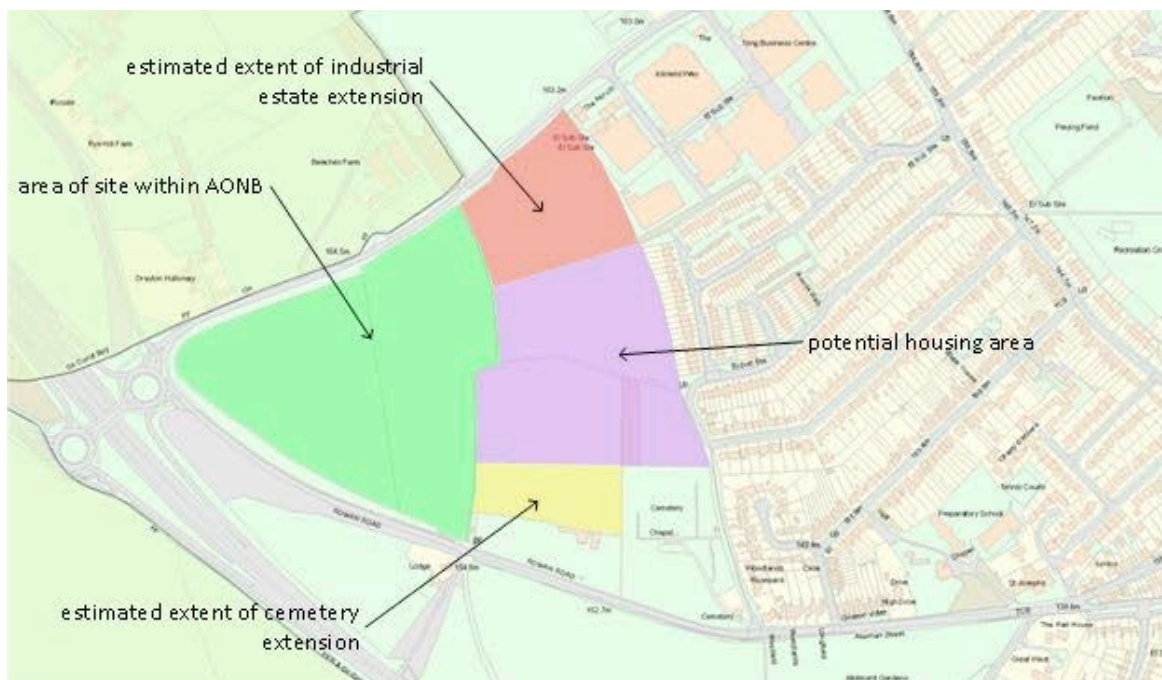
- *APP/J0405/A/10/2135746* Land East of Winslow (20 June 2011)
6. In the Land East of Winslow case, the Inspector noted at paragraph 18 that the landscape mitigation scheme would not be sufficient to outweigh the harm on an adjacent rural landscape. The Inspector also noted that this impact mainly concerned closer views of the proposed site.
 7. In the decision to the Land at Greenacre Stables case, the Inspector noted at paragraph 14 the substantial harm of views from surrounding countryside into an urbanising development, including when the proposed new trees were not in leaf. At paragraph 11 the Inspector referred to the importance of the AVDC Landscape Character Assessment.
 8. The *Inspector's Draft Conclusions to the South Oxfordshire Core Strategy Examination, November 2011* – www.southoxon.gov.uk/sites/default/files/Inspectorsdraftconclusions-ID34.pdf available at www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/core-strategy-examination concerning a site for approximately 600 homes at Thame near the district boundary (Site F) were informed by AVDC's written statement and objections on landscape and visual impact. The Inspector's reference to the Thame Valley Landscape is an important landscape entirely within Aylesbury Vale the importance of which is set out in the AVDC statement and objection.
 9. Paragraph 109 of the NPPF (2012) sets out that the planning system should protect and enhance valued landscapes with local planning authorities setting out 'criteria based policies against which proposals for development on landscape areas will be judged' (paragraph 113). Great weight should be given to conserving landscape and scenic beauty in the Areas of Outstanding Natural Beauty 'which has the highest status of protection in relation to landscape and scenic beauty' (paragraph 115).
 10. It is clear that a substantial proportion of the proposed site will be visible from and have the potential to impact on the character of the adjacent AONB (see photos attached as Appendix 2). It is not obvious from the information available, how (or whether) the points in the Dacorum and Aylesbury Vale Landscape Character Assessments (see Appendix 1) have been considered when identifying this site as a Local Allocation for housing and other uses. Some reference is made in the Barton Willmore LVIA to Landscape Character Assessments but this has not informed the Core Strategy Proposals and because it has been produced so late it is not able to recommend changes to the plan should they be needed.
 11. As well as half the site being within the AONB, the site provides part of the setting for the areas of the AONB on higher ground to the south. Any change to the characteristics of the proposal site will have an effect on the areas of AONB from which the site can be viewed. Whilst it may be possible for any effects to be mitigated, it must be considered that the mitigation may itself have an effect on the AONB. No information has been published to suggest that the mitigation of the site has been investigated or indeed is possible.

12. The photographs attached at Appendix 2 illustrate typical views of the site from the south and west. They all illustrate the visibility of the site from the surrounding landscape and the contribution that the site makes to the wider landscape. Photos 1 and 2 illustrate views from the edge of the site, whilst Photo 3 illustrates the view from the public footpath at a point above Dancers End Lane approximately 1km to the south west of the site. For illustrative purposes the site is highlighted on Photo 3 in a red wash. Whilst the existing industrial area adjacent to the B488 is clearly visible beyond the site in Photo 3, it is evident from this viewpoint that the site provides an important element of the landscape setting for this part of the AONB, providing a buffer between the existing settlement of Tring and the AONB beyond.

The suitability of the proposed development for the site

13. Very little information has been made available on the nature of any proposed development for the site. The 'Tring Place Strategy' sets out development proposals. It is worth considering the potential impact of these proposals on the site. The following is based on reasonable assumptions based on the above limited information:

The total area of the proposal site	=	16.6ha approx.
Total area of site outside AONB	=	8.7ha approx.
Industrial estate extension	=	2.5ha (estimate)
Cemetery extension	=	1.2ha (estimate)
Area of land available for housing	=	5ha approx.
Proposed number of houses	=	150
Approximate density per hectare	=	30



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N.B The plan above is used merely to illustrate the size of the areas involved and is not a recommendation or interpretation of the arrangement of any development on the site.

14. These figures suggest a likely density per hectare of 30 dwellings. The neighbouring
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existing development displays a density per hectare of approx. 20-25 dwellings.

15. Whilst far from ideal in design terms, the existing development that forms the rural edge of this part of Tring, does demonstrate a relatively typical density per hectare for an area of urban fringe. As can be seen from the figures outlined above, the proposed development is likely to result in a considerably higher density, one that would be much more typical of developments nearer the town centre and not one that would be suitable for an area of urban fringe with high landscape sensitivity adjacent to (and visible from) the AONB. It is therefore considered that density assumptions for this site should be at the lower end of a range between 20-30 dwellings per hectare, and that this in itself is likely to reduce the overall capacity of the site to less than 150 dwellings.
16. It should be noted that the areas set out above do not allow for additional landscape mitigation (that could reasonably be expected to be above and beyond any 'standard' landscape provision) bearing in mind the visual prominence of the site in relation to the AONB. It is not possible to assess the scale of this mitigation without having a much clearer idea of the development proposals. Clearly any additional landscape mitigation will be likely to decrease the area of available land for development and thereby increase the density per hectare of any proposed development.

The need for a Landscape and Visual Impact Assessment

17. Any development allocation proposals must take into account the points set out above when considering the landscape impacts of any proposed development. To adequately assess the impact of any proposed development in this area (and the requirement for/extent of mitigation) the proposer must undertake a landscape and visual impact assessment (LVIA). In the absence of this it is difficult to provide any guidance as to either the suitability of the proposed site or the scale of mitigation measures that may be required to be undertaken.
18. Aylesbury Vale District Council has produced a guidance note for developers undertaking Landscape and Visual Impact Assessments which indicates the approach that would be appropriate for carrying out such an assessment on this site. The guidance note is included as Appendix 3. This guidance note is sent to all developers considering (or required to) carry out LVIA's to support development proposals in the AVDC area. The aim of the guidance note is to encourage consistency with regard to the methodology and criteria applied to LVIA's, whilst recognising the need for the criteria to be specifically appropriate to the site being assessed. The guidance has been shared with Dacorum Borough Council and Barton Willmore but has not yet been taken account of in the aspects of either following its methodology or instead proposing a convincing alternative.

The Draft LVIA by Barton Willmore, August 2012

19. There is a general methodology of 9 Stages that should be applied in producing a Landscape and Visual Assessment (adapted from Figure 2.2/ p.14 of the Guidelines for Visual Impact Assessment, 2002). These are:

1 – Baseline Study	
2 – Consideration of Alternatives	
3 – Construction and Operation	
4 – Mitigation Measures	
5 – Identify and Assess Landscape and Visual Effects	
6 – Managing Landscape Effects	7 – Managing Visual Effects
8 – Consultation	
9 – Review and Final Report	

20. The Draft LVIA does not follow an iterative approach to producing an LVIA and has not been produced in parallel to the Core Strategy. It has attempted to mitigate the impacts once the site at Icknield Way and quantum of development was already chosen and does not appear to have been used iteratively to inform the choice of site, the quantum of development or the area of the proposed site required for mitigation.

21. Whilst the methodology employed must be sufficiently flexible to allow for appropriate modification in response to the baseline information collected, it should, nonetheless, be appropriate for the nature, location and scale of the project and the potential sensitivity of the site. It appears that the methodology initially employed by the assessor was not appropriate to the nature, location and scale of the proposals (certainly when compared with those set out in the AVDC guidance note) and produced a unreasonably biased outcome.

Conclusions

21. This section responds to the Inspector's Questions set out in his Draft Timetable dated 14th August 2012.

Which part of the Core Strategy is unsound?

Proposal LA5 Icknield Way, west of Tring

Which soundness criterion does it fail?

Lack of Justification

Why does it fail? (point to the key parts of your original representations)

Evidence, which is still being finalised in the form of a Landscape and Visual Impact Assessment, is being retro-fitted into the DPD process to justify a housing number on the site. Furthermore the Council have not properly carried out a Landscape and Visual Impact Assessment of Alternative Site Options to demonstrate why 150 homes have to be accommodated on this site alone rather than spread across multiple sites. It is not proven that the proposed number of homes can be developed without causing demonstrable harm to the

setting of the AONB and surrounding landscapes in Aylesbury Vale.

Apparent density assumptions for the site (of approximately 30 dwellings per hectare) are too high for this edge of centre and high landscape sensitivity location. This casts doubt on the assumed capacity of the site for 150 dwellings.

How can the Core Strategy be made sound?

Deletion of reference to '150 homes' and replacement with 'up to 150 homes number to be determined in the Local Allocations DPD following work on the Landscape and Visual Impact Assessment and Site Master-planning including a Landscape Mitigation Strategy based on an appropriate residential density for the site.'

What is the precise change and/or wording sought?

Deletion of reference to '150 homes' and replacement with 'up to 150 homes number to be determined in the Local Allocations DPD following work on the Landscape and Visual Impact Assessment and Site Master-planning including a Landscape Mitigation Strategy'

Word Count – Currently 2254 Words (NB Word Count Excludes Appendices)

Appendix 1 : Excerpt from the Hertfordshire Landscape Character Assessment for Dacorum (2004) and AVDC Landscape Character Assessment 2008

Extract from The Hertfordshire Landscape Character Assessment for Dacorum, 2004
(<http://www.dacorum.gov.uk/default.aspx?page=2892>)
(pages 80-84)

The site is made up of a series of irregularly shaped fields (currently in arable production) typical of the wider landscape and lies within the 'Tring Gap Foothills' Landscape Character Area (area 114). The key characteristics of which are set out in Dacorum Borough Council's Landscape Character Assessment and include; *"views to the Chilterns escarpment"*, *"framing and containment by wooded scarp slopes"* and *"mixed open farmland"*.

The 'Strategy and Guidelines for Managing Change' in the Landscape Character Assessment document are assessed as being in the category *"improve and conserve"*. The Landscape Character Assessment states that this designation should:

- *"promote the retention of the character of local minor roads by the management of hedgerows and verges. Where part of a hedge has been damaged or removed it should be replanted with a mix of indigenous species"*
- *strengthen the setting of the scarp slopes by enhancing the landscape structure of the foothills by the promotion of the removal/screening of eyesores and the management/reintroduction of boundary features to reduce the scale and openness*
- *promote the creation of buffer zones between intensive arable production and important semi-natural habitats and the creation of links between semi-natural habitats*
- *conserve unimproved and semi-improved grassland wherever possible avoiding agricultural improvements and to seek opportunities to restore and create new species rich grassland adjacent to existing chalk downland on the scarp slopes. Encourage traditional management by grazing*
- *support a strategy to limit the impact of built development including Tring on the area. Ensure that development both in the area or adjacent to it are integrated through the use of native tree and shrub species and the creation of hedging and/or planting to the perimeter*
- *ensure that local highway improvements are sympathetic to the scale, pattern and character of the existing road network*
- *encourage the retention of the existing pattern of hedges and to create new features to further enhance landscape and ecological links between and to woodlands, canal corridor and parklands. Use old field boundaries where possible*
- *develop a strategy to mitigate the impact of the intrusive transport routes*
- *promote awareness and consideration of the setting of the AONB, and views to and from it, when considering development and land use change proposals on sites adjacent to the AONB"*

It is not obvious from the information available, how (or whether) the above points have been considered when allocating this site as suitable for development.

It is clear that a substantial proportion of the proposed site will be visible from and have the potential to impact on the character of the adjacent AONB.

The Aylesbury Vale Landscape Character Assessment, 2008

This can be viewed and downloaded as PDFs from <http://www.aylesburyvaledc.gov.uk/planning-building/planning-policy/avldf-framework/avldf-evidence-base/environment-evidence/av-lca-may2008/>

The relevant Landscape Character Areas adjoining the proposed allocation site are:-

- *LCA 10.4 (Wendover Foothills)* which covers land to the north including Drayton Beauchamp. The key characteristics and distinctive features of this landscape are the village of Drayton Beauchamp, steeply sloping landform in the south and the Grand Union Canal Wendover Arm.
- *LCA 11.1 (Chiltern Scarp)* which covers land in the AONB to the southwest of the site including forest walks. The key characteristics and distinctive features of this landscape are long distance views over the Aylesbury Vale landscape, the Ridgeway long distance footpath and extensive public access.
- *LCA 10.5 (Drayton Manor Chalk Slopes)* which cover Drayton Manor and the open countryside between the Chiltern Scarp and the proposed allocation site. The key characteristics and distinctive features of this landscape are the open area with views over Tring, dispersed farmsteads and settlements and Drayton Manor grounds.

Appendix 2: Site Photos illustrating the visual exposure of the site from key public vantage points

Photo 1: Dancers End Lane Forest Walks (April 2012) – site area highlighted in red



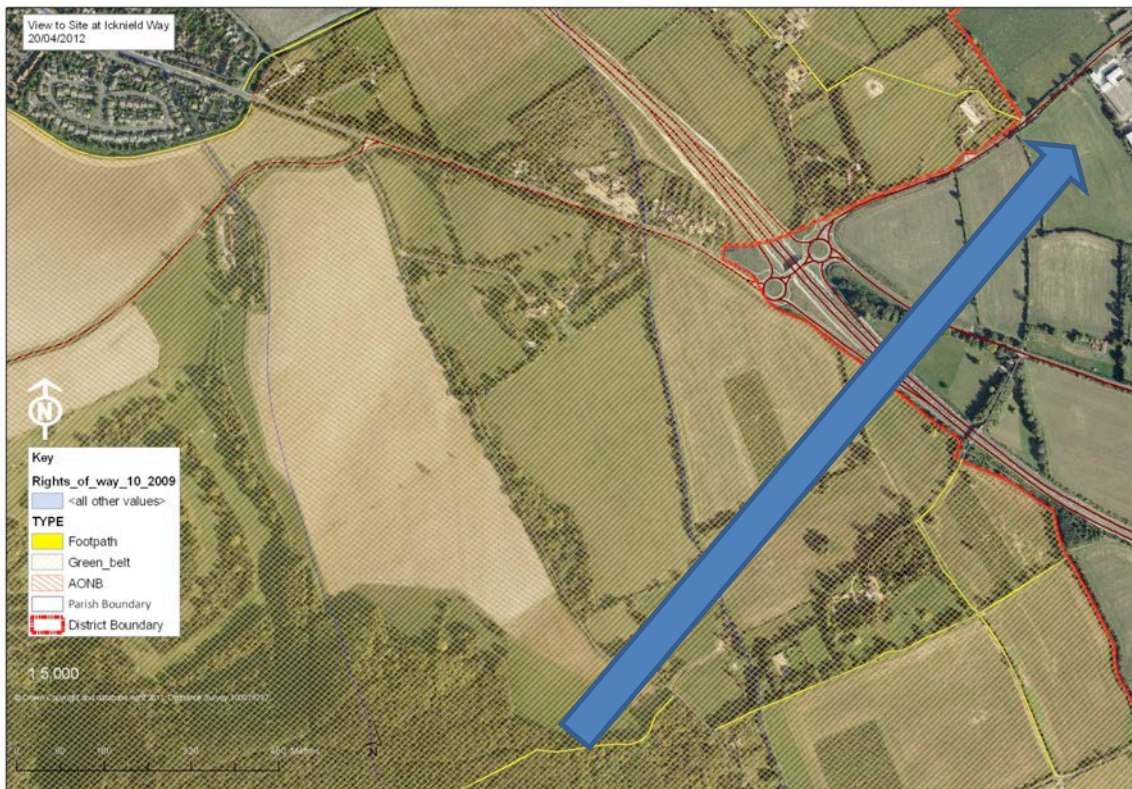
Photo 2 below: From Ickniel Way (January 2012)





Photo 3 (above) from the roundabout at the junction of Icknield Way, Aylesbury Road and the roundabout, A41 junction (January 2012)

Map (below) showing the location of the viewpoint in the AONB and view in Photo 1.



Appendix 3: AVDC Landscape and Visual Impact Assessment guidance notes

Aim

These notes are intended to provide guidance to planning applicants carrying out 'Landscape and Visual Impact Assessments' (LVIA's) to aid the Council in its decision-making process when considering proposals for development.

Background

LVIA's are an essential component of Environmental Impact Assessments (EIA's), the process by which the identification, prediction and evaluation of the key environmental effects of a development are undertaken and by which the information gathered is used to reduce the likely negative effects during the design of a project and then inform the decision-making process.

EIA's and their associated LVIA's should aim to provide as systematic and objective an account as is possible of the significant environmental effects to which the proposed project is likely to give rise.

Guidance for the preparation of LVIA's is set out in the 'Guidelines for Landscape and Visual Impact Assessment' (GLVIA) 2nd Edition (2002), published by the Landscape Institute and the Institute of Environmental Management and Assessment, and it is expected that all submitted LVIA's will comply with this guidance.

These notes aim to clarify the Council's advice in respect of those elements of the guidance that are open to interpretation and provide a starting point for discussion to agree the methodologies to be employed in carrying out LVIA's.

LVIA's

The GLVIA sets out the general principles for good practice in landscape and visual assessment. These include advice to 'clearly describe the methodology and the specific techniques that have been used, so that the procedure is replicable and the results can be clearly understood by a lay person' and to 'use clearly-defined and agreed terminology, particularly when defining the sensitivity of landscape and visual resources, the magnitude of predicted effects and in determining their significance'.

Whilst the methodology employed must be sufficiently flexible to allow for appropriate modification in response to the baseline information collected, it should, nonetheless, be appropriate for the nature, location and scale of the project and the potential sensitivity of the site.

It is clearly of considerable benefit if the methodology to be employed is agreed with the Council at the scoping stage and it with this in mind that the Council has formulated a set of generic criteria to act as a basis for agreeing the assessment methodology.

Landscape Impact Assessment

The landscape impact assessment describes the likely nature and scale of changes to individual landscape elements and characteristics, and the consequential effect on the landscape character resulting from the proposed development. The assessment requires the identification of the sensitivity of the landscape resource and the scale or magnitude of the landscape effects of the proposed development.

The determination of the sensitivity of the landscape resource (or receptor) is based upon an evaluation of each key element or characteristic of the landscape likely to be affected. The evaluation will reflect such factors as its quality, value, contribution to landscape character, and the degree to which the particular element or characteristic can be replaced or substituted.

With regard to the scale or magnitude of landscape effects, the GLVIA recommends that it may be helpful to rank or quantify individual effects within a series of levels or categories, indicating gradation from high to low for both negative (adverse) and positive (beneficial) effects. And that in all cases the criteria and thresholds should be clearly defined, simple, readily understood and applicable for all circumstances in which they are applied.

Visual Impact Assessment

The assessment of the visual effects of a proposed development will describe the changes in the character of the available views resulting from the development and the changes in the 'visual amenity' of the viewer (visual receptor). As with the landscape impact assessment, the use of clearly defined criteria as the basis for assessment will help in delivering an assessment that is both easily understandable and replicable.

Significance of the effects of proposed development

The significance of the effects of a proposed development will be based on the combination of sensitivity of the receptor (landscape or visual) and the magnitude of the effect of the proposed development. Whilst significance can only be defined in relation to each development and its location, the Council sets out in the following tables an evenly balanced basis for assessing significance as a starting point for discussing each LVIA.

<p style="text-align: center;">Assessment of significance of landscape impacts</p> <p>Red cells represent significant adverse impacts Green cells represent significant beneficial impacts Blue cells represent impacts that are not significant</p>		Landscape receptor sensitivity			
		High	Medium	Low	
		Landscape with important components or of a particularly distinctive character, susceptible to relatively small changes of the type proposed.	Landscape with relatively ordinary, moderately valued characteristics reasonably tolerant of changes of the type proposed.	A relatively unimportant landscape with few features of value or interest, potentially tolerant of substantial change of the type proposed.	
Magnitude of landscape impact	Major adverse	Significant adverse changes, over a significant area, to key characteristics or features or to the landscape's character or distinctiveness for more than 2 years	High adverse significance	High/Medium adverse significance	Medium adverse significance
	Moderate adverse	Noticeable but not significant adverse changes for more than 2 years or significant adverse changes for more than 6 months but less than 2 years, over a significant area, to key characteristics or features or to the landscape's character or distinctiveness.	High/Medium adverse significance	Medium adverse significance	Low adverse significance
	Slight adverse	Noticeable adverse changes for less than 2 years, significant adverse changes for less than 6 months, or barely discernible adverse changes for any length of time.	Medium adverse significance	Low adverse significance	Neutral
	Neutral	Any change would be negligible, unnoticeable or there are no predicted changes.	Neutral	Neutral	Neutral
	Slight benefit	Noticeable beneficial changes for less than 2 years, significant beneficial changes for less than 6 months, or barely discernible beneficial changes for any length of time.	Medium beneficial significance	Low beneficial significance	Neutral
	Moderate benefit	Noticeable but not significant beneficial changes for more than 2 years or significant beneficial changes for more than 6 months but less than 2 years, over a significant area, to key characteristics or features or to the landscape's character or distinctiveness.	High/Medium beneficial significance	Medium beneficial significance	Low beneficial significance

	Major benefit	Significant beneficial changes, over a significant area, to key characteristics or features or to the landscape's character or distinctiveness for more than 2 years	High beneficial significance	High/Medium beneficial significance	Medium beneficial significance
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Assessment of significance of visual impacts Red cells represent significant adverse impacts Green cells represent significant beneficial impacts Blue cells represent impacts that are not significant			Visual receptor sensitivity		
			High	Medium	Low
			<ul style="list-style-type: none"> Residential properties with views from ground and first floor windows and gardens towards the proposals. Important public sites used by many people. Public rights-of-way, public open spaces and other locations where the view is part of the reason for the visit. 	<ul style="list-style-type: none"> Commercial and industrial premises. Schools. Playing fields. Other areas where the view is not central to the use. 	<ul style="list-style-type: none"> Roads and rail with views towards the development where the viewer passes at speed and the view is not central to the use.
Magnitude of visual impact	Major adverse	Where the proposed development would cause a significant deterioration in the existing view	High adverse significance	High/Medium adverse significance	Medium adverse significance
	Moderate adverse	Where the proposed development would cause a noticeable deterioration in the existing view	High/Medium adverse significance	Medium adverse significance	Low adverse significance
	Slight adverse	Where the proposed development would cause a barely perceptible deterioration in the existing view	Medium adverse significance	Low adverse significance	Neutral
	Neutral	Where the proposed development would cause no discernible deterioration or improvement in the existing view	Neutral	Neutral	Neutral
	Slight benefit	Where the proposed development would cause a barely perceptible improvement in the existing view	Medium beneficial significance	Low beneficial significance	Neutral

AVDC Written Statement on the Landscape, Visual and Transport Impacts of the proposed Site LA5 at Icknield Way, Tring

Moderate benefit	Where the proposed development would cause a noticeable improvement in the existing view	High/Medium beneficial significance	Medium beneficial significance	Low beneficial significance
Major benefit	Where the proposed development would cause a significant improvement in the existing view	High beneficial significance	High/Medium beneficial significance	Medium beneficial significance