

**TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED) - SECTION 78 APPEAL BY
CROYDON AND DISTRICT EDUCATION TRUST**

**Kenley Campus, Victor Beamish Avenue,
Caterham CR3 5FX**

Summary Proof of Evidence of
Stephen Kirkpatrick (BSc BLD CMLI) on
Landscape and Visual Matters

on behalf of the Appellant

LPA REFERENCE: TA/2023/878
PINS REFERENCE: APP/M3645/W/24/3354498

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1.0 INTRODUCTION

- 1.1.1 My name is Stephen Kirkpatrick and I provide evidence on landscape and visual matters for Croydon and District Education Trust (“the Appellant”). I hold a Bachelor of Science degree (Biological Sciences) from Dundee University and a Bachelor of Landscape Design degree from Manchester University. I am a landscape architect, a Chartered Member of the Landscape Institute and a Director of Scarp Landscape Architecture Ltd (“Scarp”), which is a landscape architectural and environmental planning consultancy based in Henley-on-Thames, South Oxfordshire.
- 1.1.2 My professional experience as a landscape architect spans more than 30 years and includes both the private and public sectors. My main specialisations are in the fields of environmental planning, landscape/townscape character assessment and landscape and visual impact assessment. I have undertaken numerous consultancy studies concerned with the balance between development and landscape conservation, including landscape sensitivity and capacity studies undertaken on behalf of local planning authorities to inform emerging development plans.
- 1.1.3 I confirm that the evidence that I have prepared and provide for this appeal (reference APP/M3645/W/24/3354498) has been prepared and is given in accordance with the guidance of my professional institution. I also confirm that the opinions expressed are my true and professional opinions.
- 1.1.4 My evidence addresses the landscape and visual matters embedded in Reasons for Refusal 2 and 5; and on following two landscape-related areas of disagreement that are identified in the Main Statement of Common Ground [CD11.01]:

“The compliance of the proposals to meet the ‘Golden Rules’ tests set out in paragraph 159 of the NPPF. Although the Council accepts the site is Grey Belt, the Council does not accept that the proposals will deliver necessary improvements to the local or national infrastructure.”
(Paragraph 9.1.2)

“Regarding trees it remains an area of disagreement whether during the maturity of trees to be replanted there will be an unacceptable effect upon the character and appearance of the Conservation Area and/or an unacceptable impact upon the local landscape.” (Paragraph 9.1.6)

2.0 COMMENTARY ON REASON FOR REFUSAL 2

2.1 Effects on the Green Belt

Previously Developed Land

- 2.1.1 As noted in Paragraph 7.7 of the Main Statement of Common Ground [CD11.01], the Council's Green Belt Assessment Part 3 – Appendix 1 (2018) states that "*the site is previously developed land*". This is evidenced by the presence of roads, structures, areas of hardstanding and the dilapidated workshop. Areas of hard-standing have not 'blended into the landscape' as they are readily noticeable.

Loss of Green Belt Spatial Openness

- 2.1.2 In spatial terms, significant harm to openness would be an inevitable consequence of developing the Appeal Site as there would be notable increases in both built form and hard-standing. The Appeal Scheme would deliver 1.64ha of publicly accessible and incidental greenspaces, covering approximately 35% of the Appeal Site.

Loss of Green Belt Visual Openness

- 2.1.3 The Appeal Site has a high degree of visual enclosure in terms of external views, it includes existing built form and hard-standing, it is subject to the urbanising influence of existing built form (both within and adjacent) and the urbanising elements are seen by relatively few receptors within or in very close proximity to the Appeal Site.
- 2.1.4 The Appeal Scheme would result in a significant level of harm to Green Belt visual openness within the Appeal Site, but a high degree of visual permeability would be retained between the proposed buildings. The harm to visual openness is reduced in the context of (1) existing built form on the Appeal Site, in the school grounds and adjacent to the western, southern and eastern site boundaries; and (2) the enclosure provided by site periphery woodland. The extent of harm to visual openness outside the Appeal Site is highly limited in extent.
- 2.1.5 Overall, the Appeal Scheme would not cause substantial harm to the openness of the GB and so is not inappropriate development applying paragraph 154(g) of the NPPF [CD7.01].

Grey Belt

- 2.1.6 The Council accepts that the Appeal Site is Grey Belt as stated in Paragraph 9.1.2 of the Main Statement of Common Ground [CD11.01] but does not accept that the proposals will deliver necessary improvements to the local or national infrastructure. The Appeal Scheme would deliver new high quality greenspaces that are on the doorstep for new residents and are readily accessible to the wider public. The Council considers that open space provision would meet policy requirements. The Appeal Scheme, would on the basis of the above, be in accordance with Paragraph 156 (c) of the NPPF

Effects on the Purposes of the Green Belt

- 2.1.7 The Council is right to accept that the Appeal Site is Grey Belt, as stated in Paragraph 9.1.2 of the Main Statement of Common Ground [CD11.01], based on the limited contribution of the Appeal Site to Green Belt purposes, as I have assessed below.

Purpose (a): 'to check the unrestricted sprawl of large built up areas'

- 2.1.8 OR Paragraphs 7.17 to 7.18 set out how the Council is in agreement with the assessment in the Planning Statement [CD1.33] that the Appeal Site is considered to "make a "limited" contribution towards meeting purpose (a).

Purpose (b): 'to prevent neighbouring towns merging into one another'

- 2.1.9 OR Paragraph 7.18 notes how the Appeal Scheme would result in a reduction in the gap between Caterham-on-the-Hill and Whyteleafe but assesses that the Appeal Scheme would not significantly conflict with purpose b) as this reduction would be localised.

Purpose (c): 'to assist in safeguarding the countryside from encroachment'

- 2.1.10 The Appeal Site exhibits only limited characteristics of open countryside. Existing urbanising development compromises Green Belt openness to a notable degree. Whilst the Appeal Scheme would result in some harm to the Green Belt purposes of preventing encroachment upon the countryside, this harm would be mitigated by the master planning proposals and associated compensatory improvements to the Green Belt. The Appeal Site is considered to "make a "limited" contribution towards meeting purpose (c).

Purpose (d): 'to preserve the setting and special character of historic towns'

2.1.11 The submitted Planning Statement considers that the Appeal Site in its current condition makes a moderate contribution to serving purpose (d).

2.2 Effects on the Character and Appearance of the Site and Wider Area

2.2.1 The most obvious effect of the Appeal Scheme would be to transform the majority of the Appeal Site from being part of the countryside to part of the expanded settlement. In perceptual terms, the Appeal Site would acquire a more suburban, developed and enclosed character, replacing its current predominantly open greenfield/partial brownfield appearance. The Appeal Scheme would deliver a new high quality residential neighbourhood with a strong sense of time-depth, a strong sense of place and with conservation of the verdant character of the Appeal Site.

2.2.2 There would be a net loss of greenspace (including areas in poor condition) but 1.64 ha of high quality greenspaces would cover approximately 35% of the Appeal Site. The Appeal Scheme would retain 217 No. of the 341 No. existing Category A, B and C tree groups and individual trees. Paragraph 2.10 of the Statement of Common Ground (Arboriculture) notes that at least 225 new trees could be accommodated on the Appeal site.

2.2.3 The proposed layout provides for the retention of broad belts of peripheral greenspace, retains and enhances the historic tree line along Victor Beamish Avenue and creates a characterful arrangement of housing that reflects the regimented, military character of the wartime buildings that were present prior to demolition and the Appeal Site entering a long phase of disrepair. The richly vegetated greenspace corridors adjacent to public roads would be retained and reinforced with supplementary tree planting with resultant conservation of local landscape character.

2.2.4 The removal of the derelict workshop, dilapidated roads, piles of rubble, trees in poor condition and security fencing along both sides of Kenley Avenue would enhance the appearance of the Appeal Site. The well-designed housing and public realm would also provide a positive contribution to the character and appearance of the Appeal Site.

3.0 COMMENTARY ON REASON FOR REFUSAL 5

- 3.1.1 The selective removal of lower quality trees would facilitate the restoration of the historic domestic and military character of the site through the introduction of new built development. Careful consideration has been given to the contribution of retained trees to the character of the Appeal Site and wider landscape. The design of the building layout around retained trees would have the effect of helping ensure that mature and partially mature trees provide an immediate contribution to the verdant character of streets and spaces.
- 3.1.2 It would take less than 30 years before the new tree stock achieves the same extent of canopy spread as the proposed tree removals. However, I consider that the replacement trees would have a strong visual presence within 5 to 10 years, depending on their location and design intent. A set of visualisations have been produced by OSP Architecture to indicate the appearance of the trees identified on the Supplementary Tree Planting Opportunities Plans at years 5, 10 and 15 (Appendix 2 of Ms. Markham's proof). They demonstrate how the proposed trees would contribute positively to the character and appearance of the proposed housing and public realm within 5 years.

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