

**Corridor between the A34 Milton Interchange and the B4015
north of Clifton Hampden.**

on behalf of the

NEIGHBOURING PARISH COUNCILS - JOINT COMMITTEE (NPC-JC)

REBUTTAL OF PROOF OF EVIDENCE ON LANDSCAPE

BY JANE ASH

On Behalf of

OXFORDSHIRE COUNTY COUNCIL AS APPLICANT

ALAN JAMES BSc MA MLI (RETIRED)

1. This is a rebuttal of the Proof of Evidence submitted by Jane Ash (PoE-L) on behalf of Oxfordshire County Council Highways as Applicant for the HIF1 scheme (OCC-A). The rebuttal relates only to the section of HIF1 between Didcot and the Clifton Hampden bypass.
2. For most of the PoE-L, I shall confine the rebuttal to setting out what I consider to be the main 'battle lines' between my position and that of Jane Ash, which I believe are relatively few though not without significance. However, in section 6 of PoE-L Jane Ash has embarked on a series of point-by-point comments on the NPC-JC SoC which require point by point rebuttal. Where there is a reference at the start of a paragraph it refers to the relevant paragraph in PoE-L.

Main areas of difference

3. Other than the failure to provide any assessment of the impact of the viaduct across the gravel lakes immediately South of the Thames, which I regard as one of the four or five most significant landscape impacts, I do not wish to contest the initial LVIA assessments at year 1, most of which are valid enough in terms of LVIA Guidance (GLVIA) even if there might be minor differences between different assessors. My main differences of position are that:
 - The 'scores' are almost invariably reduced by at least one step in the year 15 assessment, for example from 'large adverse' to 'moderate adverse', and in a number of cases this changes

the assessment from 'significant' to 'not significant'. This is a common practice in landscape assessments, based on maturing tree planting helping to bed the road into its landscape setting. However, by far the greater impact threshold is between presence and absence of the road in its landscape setting, and at best only a limited amount of softening of impact can be achieved by trees. In many cases, such as the Thames bridge and flood plain embankment or the viaduct across the gravel lakes, planting can do little or nothing to disguise the immensity of the adverse landscape change that has happened.

- There is an attempt by OCC A to trivialise significant adverse landscape impacts by arguing that they happen inevitably on all road schemes so HIF1 should not be singled out as something different. By this logic, why bother with a landscape assessment at all?
 - There is a further attempt to water down landscape character impact by relating the degree of impact to large Landscape Character Areas (LCA). There are two arguments against this: firstly, appraisals should seek to determine the scale at which the impact matters and secondly cumulative impacts have to be taken into account.
4. (2.13, 2.16) It is evident that as late as March 2023, after the first round of Reg 25 planting upgrades (described in 2.11), the planting scheme was still regarded as inadequate by OCC's landscape advisor as well as by the DC landscape officers. This resulted in another round of increased planting, and in 2.16 it is stated that *"Substantially more landscaping is now shown across the Scheme. It is believed that this represents the most landscaping that can be reasonably and practicably provided"*. If this is so, it calls into question the value of OCC a's offer to provide £50,000 for further community planting.
 5. (2.23, 2.24) As discussed in my main proof, I am unconvinced that up to 50 semi-mature trees spread across four locations amounts to a step-change in planting provision, and the cross-sections in 2.24 tend to support my view.
 6. (4.12, second bullet) PoE-L claims that the cycleway proposals represent landscape mitigation, the primary landscape benefit apparently being to reduce severance in the landscape. Leaving aside that it would be possible to build the proposed cycleway network for perhaps £3 million without spending £300 million on a road, it is difficult to understand how cycleways based on the road can reduce landscape severance when the road is creating so much landscape severance.

Response to objection from NPC-JC

(referred to in PoE-L as the Neighbouring Joint Parish Councils Committee; more correctly the Neighbouring Parish Councils Joint Committee)

7. In paragraphs 6.2 to 6.12 the PoE-L comments on several aspects of the NPC-JC Statement of Case as it relates to landscape issues. Given that I wrote the 'expert report' to the NSC-JC that was incorporated into the SoC, I feel bound to rebut in detail much of the content of paragraphs 6.2 to 6.12. Some of the comments appear to raise issues on which Jane Ash and I do not disagree.
8. (6.3) PoE-L objects to the word 'disingenuous', and points to the acceptance that the LVIA for the scheme was a reasonable assessment. This conflates two separate statements: the word 'disingenuous' was used by me in the objection in January 2023 to the planning application, in the specific context below:

The AECOM assessment follows standard LVIA practice and records several significant adverse appraisal outcomes both on landscape and visual impact, but downplays the effects to the point that they sound fairly harmless. The Planning Statement typifies this practice in two statements: “the LVIA concludes that no significant adverse effects are predicted on published landscape character areas” (PS 7.4.7)

This is disingenuous. The Landscape Character Areas (LCA) identified by the District Councils are relatively large areas compared with the parts affected by the road, so it is argued that the impact on the overall area is at most slight. However, the LCAs are baseline expressions of landscape character from which impact assessment proceeds within the visual envelope of the road, not an area measurement against which to compare the proportion of the LCA affected. The LCA highlights what matters and why in the affected area: what proportion this is in a given LCA, or a national character area, or Oxfordshire, or England, is irrelevant. The effects on the Local LCAs (LLCA) identified by AECOM are considerably greater and include significant adverse impacts. Even so, the LLCAs usually extend beyond the visual envelope.

The disingenuity refers to the attempt by OCC as Applicant (OCC A), in the Planning Statement (PS) to minimise the landscape impact of the scheme by relating it to a relatively large Local Character Area (LCA). This has very little to do with the conduct of the LVIA, which correctly identifies several significant adverse landscape impacts, and therefore has nothing to do with whether the LVIA was a reasonable assessment.

9. (6.4) We agree that there will be significant adverse impacts on residents in the vicinity of Appleford Sidings, so I do not see any conflict between me and Jane Ash. My point, as in most of these issues, is that OCC-A is too ready to shrug its shoulders and in effect say ‘so what’.
10. (6.5) PoE L questions whether the District Council objections to the scheme existed in July 2023 at the time of the first PRC meeting. Please refer to my PoE paragraphs 23-28: it is very clear that the District Councils maintained their objection to the planting proposals in the scheme until at least the PRC meeting in July 2023, and I have seen nothing to confirm that the landscape officers of the two Councils were satisfied by the OCC A offers to plant a few semi-mature trees to beef up the planting.
11. (6.6) The retreat of the PRC from its July 2023 decision on landscape impact, in September 2023, could rationally only have been because 50 semi-mature trees and some funding for community planting made all the difference. My PoE argues that this is unconvincing, and that the PRC had no basis to accede to a position that landscape issues could be resolved by planning conditions.
12. (6.7) Pages 25-29 are my report for the NPC-JC SoC verbatim. My disagreement with Jane Ash is not so much on the competence of the LVIA assessment, against which I have no methodological complaints, than on the interpretation that is put on them.
13. (6.8) I have around 20 years of experience of WebTAG being described as ‘only’ for business cases/ value for money assessments, rather than as an appraisal tool including environmental assessment. This is emphatically not the case. WebTAG was the third iteration of NATA (New Approach to Appraisal) and GOMMMS (Guidance on Methodology for Multi-Modal Studies), as a transport appraisal tool that is mandatory for government-funded schemes but is recommended as best practice for all transport schemes of any significance. For HIF1, a TAG appraisal was conducted as part of the ES (Appendix 3.1), including a landscape appraisal, so it can hardly be claimed to be irrelevant to the landscape assessment of the scheme.
14. Paragraph 6.8 further claims that “Web TAG guidance states that WebTAG be used for transport appraisals for business cases rather than environmental impact assessments”. This is a complete

misreading of WebTAG. TAG is what it says on the tin – Transport Appraisal Guidance – and of course it feeds into business case assessments, but that does not mean that it exists solely to make a business case. The business case element was not even in the first versions of WebTAG (see TAG Unit 1.1, June 2005), and whilst the current version clearly relates TAG to the business case for a scheme it also differentiates clearly between the transport appraisal phase (WebTAG) and the decision-making phase of the business case (see TAG Overview, June 2014, section 1.2 and Figure 1).

15. (6.9.1, 6.9.2) It is agreed that there are significant visual effects on the Thames National Trail path and around Clifton Hampden, even in year 15. My difference of opinion lies in the automatic downgrading of severity of effects due to maturing planting, and the downplaying of these effects in the OCC A narrative, as inevitable in any road scheme.
16. (6.9.3) This paragraph contains the only instance of the word ‘gravel’ in the entire PoE-L. The destructive transformation of character of a peaceful and rapidly regenerating water body, by building a long, squat, concrete viaduct across it, is one of the five most significant landscape impacts of HIF1. If the LVIA exercise failed even to mention the gravel lakes, there is either something wrong with the assessment or there is something wrong with the LVIA methodology. One possibility is that the appraisal did not accurately assess ‘the scale at which the impact matters’, which is one of the fundamentals of the Environmental Capital approach, given the attempts that are made by OCC A to relate the impact to larger LCAs. Whatever the reason, there is a clear failure to assess the landscape character impact on a significant chunk of environmental capital.
17. The defence offered in 6.9.3 is purely on visual impact grounds and argues that since there is no public access to the area there are no visual receptors and therefore no residual visual impact. Apart from being limited to only one side of LVIA, it is not even correct. The surface of at least one of the lakes, and the whole of the viaduct, are visible from the B4016 and the adjacent footpath for around 1km between Appleford and Sutton Courtenay. The viaduct, though not the water surface would be visible from parts of the Thames Path National Trail.
18. (6.11, 6.12) There is no connection between the fact of the DCs’ criticism of the planting and the PRC’s decision in September 2023 that their landscape objection could be resolved by conditions. It may be that OCC LPA’s position going into the inquiry is that landscape issues can be resolved by conditions, but that does not mean that they can be, or that that is the position of every party at the inquiry.

Alan James

February 2024