

1 LANDSCAPE & VISUAL MATTERS

- 1.1 Firstly my apologies for the late arrival of my input on this matter. For the record, I am a local resident of Salehurst and an objector to the proposed track reinstatement. I am also a chartered landscape architect with experience of both reviewing and authoring LVIA's.

Background

- 1.2 My concerns relate to the reliability of the submitted LVIA (Section 8 – RVR/25) which I consider to have a number of shortcomings and therefore should not have been relied upon for decision making purposes. In particular, I was concerned that there was no clear assessment of the landscape effects, with the clear emphasis of the LVIA being on visual effects. This was an important shortcoming, as **saved Local Plan Policy EM8** only supports the track extension so long as *"it has an acceptable impact on the High Weald Area of Outstanding Natural Beauty"*.
- 1.3 It is important to note that the AONB Unit raised concerns regarding the LVIA – see Claire Tester's letter dated 6th June 2016 (Page 21 of 34 – RVR/64). These concerns were not addressed until the 2017 ES Addendum (RVR/28). However, it remains the case that no clear and reliable assessment of landscape effects (following **GLIVA3** methodology) was made in support of the original planning application or TWAO scoping process. I also have concerns about the methodology employed with regard to the assessment of visual effects.

Concerns relating to Landscape Effects

- 1.4 I welcome the LVIA review undertaken by Ms. Tinkler (RVR70-02) which clearly identifies the shortcomings of the original LVIA throughout (in particular Section 5.5). I understand that **RVR70-02** ultimately agrees with the LVIA conclusions, but would draw the Inspectors attention to the following concerns:
- 1.4.1 The landscape value of the Rother Valley as part of the High Weald AONB would more appropriately be considered **Very High** – I believe the LVIA underscores as **High** (as does Ms. Tinkler (Paragraph 5.5.43(i) of RVR70-02);
- 1.4.2 At many locations along the proposed reinstatement route there are few if any references to the type of development proposed - in particular, **Section 3** and **Section 5** (see Figure 8.5 – RVR/27). In these areas the landscape susceptibility is arguably higher and therefore increases the landscape sensitivity. Using the methodology employed in **RVR70-02** the susceptibility ranking for these areas would more correctly be judged to be **Moderate** and the overall Landscape sensitivity should be recorded as **High** (see **RVR70-02** Tables 3 & 4). On this basis, even **Small** magnitudes of change would result in a **Moderate** significance of effect. I consider that the likely magnitude of effect in both Sections 3 & 5 would be **Moderate** (to reflect the introduction of a railway embankment in a flat floodplain) , resulting in **Moderate** to **Major** overall significance of effect. I therefore disagree with Ms. Tinkler's conclusions and suggest that there would be

significantly adverse landscape effects in these Sections (Paragraph 5.5.45 of RVR70-02).

- 1.4.3 As Ms. Tinkler notes at Paragraph 2.13 following her site visit (RVR-W5-2) – *“During the site visit I noticed that the far eastern end of the site corridor had recently been roughly surfaced with stone. That has resulted in some damage to and loss of trees, and the resultant gaps allow views in from nearby residential properties, roads, commercial premises, and a campsite. This was not anticipated in the effects assessments (NB it adversely affects character as well as visual amenity)”*. It is clear that this will be the case along the reinstatement route and that the landscape effects would likely be greater than stated in the LVIA.
- 1.4.4 As Ms. Tinkler notes at Paragraph 2.16 of RVR-W5-2 the final scheme would need to be subject to good landscape design and proper future management. However, as she notes at Paragraph 2.12 it is unlikely that the railway operator would attempt to fully restore the existing vegetated corridor along the reinstatement route as they would be *“unlikely to want the whole of the section to be through a deeply-wooded corridor, missing out on fine views of the surrounding countryside”*. For that reason I think that the residual landscape effects will also be greater than stated.
- 1.4.5 I disagree with Ms. Tinkler’s conclusion at Paragraph 5.5.43(xi) that 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)”*. Surely the number of objections to the reinstatement and the requirement for this Inquiry refute this observation.

Concerns relating to Visual Effects

- 1.5 I have grave reservations about the methodology employed by the LVIA to consider visual effects. For example, where a receptor is able to have a **Medium** sensitivity and the magnitude of impact is assessed as **Moderate**, the overall significance of effect is considered to be **Slight** (i.e. Assessment Viewpoint A – page 36 of 58 in RVR/27). This is implausible.
- 1.6 Using Ms. Tinkler’s methodology the overall level of effect would be **Moderate** (and therefore Significant) – Table 12 (RVR70-02). This ranking is supported by some of the commentary in Figure 8.6. For example, the post-completion view from Church Lane is described:

“Reinstated low embankment and track bed forms a somewhat alien, engineered feature in otherwise rural landscape with fencing running along the base of the embankment. There may be views of bridges 14, 16 and the farm access crossing with signalling equipment if required. Depending upon the detailed design for the halt, there may be views of tree clearance and of the

Salehurst Halt construction and signalling equipment” – Assessment Viewpoint F (Page 41 of 58 in RVR/27).

- 1.7 On this basis, I agree with Ms. Tinkler’s initial conclusion (Paragraph 6.8(iii) of **RVR70-02**) that there is the potential for the scheme to give rise to significant negative visual effects, particular towards the western-end of the reinstatement route. I do not believe that these effects can be appropriately mitigated and agree with Ms. Tinkler’s observation at Paragraph 2.11 of **RVR-W5-2** – *“I do not recommend relying on existing or proposed vegetation to mitigate adverse effects on views”*.
- 1.8 Whilst I clearly disagree with Ms. Tinkler’s conclusion at Paragraph 2.6 of **RVR-W5-2**, I believe that she is correct to identify that the trains themselves could cause significantly adverse visual effects (Paragraph 2.7), but accept that there is always a degree of subjectivity in these matters.
- 1.9 It is also important to note that whilst the covers to the various Environmental Statements and Addendums include an image of a small steam engine, many of RVR’s train operations feature a diesel train that emits a tall column of black exhaust. Overall, I do not believe that the adverse visual effects of the train operations have been properly assessed.

Tinkler Response (July 2021)

- 1.10 **Paragraph 1.7 (i) Concerns relating to LVIA:** As part of the original EIA scoping exercise, the AONB Unit requested that *“a standard LVIA under the Landscape Institute guidelines”* (Andrew Shaw 130813) should be undertaken and that the Unit were more concerned about the predicted landscape effects than the visual effects, and that their assessment of these effects would be made against the AONB Management Plan. The LVIA did not follow this guidance.
- 1.11 As noted by the AONB Unit (Jason Lavender 070115 & Claire Tester 060616) 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”*. To date, I do not believe that an LVIA has appropriately assessed the landscape effects of the proposals.
- 1.12 Ms. Tinkler makes clear (at Paragraph 5.5.10 of **RVR70-02**) that she has not carried out a full LVIA (only a high-level desktop assessment) and (at Paragraph 5.5.2) that the LVIA has not stated the *“assessed levels of landscape value, susceptibility to change, sensitivity, magnitude of effect, or overall level of effect”*. Indeed, it is possible - although not confirmed - that landscape and visual effect have been combined. This would be an error in the LVIA process (as noted at Paragraph 5.5.8).
- 1.13 The **2017 ES Addendum** in no way compensates for the absence of a clear and transparent LVIA. Given that protection of the AONB underpins saved **Policy EM8**, this failing must be a material concern.

- 1.14 **Paragraph 1.7 (ii) Concerns relating to landscape effects (a):** Ms. Tinkler's response is somewhat confusing as she notes (at Paragraph 5.4.16) that the descriptions of landscape sensitivity in LVIA Table 8.1 *"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)"*. Ms. Tinkler and I agree that the High Weald AONB landscape receptor should be judged to be of **Very High** sensitivity, hence my comment regarding underscoring. As noted previously the LVIA offers no transparent assessment of landscape effects.
- 1.15 Whilst I appreciate and applaud Ms. Tinkler's efforts to decipher the LVIA (clearly explained at Paragraphs 5.5), we nonetheless have a disagreement of professional opinion regarding the significance of the predicted landscape effects. As previously explained, I believe the landscape susceptibility to be higher (particularly over Parsonage Farm and the open floodplain). I also believe the magnitude of effects will be greater particularly where the previous railway has now rewilded into a linear tree belt, a landscape feature typical in the High Weald – **NCA 122** notes in the Key Characteristics *"Small and medium-sized irregularly shaped fields enclosed by a network of hedgerows and wooded shaws"*. The likely results of the reinstatement are clearly visible in **Section 7** of the line (closest to Junction Road) and reinforce my concern about higher levels of magnitude of effect than reported in the LVIA or by Ms Tinkler.
- 1.16 Prior to writing my representation, I have undertaken considerable research and I am very clear that the original railway would have run along an embankment. My representations have been made with that in mind. Whilst flood defences and the A21 embankment are evident on the settlement boundary of Robertsbridge, I do not believe that **Sections 3 - 5** are materially influenced by these landscape features and any remaining railway embankment to the east of the reinstatement route are almost entirely concealed by vegetation.
- 1.17 **Paragraph 1.7 (ii) Concerns relating to landscape effects (b):** (a) Whilst the **CLCA 13** may include the existing railway from Bodiam to Tenterden as a 'Key Positive Landscape Attribute', this does not translate into the reinstatement being a positive contribution, nor is there any support or mention of reinstatement in the CLCA 13.
- 1.18 (b) The **High Weald AONB Management Plan** also notes in the same section that disused railway lines contribute to the area's 'Natural and cultural capital'.
- 1.19 (d) This is highly debatable and I disagree. The High Weald is described in the Forward to the Management Plan as *"One of the best surviving Medieval landscapes in North West Europe, the High Weald has remained a unique and recognisable area for at least the last 700 years"*. The removal of the railway embankment over the majority of **Sections 3 – 5** has allowed a return to the historic field patternation that was disrupted by the introduction of the railway in the late-19th/early 20th century. I believe the reintroduction of railway would clearly be in conflict with **Objectives FH1** and **FH2** of the Management Plan.

- 1.20 (e) The Management Plan is very clear that the component 'Routeways' describes the dense network of historic routeways (now roads, tracks and paths). Typically present by the 14th century, with many extending back into pre-history and predating settlements. This component does not relate to railways that operated in the 20th century. Indeed, there is no mention of railways within this component. Further, the reinstatement of the railway would likely cause harm to nearby historic route ways – for example, Beech House Lane that continues south as bridleway SAL/36/3. I believe that it is clearly an error to score the railway reinstatement as a **Major Accord** with **Objective R1**. A telephone conversation with Claire Tester (Planning Advisor at the High Weald AONB Unit) confirmed this position (29th July 2021).
- 1.21 **Paragraph 1.7 (iii) Concerns relating to visual effects:** I have explained my concerns regarding the methodology employed for assessing visual effects, and it will be for the Inspector to consider submissions made by Ms. Tinkler and myself. I remain of the opinion that the LVIA (and Ms. Tinkler) have underestimated the visual impact of the development proposals.

Summary

- 1.22 In conclusion, I believe that the reinstatement of the track and subsequent train operations have the potential to cause significant and adverse landscape and visual effects that have not been identified in the Environmental Statement (or subsequent addendums).
- 1.23 Whilst I agree with much of Ms Tinkler's LVIA review, I believe that she understates the likely landscape effects (in particular at **Sections 3 & 5**) and the visual effects in various locations. There will undoubtedly be significantly adverse visual effects created in an area with a number of public rights of way and open views from publicly accessible locations.
- 1.24 In addition, a large number of residential receptors will have either clear views or partially screened views of the proposal.