

## **LANDSCAPE PROOF OF EVIDENCE**

**ON BEHALF OF DAVID WILSON HOMES EAST MIDLANDS LTD AND ANTHONY RAYMOND SHUTTLEWOOD**

**APPEAL AGAINST THE REFUSAL OF PLANNING PERMISSION FOR OUTLINE PLANNING APPLICATION**

**FOR UP TO 170 DWELLINGS (INCLUDING AFFORDABLE HOUSING) AND WITH ALL MATTERS RESERVED OTHER THAN ACCESS TOGETHER WITH ASSOCIATED LANDSCAPING AND OTHER INFRASTRUCTURE**

**LAND AT COSSINGTON ROAD, SILEBY**

**Prepared by: ANDREW COOK BA (HONS) MLD CMLI MIEMA CENV**

### **Pegasus Group**

Pegasus House, Querns Business Centre, Whitworth Road, Cirencester, Gloucestershire, GL7 1RT  
T: 01285 641717 | [www.pegasusgroup.co.uk](http://www.pegasusgroup.co.uk)

Birmingham | Bristol | Cambridge | Cirencester | Dublin | East Midlands | Edinburgh | Leeds | Liverpool | London | Manchester | Newcastle | Peterborough | Solent

**DESIGN ENVIRONMENT PLANNING ECONOMICS HERITAGE**

---

## CONTENTS:

Page No:

1.	WITNESS BACKGROUND AND PARTICULARS	1
2.	INTRODUCTION AND SCOPE OF LANDSCAPE EVIDENCE	3
3.	DESCRIPTION OF THE PROPOSAL	9
4.	EFFECT ON LANDSCAPE ELEMENTS (CHARACTER OF THE SITE)	18
5.	EFFECT ON LANDSCAPE CHARACTER BEYOND THE SITE	23
6.	EFFECT ON THE ACTUAL AND PERCEIVED GAP OF OPEN UNDEVELOPED LAND BETWEEN THE VILLAGES OF SILEBY AND COSSINGTON AND ITS PURPOSE AND INTEGRITY	29
7.	RESIDENTIAL VISUAL AMENITY	36
8.	LANDSCAPE PLANNING POLICY CONTEXT RESPONSE TO REASON FOR REFUSAL ONE	38
9.	SUMMARY AND CONCLUSIONS	49

## APPENDICES:

APPENDIX 1: LANDSCAPE AND VISUAL IMPACT ASSESSMENT METHODOLOGY

APPENDIX 2: SCREENED ZONE OF THEORETICAL VISIBILITY

APPENDIX 3: SUMMARY OF LANDSCAPE AND VISUAL EFFECTS SCHEDULE

APPENDIX 4: VERIFIED VIEWS (UPDATED FEBRUARY 2022)

APPENDIX 5: LANDSCAPE STATEMENT OF COMMON GROUND (PEGASUS)

APPENDIX 6: CLARENDON LAND - LANDSCAPE AND VISUAL APPRAISAL

APPENDIX 7: CLARENDON LAND - DESIGN AND ACCESS STATEMENT

## 1. WITNESS BACKGROUND AND PARTICULARS

- 1.1 My name is Andrew Cook and I hold a Bachelor of Arts degree in Geography (BA Hons) and a Masters Degree in Landscape Design (MLD). I am a Chartered Landscape Architect, Chartered Member of the Landscape Institute (CMLI), Chartered Environmentalist (C Env) and Member of the Institute of Environmental Management and Assessment (M IEMA).
- 1.2 I am one of the founding Executive Directors of Pegasus Group which was established in 2003. Since then, the company has grown, establishing sixteen offices across the UK, employing approximately 350 planning and environmental planning professionals. I jointly head the environmental planning division in which planning for residential development accounts for a significant part of the business. The company is a corporate member of the Institute of Environmental Management and Assessment (IEMA) and was a founding member of IEMA's Quality Mark scheme.
- 1.3 I have gained over 35 years of landscape planning consultancy experience. Prior to Pegasus, I was an Environmental Director at RPS (formerly Chapman Warren Planning Consultants) where I specialised in addressing landscape planning issues which related to a wide range of development projects. I have had considerable experience of and involvement in a wide range of residential development and built infrastructure projects throughout the UK, many of which have involved sites in Green Belts as well as statutory protected landscapes including National Parks (NP), Areas of Outstanding Natural Beauty (AONB) as well as non- statutory landscape designations such as a Special Landscape Areas (SLAs), as 'valued landscapes'. I have presented evidence at public inquiries on many occasions to address various landscape and visual issues.
- 1.4 I am based in the Cirencester office of Pegasus where I manage a team of 22 environmental planners and landscape architects. I and the landscape architects within my team at Pegasus undertake their work in compliance with the Landscape Institute's Code of Standards of Conduct and Practice for Landscape Professionals (May 2012).
- 1.5 This landscape proof of evidence is based on my own professional judgement and is presented in accordance with the guidance of my professional institution, the

---

content of which is true to the best of my knowledge and belief and is presented  
irrespective of by whom I am instructed.

## 2. INTRODUCTION AND SCOPE OF LANDSCAPE EVIDENCE

2.1 I am instructed on behalf of David Wilson Homes East Midlands Ltd and Anthony Raymond Shuttlewood ('the Applicant') to present evidence relating to landscape and visual matters in respect of the Public Inquiry relating to an application for outline planning permission which was submitted to Charnwood Borough Council and validated on 3<sup>rd</sup> March 2021. The application, as amended, proposed the following:

**"Erection for up 170 dwellings (including affordable housing) with all matters reserved other than access together with associated landscaping and other infrastructure."**

2.2 The planning application that is now the subject of this appeal was submitted to Charnwood Borough Council (LPA ref: P/21/0491/2) and refused. My Landscape Proof of Evidence comprises separate appendices. This evidence should be read in conjunction with the Planning Proof of Evidence prepared by Angela Smedley.

### **Scope of Evidence**

2.3 In presenting my evidence I explain why in landscape and visual terms the scheme is considered acceptable given the character and appearance of the site and its surrounding settlement context, recognising that the overall planning balance is for others to comment upon.

2.4 The first Reason for Refusal states that:

**"The Local Planning Authority is of the opinion that the proposal would lead to the loss of an Area of Local Separation resulting in a significantly narrowed and reduced actual and perceived gap of open undeveloped land between the villages of Sileby and Cossington contrary to Core Strategy Policy CS 11 and the saved Policy CT/4 in the Adopted Borough Charnwood Local Plan. The resulting harm would also have a significant harmful impact to the character of the countryside and the separate identities to the villages of Sileby and Cossington which is well documented in Council studies and assessments. This would be contrary to interests of the well established planning policies, and emerging policies in the draft Charnwood Local Plan, to prevent the coalescence and merging of villages in the Soar Valley. A significant adverse impact is considered to significantly and demonstrably outweigh the benefits of allowing the development because of the harmful effect it would have on the purpose and integrity of the Area of Local**

**Separation and would undermine its continuing planning function.**

**To approve the development would be contrary to Policies CS 1 and CS 11 of Charnwood Core Strategy, 'saved' Policies ST/2, CT/1 and CT/4 of the Charnwood Local Plan, Policies G1 and G2 of Sileby Neighbourhood Plan, and the aims and objectives of the National Planning Policy Framework. In combination these harms are considered to significantly and demonstrably outweigh the benefits of the scheme when taken as a whole."**

2.5 Accordingly, the following matters are considered within my landscape proof of evidence with regard to the alleged harm set out in the first Reason for Refusal:

- Loss of Area of Local Separation (AOS)
- Significantly narrowed AOS
- Reduced actual gap of open undeveloped land between villages
- Reduced perceived gap of open undeveloped land between villages
- Significant harmful impact to the character of the countryside
- Significant harmful impact to the separate identities of the villages
- Prevent the coalescence of merging of villages
- Purpose and integrity of the AOS

2.6 I note that the site and the proposals have been carefully considered by the applicant, such that the scheme I consider would be suitable given its location and current development context and that the landscape and visual effects arising from this proposal are not considered unacceptable.

2.7 In preparing my evidence, I have reviewed a number of documents, the principal ones of which include the following:

- Application LVIA
- Case Officer's Report
- Landscape Consultation Responses
- Planning Proof of Evidence prepared by Angela Smedley
- Committee Report
- Relevant landscape reports

- Design and Access Statement
- Application Planning Statement
- Relevant Planning Policies
- Statements of Common Ground
- Other documents but not necessarily referenced

2.8 Where appropriate, I draw upon relevant information from these documents and seek to avoid unnecessarily repeating the same information and therefore I have summarised my analysis. I have also reviewed the LVIA as part of the planning application. I have reviewed these documents and also assessed the scheme with reference to the LVIA viewpoints surrounding the site together with the application visuals that illustrate the appearance of the scheme. Having reviewed the application LVIA, I understand the broad conclusions set out in that report as far as scale and degree of effect are concerned with regard to effects on landscape elements, landscape character and visual amenity. Notwithstanding the LVIA I have undertaken my own assessment regarding the character and appearance to inform my judgements. Consequently, I have come to a different conclusion with regard to the 'nature' of effects identified in the report as the LVIA concludes effects would be generally adverse in nature. I consider that the proposal would result in effects ranging from neutral to beneficial in general terms unless I state otherwise for reasons I set out. I would also note that as far as my analysis is concerned, my appraisal has been undertaken against a baseline situation of the planning permission the Clarendon Land which now forms part of the baseline. I note that the application LVIA did not include this as a baseline at the time.

2.9 The analysis that I have undertaken has allowed me to consider the landscape and visual effects with reference to the issues raised in landscape and visual terms with regard to this Inquiry and make informed professional judgements concerning such matters and also establish whether the level of harm is deemed to be acceptable or otherwise from a landscape and visual perspective.

### **Representative Viewpoints and Visualisations**

2.10 I consider that the LVIA photographs have been taken from a number of representative viewpoints in the landscape surrounding the site, both in terms of views of the settlement edge and the surrounding countryside. It is anticipated

that the Inspector would visit these representative viewpoints set out in the LVIA as an aide memoire.

2.11 It should be recognised that it is not practical to include viewpoints from every possible location. The viewpoints which have been selected, illustrate a range of visual receptors at different distances and directions from the site. The locations of the viewpoints have been carefully considered and the photography has been undertaken when atmospheric conditions and visibility were good. The photography is considered appropriate given the type and scale of development. The representative viewpoints and visualisations have been prepared in accordance with the Guidelines for the Landscape and Visual Impact Assessment (3rd Edition) ('GLVIA') and Landscape Institute ('LI') guidance relevant at the time of production, however, it is recognised that there is no substitute for visiting the viewpoints in the field to gain a first-hand appreciation of the viewing context.

2.12 I also note that an LVIA was prepared for the application. With this information, the Case Officer was fully informed as to the visual implications of the proposal.

#### **Rule 6 Parties**

2.13 I am aware that there are no Rule 6 parties with regard to this Inquiry.

#### **Professional Judgement and Nature of Effect**

2.14 Mindful of GLVIA I have reviewed the scheme based on the viewpoints as part of my fieldwork and site visit. This has allowed me to ascertain the landscape and visual effects and make informed professional judgements concerning such matters and establish the level and nature of effect from a landscape and visual perspective. My assessment is based on winter views, given the Inquiry timetable, however, I have been mindful of summer views in my analysis. I note that the Inspector will experience spring views on site. My analysis is based on year 1 following planting and winter views. I refer to year 15 specifically where appropriate.

2.15 The degree of landscape or visual effect is identified by means of a descriptive scale as per GLVIA. However, it is also necessary to consider the nature of the landscape and visual effects.

2.16 GLVIA assists noting with regard to landscape effects paragraph 5.37 states that:

**“One of the more challenging issues is deciding whether the landscape effects should be categorised as positive or negative. It is also possible for effects to be neutral in their consequences for the landscape. An informed professional judgement should be made about this and the criteria used in reaching the judgement should be clearly stated. They might include, but should not be restricted to:**

**The degree to which the proposal fits with existing character**

**The contribution to the landscape that the development may make in its own right, usually by virtue of good design, even if it is in contrast to existing character.**

**The importance of perceptions of landscape is emphasised by the European Landscape Convention, and others may of course hold different opinions on whether the effects are positive or negative, but this is not a reason to avoid making this judgement, which will ultimately be weighed against the opinions of others in the decision-making process.” (my emphasis)**

2.17 With regard to visual effects paragraph 6.29 states that:

**“As with landscape effects an informed professional judgement should be made as to whether the visual effects can be described as positive or negative (or in some cases neutral) in their consequences for views and visual amenity. This will need to be based on a judgement about whether the changes will affect the quality of the visual experience for those groups of people who will see the changes, given the nature of the existing views.” (my emphasis)**

2.18 In this instance and for the purposes of this proof, the effects upon the landscape are specifically considered in terms of effect upon firstly landscape elements and secondly landscape character. My proof also sets out how the proposal would have a bearing upon the general and residential visual amenity associated with the area. The proposed scheme, I regard as a quality scheme which is consistent with the character of housing associated with Sileby. Similarly, the proposed landscape as green infrastructure across the wider landholding would be in character and in keeping with the area. I consider that the overall landscape design would form an attractive green infrastructure which would be beneficial in nature for both landscape and visual effects. I am aware that people on the whole generally adopt an adverse reaction to change, particularly with regard to their local environments with which they are very familiar and therefore tend to adopt a rather negative stance, and adverse reaction to any change, irrespective of whether it's harmful or indeed beneficial. However, it is my professional

judgement that the scheme would be in keeping with the character and appearance of the general area, and that the scheme in terms of its green infrastructure, would be beneficial and that the housing element would be neutral rather than adverse in terms of nature of effect. In terms of the scheme as a whole, therefore, I consider that the effects would be neutral to beneficial in terms of the nature of effect with regard to landscape character and visual amenity unless I state otherwise, as these relate to the Area of Separation.

### **Baseline Situation**

- 2.19 The baseline situation does need to be taken into account with regard to landscape and visual aspects. The agricultural landscape which comprises a number of fields that lie to the east of the Cossington is allocated for residential development in the Development Plan. In light of this allocation, the Council consented outline planning permission for a residential neighbourhood, which is referred to as Clarendon Land. This extends northward such that it is contiguous with the local gap and therefore provides a strong development framework to the south.
- 2.20 The vehicular access road for this scheme is off the eastern side of Cossington Road. This scheme is extant and as such, provides further development context, which frames the eastern part of Cossington.

### **Site and Surroundings**

- 2.21 The application site is located on the eastern side of Cossington. It measures approximately 10.17 hectares and abuts the southern edge of Sileby and is within easy walking distance from the centre of the town.
- 2.22 There are currently no existing buildings on the site and no formal vehicular access other than farm field access of Cossington Road.

### **3. DESCRIPTION OF THE PROPOSAL**

#### **Introduction**

- 3.1 The site currently forms one arable field. The site is enclosed with both traditional field boundary treatments of trees and hedges, further framed by housing and a farm building complex.
- 3.2 The site can be distinguished into two main parts, a 'development area' and a 'wider landholding'. Within the development area, the majority of the proposed built form will be two storeys.

#### **Proposed Development**

- 3.3 A full description of the proposed development is set out in the Design and Access Statement (CD1.16) and Planning Statement (CD1.11) submitted with the application and in the officer's report to the Planning Committee (CD5.02). A summary of the development proposals is therefore set out below in landscape terms.
- 3.4 The application proposal seeks outline planning permission for the construction of 170 new dwellings with landscaping reserved. The landscape masterplan (CD2.06) is therefore illustrative which I acknowledge.
- 3.5 It is proposed that vehicular access to the site is taken off Cossington Road. The internal road and pedestrian networks will extend from this point, providing access to the proposed dwellings.
- 3.6 The naturalistic rural parkland would be used for informal recreational purposes whilst also providing separation. A multi-functional east to west green corridor with retained trees and hedgerows would connect the various open spaces, accommodating natural exploratory play, a drainage feature, existing and proposed vegetation.
- 3.7 The landscape scheme includes recreational access for the benefit of the wider community. The scheme reflects the local landscape character providing reinstated hedgerows along historic field boundaries, woodland tree planting, species rich grassland, permissive paths and recreational walking routes.
- 3.8 It is also proposed to widen the pavement along the site frontage onto Cossington Road.

- 3.9 With regard to the design and layout of the development, the vast majority of the proposed built form would be two storeys with garages. These would be arranged in a combination of semi-detached and detached forms.
- 3.10 The landscape design principles can be summarised as follows:
- A landscape and open space area of separation would be provided adjacent to Cossington Road;
  - New naturalistic rural parkland;
  - New buffer woodland is proposed along the southern boundary;
  - The scheme would reinstate some of the historic field patterns with existing trees and hedges;
  - New tree planting and hedgerows are proposed;
  - A surface water attenuation pond would be created; and
  - Lower density housing would be provided towards the southern boundary of the site overlooking the parkland.
- 3.11 The site comprises parcels of land recently used as an arable field.
- 3.12 The parkland would comprise a species rich grassland and field trees located along alignments of historic field boundaries. The park would contain several informal grass paths for recreational purposes. Area of species rich grassland would be managed by occasional grazing potentially.
- 3.13 The park would be subdivided by new hedgerows, with hedgerow trees aligning historic field boundaries. Stockproof fencing and gates would be installed to provide security for grazing livestock. Permissive footpaths would be provided. The fields would be managed for pasture and potential grazing land.
- 3.14 I comment on the design of the scheme from a landscape perspective. The Ministry of Housing Communities and Local Government published a National Design Guide (NDG) (September 2019) to provide guidance to secure beautiful, enduring and successful places and sets out ten key characteristics with these objectives in mind.
- 3.15 Internal page 6 of the document usefully defines the specific terms: 'layout'; scale; appearance and landscape as follows. Paragraph 23 defines layout as:

**“Layout shows how routes and blocks of development are arranged and relate to one another to create streets, open spaces and buildings. It defines:**

- **The structure or settlement pattern**
- **The grain, or the pattern of development, blocks and plots**
- **The broad distribution of different uses, and their densities or building heights.”**

3.16 ‘Scale’ is defined in paragraph 26 as follows:

**“Scale is the height, width and length of each building proposed, within a development in relation to its surroundings. This relates both to the overall size and massing of individual buildings and spaces in relation to their surroundings, and to the scale of their parts. It affects how a space can be used and how it is experienced. The relationships between the different dimensions of a building or component are known as its proportions.”**

3.17 ‘Appearance’ is defined in paragraph 27 as follows:

**“Appearance is the aspects of a building or space within the development which determine the visual impression the building or space makes, including the external built form of the development, it’s architecture, materials, decoration, lighting, colour and texture. In the case of a space, its landscape also influences its appearance.”**

3.18 The term ‘landscape’ is also defined in paragraph 28 of the document as follows:

**“Landscape is the treatment of land for the purpose of enhancing or protecting the amenities of the site, the area in which it is situated and the natural environment. Landscaping includes landform and drainage, hard landscape such as surfacing, boundary treatments, street furniture and play equipment. It also includes soft landscape – trees, shrubs and other planting.”**

3.19 In the NDG (2019) the first of the ten characteristics referenced is ‘context’ which is concerned with the location of the development and the attributes of its immediate, local and regional surroundings. It goes on to note that well-designed places are based on a number of factors:

- A sound understanding of the features of the site and the surrounding context;
- Integration into the surroundings so they relate well to them;
- Influenced by and influence their context positively; and
- Responsive to local history, culture and heritage.

3.20 Section C1 of the document is concerned with understanding how a site relates well to its local and wider context. This scheme has taken these factors into account with regard to the site's context.

3.21 Public places are another one of the key characteristics. In this regard, the document notes that well designed places exhibit a number of aspects, as follows:

- Include well located public spaces that support a wide variety of activities and encourage social interaction to promote health, wellbeing, social and civic inclusion;
- Have a hierarchy of spaces that range from large and strategic, to small and local spaces including parks, squares, greens and pocket parks;
- Have public spaces that feel safe, secure and attractive for all to use; and
- Have trees and other areas of planting within public spaces for people to enjoy whilst also providing shading and air quality and climate change mitigation.

3.22 The detailed descriptions of the proposal as set out in various documents including the Design and Access Statement. The design of the proposals would anchor the scheme in its locality, assisting in establishing its sense of place.

3.23 I consider that the proposals accord with these principles of good design and would lead to positive landscape and visual effects.

### **Broad Design Principles**

3.24 The vision for land adjacent to Cossington Road was to design and create a green infrastructure that would provide a high-quality network of green spaces for the new and existing community.

3.25 At a macro level, the proposed green infrastructure would ensure that the development is attractive and accessible to ensure that people want to live there whilst allowing biodiversity to thrive. The development would deliver a cohesive and high-quality green infrastructure network that would:

- Encourage and promote healthy and active lifestyles through the provision of high quality, safe and accessible open spaces for informal recreation and play;
- Support local landscape character to provide an attractive sense of place and enhance visual amenity;

- Create and facilitate safe and cohesive communities;
- Protect and enhance existing green infrastructure assets namely the trees and hedgerows within and around the perimeter of the site so that they can be appreciated and valued by everyone for future generations;
- Protect and create habitats to enable biodiversity habitats and species to thrive;
- Enhance connectivity to promote and facilitate sustainable travel movements; and
- Provide a resilient and adaptive environment in the face of climate change, principally through tree planting.

3.26 The illustrative landscape masterplan demonstrates how the development could be laid out to respond to the opportunities that the site offers.

3.27 The green infrastructure could deliver a large range of benefits considered enhancement which would include:

- Climate change adaptation and mitigation – principally tree planting for natural air-cooling and CO2 absorption;
- Improving the quality of place by using the natural environment to create high quality living and recreational environments for people to live and work;
- Improving physical and mental health and social wellbeing by creating good quality green spaces and opportunities for relaxation and health, physical activity as well as providing the overall built infrastructure necessary to ensure people to run, walk, cycle and play;
- Investment in the proposed green infrastructure would provide multi-functional open spaces and parks bringing benefit to people, wildlife and the environment;
- Creating an attractive environment framing new and existing residential areas;
- Sustaining economic growth and investment through high quality environments of comparative location advantages to attract and retain business locally; and
- Protecting and enhancing landscape character and biodiversity by using land improvements and management to deliver biodiversity gain and overall landscape enhancement.

3.28 The landscape proposals have sought to create a multi-functional environment which would cater principally for:

- Access and movement;
- Recreation and amenity;
- Biodiversity and ecology; and
- Visual amenity.

3.29 The landscape proposals for the development I have divided into a number of different character areas. I proceed to comment on each of these specific areas as set out in the proceeding paragraphs.

#### **Western Boundary adjacent to Cossington Road**

3.30 The proposed residential neighbourhood forming the development area has been set back some considerable distance from the Cossington Road and associated existing residential properties fronting onto this highway to maintain a sense of separation between this road and the new residential area, and would provide the opportunity to create a landscape corridor which would be punctuated with standard trees which collectively would frame the east side of Cossington Road, and as such, would create an attractive frontage for the proposed residential neighbourhood.

#### **Eastern Boundary adjacent to Midland Mainline Railway**

3.31 The eastern boundary of the site is contiguous with the Midland Mainline Railway. The proposed scheme is designed such that the residential properties would be set some distance back from this rail line providing the opportunity to create a landscape corridor along the eastern boundary of the site. This boundary currently framing the arable field exhibits little in the way of shrubbery and tree cover and as such, there is an open aspect between the rail line and the site. This landscape corridor would be planted with native standard trees and under storey shrubs adjacent to the rail line to create an attractive sense of physical and visual enclosure for the proposed dwellings nearby. The remaining area would be managed as amenity grassland extending up to the residential properties.

#### **Surface Water Attenuation Area**

3.32 The proposed scheme has been carefully designed based on sustainable urban drainage principles. As part of this strategy, the northwest part of the parkland

would accommodate a shallow basin which would be managed as an area of grass sward designed to be seasonally wet storey surface water. It is designed to be naturalistic in appearance.

### **Parkland**

- 3.33 An integral part of the overall proposal seeks to deliver a substantial amount of green infrastructure in the form of naturalistic rural parkland which would extend across the southern half of the site. A number of historic hedgerows would be reinstated together with hedgerow standard trees which would subdivide the parkland into three separate fields. All of which would be managed as naturalistic wildflower meadows, the western field of which would comprise the surface water attenuation area. The central field would accommodate a locally equipped area for play (LEAP). The eastern field would sit alongside the railway. All of this parkland would be publicly accessible to both the existing and new residential community facilitated by a network of formal surfaced and unsurfaced grass paths, which collectively would provide access and circulation. The northern boundary of the parkland would be delineated with a new native hedge and standard trees which would collectively physically and visually frame the proposed dwellings and provide a clear boundary between the parkland and proposed neighbourhood. The LEAP would comprise play equipment that would be naturalistic in style and appearance as an alternative to standard townscape play equipment.

### **Southern Wooded Boundary**

- 3.34 The southern boundary of the parkland is currently framed by existing tree cover. This would be strengthened and reinforced with native trees and shrubs and subject to a management and maintenance plan. Ash trees would be replaced where necessary with suitable native species and leylandii conifers would be replaced on a phased basis with native trees. Collectively, the existing and proposed tree cover would create a strong physical and visual framework for both the parkland and the proposed residential neighbourhood.

### **Residential Areas**

- 3.35 The configuration of the individual dwellings has been carefully designed to ensure that the properties have defined curtilages, particularly with regard to their frontage with many having beds of ornamental shrubs to frame the houses adjacent to the elevations, beyond which would lie small lawns. Shrub beds and

lawns would be framed by ornamental native hedgerows to give a sense of continuity to the street scenes, but also to assist in further 'greening' the street scene environments. This approach would ensure that the landscape design would create attractive residential neighbourhoods and street scenes. The strong sense of greenery would be further reinforced with standard tree planting introduced within the gardens between the dwellings, positioned such that such tree cover would establish and grow to maturity further reinforcing the visual separation between neighbouring dwellings.

- 3.36 The residential areas themselves would comprise street scenes and residential curtilages which would be punctuated with further native trees and shrubs to create an attractive environment to enhance the visual amenity of the area.
- 3.37 When considered in overall terms the green infrastructure landscape design would result in a significant net beneficial effect in terms of the local residential character.

### **Summary**

- 3.38 The scheme has been carefully designed to reflect the vernacular architecture, especially the character and appearance of the scheme.
- 3.39 I consider that the proposed residential neighbourhoods forming a mix of house types, together with the arrangement of residential roads and green infrastructure would be in keeping with the wider area. Furthermore, the design of the scheme together with its green infrastructure, I consider accords with current best practice advocated in the NDG (2019) from a landscape and visual perspective. My analysis and review here have assisted me in forming my professional judgement concerning character and appearance matters I examine in subsequent sections of my proof.
- 3.40 The detailed design of the scheme takes the site's opportunities available to deliver a landscape masterplan and design that is pragmatic whilst innovative and as such reflects best practice and accords with the local landscape and relevant design policies. In essence, it would reflect the local sense of place.
- 3.41 The green infrastructure, I consider accords with current best practice advocated in the National Design Guide (2019) from a landscape and visual perspective. My analysis and review here have assisted me in forming my professional judgement

---

concerning character and appearance matters as addressed in subsequent sections of my proof, as they relate to the Area of Separation, the gap.

- 3.42 The detailed design of the scheme takes the site's opportunities available to deliver a landscape masterplan and design that is pragmatic whilst innovative and as such reflects best practice and accords with the local landscape and relevant design policies. In essence, it would reflect the local sense of place and maintain site separation.
- 3.43 The green infrastructure, I consider accords with current best practice advocated in the National Design Guide (2019) from a landscape and visual perspective. My analysis and review here have assisted me in forming my professional judgement concerning character and appearance matters as addressed in subsequent sections of my proof.
- 3.44 I consider that collectively these landscape proposals would enhance the site and result in a net major beneficial effect in landscape and visual terms.

#### **4. EFFECT ON LANDSCAPE ELEMENTS (CHARACTER OF THE SITE)**

##### **Introduction**

4.1 This section of my evidence explains why the scheme would in overall terms result in a net substantial beneficial effect as far as landscape elements are concerned. Collectively, the elements define the character of the site which would be enhanced in overall terms.

4.2 There are no off-site works associated with the scheme other than roadside pavements. This section assesses the effects of the scheme upon those landscape elements and features that currently characterise the site.

##### **Hedgerows**

4.3 The scheme would involve minimal loss of trees and hedgerows. The landscape masterplan shows the scheme would deliver a substantial 'net gain' of additional native and ornamental trees and together with hedgerows within the landscape areas, landscape corridors and areas of public open space.

4.4 To accommodate the proposed site access there would be as a result the loss of a short section of the hedgerow alongside the Cossington Road.

4.5 As part of the proposals, the hedgerow alongside Cossington Road would be enhanced with native species rich trees which would be reinstated behind the visibility splays at the proposed site access.

4.6 Additional hedgerow planning within the wider landholding presents the opportunity to reinstate some historic field boundaries, which would reintroduce a smaller scale field pattern. Overall, the proposed new native hedgerow across the appeal site would substantially exceed the length of hedgerows removed resulting in a substantial net major beneficial effect with regard to the hedgerow resource on the site.

##### **Trees and tree cover**

4.7 No trees are proposed to be removed to accommodate the scheme.

4.8 Forming an integral part of the design, it is proposed to introduce a substantial amount of tree cover across the whole site significantly more than what is presently the case. As part of the landscape proposals, new trees will be planted

within the developable area and further trees and areas of native woodland within the wider landholding.

- 4.9 This tree planting would create a strong physical and visual framework in the short, medium and longer term. It is proposed that the trees planted throughout the development area would provide visual interest within the areas of public open space and frame the main spine road as it enters the site. The principle is to introduce native tree species, some with an ornamental character such that tree cover would enhance the general visual amenity of the new neighbourhood.
- 4.10 The creation of the parkland will also require soft landscaping within the root plates of trees. All remaining areas of construction would avoid the roots of retained trees to maximise tree retention.
- 4.11 The area will benefit in particular from the removal of the intensely managed arable field replaced with semi-natural habitats forming the new proposed planting. I consider when the whole scheme is viewed in the round there would be an overall significant gain plus the wooded areas would be actively managed in a more sustainable way in the long term. There would be a net major beneficial effect on the tree resource within the site.

#### **Arable Land**

- 4.12 The site is comprised of arable land. Whilst the proposed development would result in the loss of arable land to accommodate the development area, the proposed scheme would bring about areas of naturalistic grassland including species rich grassland, tussocky grassland, wetland wet meadow, native shade tolerant meadow and species rich grassland is proposed for some areas of open space. As such there would be a substantial (beneficial) effect upon the grassland of the site.

#### **Topography**

- 4.13 The topography of the site gently slopes away from a high point of approximately 56m AOD in the north of the site to a low point in the south which is approximately 47.5m AOD. The gently sloping landform across the wider landholding within the site would continue to be legible with the scheme in place. The scheme has been designed to work with the existing site levels to minimise cut and fill.

4.14 As such the legibility of the topographic profile of the site would continue to remain and prevail with the scheme in place, and as such there would be a minor (adverse) effect upon the topography of the site.

#### **Public Rights of Way and Recreational Opportunities**

4.15 The site is currently private land.

4.16 As part of the proposed development a series of permissive paths are proposed which will significantly increase the recreational opportunities across the wider landholding, as a result, there would be a major (beneficial) effect with regard to this element.

4.17 In recreational resource terms, the green infrastructure could be managed via a LEMP including designated open spaces and accessible land with recreational access within the wider landholding.

4.18 In overall terms, there would be a major (beneficial) effect with regard to public access and recreational opportunities within the site.

#### **Water Features**

4.19 The landscape proposals include a surface water attenuation area and is designed to provide blue infrastructure connections and reflect the pattern of landscape features, all characteristic of the wider landscape. I consider that the proposals would result in a net gain in water features with the balancing pond across the site resulting in a moderate (beneficial) effect.

#### **Summary**

4.20 In overall terms, the scheme would result in a major net beneficial effect with regard to the overall landscape elements that currently define the landscape character of the site. The site would change from an arable field to a high-quality design residential neighbourhood set within an attractive substantial landscape framework. The elements that currently contribute to defining the character of the site, namely trees, shrubbery and hedgerows would all be strengthened and form a more prominent element in the medium and longer term, but I recognise this would be in the context of a new residential neighbourhood.

---

### **Landscape Character of the Site**

- 4.21 Collectively, if one draws the different elements of the site together, it defines the overall character of the site itself. In summary, the site is characterised by the former field boundaries but significantly influenced visually by the adjacent dwellings. The site is framed to the west by Cossington Road and existing residential development fronting this highway and is currently significantly affected by the substantial urbanising influences of other adjacent development. The site in terms of its character appears as an urban fringe environment. This specifically relates to the northern part of the site where the proposed development area is intended to be located.
- 4.22 The scheme would introduce a high-quality residential built environment which would be in keeping with the local settlement and therefore, not at odds or out of character or appearance and would not as such, result in an adverse effect but rather neutral in nature with regard to this northern part of the site as a consequence of its change in landscape character terms. The wider landholding and balance of the site would accommodate significant new green infrastructure which would replace an arable field and again change this character of the site to be more representative of the local landscape character area and therefore would result in a major beneficial effect at the site level.
- 4.23 The boundary of the site is, on the whole, framed by a combination of mature hedgerows and standard trees, which provides a strong sense of visual containment and enclosure associated with the site. There are also a number of mature standard trees associated with field boundaries.
- 4.24 There are significant urbanising influences associated with the site land. There would be residential curtilages almost contiguous with the site's northern boundary which would reveal a strong sense of physical and visual connection between the settlement edge and the adjacent areas of the site.
- 4.25 Currently, the southern boundary is defined by hedgerows and trees with the appearance of fields beyond however this land having been allocated has now been consented for residential development, the Clarendon scheme. When this comes forward and is constructed, given the proximity of the neighbourhood areas to the site's boundary, there will be a closer physical presence of these properties with regard to the adjacent areas of this site. However, the separation area would be strengthened with additional tree cover. Immediately to the west

---

of the site lies the busy Cossington Road where traffic passes alongside the site which can be both seen and heard. Whilst separated, there is a clear line of sight with residential properties fronting Cossington Road, which further reinforces the sense of urban fringe environment associated with the site.

- 4.26 At the site level, with a low susceptibility, value and sensitivity combined with a high magnitude of change would result in a moderate (neutral to beneficial) effect in landscape element/ character terms. This reflects the sheer volume of planting and landscape enhancement which in my view is quite exceptional given the limited scale of the proposed housing.

## 5. EFFECT ON LANDSCAPE CHARACTER BEYOND THE SITE

### Introduction

5.1 This section of my proof explains how the scheme would have a bearing upon the landscape character of the surrounding area including that within the gap, which lies beyond the site itself. As defined in the GLVIA glossary landscape character is defined as “A distinct, recognisable and consistent pattern of elements in the landscape that makes one landscape different to another...”.

5.2 To further clarify a distinction in the use of terms, Landscape Character Areas (LCAs) are discrete geographical areas of a particular landscape, as opposed to Landscape Character Types (LCTs), which are defined in GLVIA, page 157 as follows:

**“These are distinct types of landscape that are relatively homogeneous in character. They are generic in nature in that they may occur in different areas in different parts of the country, but wherever they occur they share broadly similar combinations of geology, topography, drainage patterns, vegetation and historical lands use and settlement pattern, and perceptual and aesthetic attributes.”**

5.3 A number of landscape character assessments have been undertaken in recent years to identify both landscape character types (LCTs) and areas (LCAs) as defined above and have been published to assist professionals in understanding how decisions can affect landscape character.

5.4 I have provided some narrative here in this section to explain how the proposed scheme would have a bearing upon the wider landscape character of the area beyond the site, which includes the settlements of Sileby and Cossington.

### National Character (NCA 69 Trent Valley Washlands)

5.5 The site and the surrounding areas of Sileby are located within the National Character Area 69 Trent Valley Washlands (NCA) (CD6.29). This NCA forms part of an assessment of the Character of England’s Landscape, first undertaken by The Countryside Agency but now the responsibility of Natural England.

5.6 Internal page 8 of the document provides a summary of the NCA and notes that:

- **“Distinctively narrow, linear and low-lying landscape largely comprised of the flat floodplains**

and gravel terraces of the rivers and defined at its edges by higher ground.

- **Geology dominated by superficial alluvium and gravel river terrace deposits underpins the contrast in arable and pastoral agricultural use, arable crops predominating on the free-draining soils of the river terraces, with grassland more commonly located along the alluvial river floodplains where soils are subject to frequent flooding or are naturally wet.**
- **Floodplain pastoral areas where riverside pastures are subdivided by thick, full hedgerows with some trees contrast with arable areas with larger fields divided by low, small hedgerows with few trees.**
- **Limited tree cover, but local concentrations give the impression of a well-timbered landscape in many places. Riparian trees, especially willows, provide an important component.**
- **A landscape strongly defined by its rivers and their floodplains with the extensive canal network adding significantly to the watery character and providing major recreational assets for the area.**
- **Diverse range of wetland habitats supporting notable species such as spined loach and bullhead fish, otter, water vole, white-clawed crayfish, shoveler, bittern, lapwing, snipe and redshank.**
- **Rich history of human settlement and activity reflected in the archaeology and historic buildings with a particular focus on river crossing points and the gravel terraces, as well as being significant for early Christianity in the Midlands, and later for its canal and brewing heritage.**
- **Settlement pattern heavily influenced by flood risk, confining villages to the gravel river terraces and to rising ground at the edges of the floodplains. Traditional buildings are characteristically of red brick and clay plain tile with earlier timber frame and grander dwellings and churches typically built from sandstone. Red brick and Welsh slate of 19<sup>th</sup> and early 20<sup>th</sup> century urban expansion prominent in larger settlements along with modern housing and development.**
- **A landscape heavily used as transport and communication corridors along the rivers and canals, for major roads and railways, and for power lines.**
- **A landscape marked by extensive sand and gravel extraction, power stations and prominent urban-edge industrial and commercial development."**

5.7 All of these key characteristics would remain and some reinforced with the scheme in place.

5.8 With regard to Statements of Environmental Opportunity, this sets out a strategy which is to:

**"Carefully plan and manage new development within the NCA to ensure that landscape character and ecosystem services are strengthened, that heritage features, wildlife habitats, woodland and the hedgerow network are enhanced, and that opportunities for creation of multifunctional green infrastructure are realised so that this landscape is resilient to the forces of change that it is experiencing."**

5.9 The scheme would accord with this strategy. With regard to this, it provides some examples noting the encouragement of new development to enhance the network of woodlands and hedgerows across the NCA; and to create multifunctional green infrastructure.

5.10 The overall key characteristics reveal a settled and farmed landscape with many specific references to infrastructure and individual settlements. This NE document is inevitably a high-level character assessment, which provides a useful overview by which to understand the character of the local landscape and its surroundings. At this higher level, it is considered that the scheme would bring about negligible change to the key characteristics of this NCA beyond the site. At the character area level, this landscape would have a medium susceptibility and a medium value resulting in a medium sensitivity, which combined with a negligible change of magnitude would result in a negligible degree of effect as a consequence of the scheme being in place. The proposal would be in keeping with the character of the adjacent settlement and in accord with these NE landscape strategies.

#### **Local Level – Soar Valley Landscape Character Area**

5.11 Charnwood Borough Council has undertaken their own Landscape Character Assessment (CD6.16) of the locality which forms an online resource on the Council's website. The site and its surrounding area particularly for the land south of Sileby, fall within the Soar Valley Landscape Character Area.

5.12 On internal page 47 of the document, it provides a summary of the area's key characteristics.

5.13 It goes on to note and set out the key characteristics as follows:

- **“Flat wide river floodplain which experiences regular flooding**
- **Navigable River Soar and Grand Union Canal**
- **Major engineering features are the raised landscape embankments of A6 and mainline railway and electricity pylons**
- **Visible built development on well-defined rising valley slopes**
- **Restored gravel worked landscapes for recreation, farmland and wildlife benefit**
- **Settlements are Hathern, Loughborough, Quorn, Birstall, Barrow upon Soar, Sileby, Cossington and much of Mountsorrel and Rothley, Syston and Thurmaston.”**

5.14 The scheme would retain all and reinforce some of these characteristics on site and locally.

5.15 Off site all of these defining elements would remain with the scheme in place. All these characteristics would continue to remain and prevail and some reinforced with the scheme in place.

5.16 I note that the current use of the site would change to a high-quality scheme. I would ascribe a low value, susceptibility, and sensitivity combined with a high magnitude of change which would result in a moderate (neutral to beneficial) degree of effect with regard to the site itself. The site also exhibits hedgerows and trees around its perimeter, which defines the former field. The local field pattern and the grain of the landscape would be enhanced with the reintroduction of historic hedgerows and standard trees. The proposed scheme when considered in the context of the wider landscape Soar Valley, would have a negligible (neutral/beneficial) degree of effect based on medium sensitivity and negligible magnitude of change.

#### **Author’s Assessment of Landscape Character**

5.17 As far as landscape character is concerned, I acknowledge that the site would see some considerable change from an arable field. However, the baseline that needs to be taken into account here is that the proposed scheme is framed by housing. No significant off-site works are proposed and as such the character of the local landscape beyond the site in both physical and experiential terms would remain materially unchanged with the scheme in place.

- 5.18 I recognise that the scheme would bring about an inevitable change to the character of the application site itself, however, such a change would in physical terms be confined within the application site boundaries. Off site, the pattern of the land cover, tree and hedge cover and agricultural mix, undulating topography, the variety of building materials, Sileby's settlement pattern generally and the drainage network of streams as identified in the various published reports, would all continue and prevail with the scheme in place. Consequently, it is considered that those key characteristics of the wider landscape and settlement beyond the application site boundary as identified above would be physically unaffected with the scheme in place. It is only the experiential factors of character, both visual and audible elements that would be influenced to some limited degree locally. Any noise associated with the habitation and use of this scheme would be negligible in the wider landscape and settlement context particularly given the Cossington Road. The scheme would not change the broad character of the wider area as the 'settled agricultural scene', which would continue to prevail with the scheme in place. The sensitive design of the proposed scheme would reflect the local settlement character of Sileby.
- 5.19 I proceed to consider the character of the landscape at the site level i.e., with regard to the site itself. The site is currently arable land.
- 5.20 The boundary of the site is in the main, framed by mature hedgerows by a combination of mature hedgerows and standard trees, which provides a strong sense of visual containment and enclosure associated with the site.
- 5.21 There are significant urbanising influences associated with the site. There are a number of residential curtilages which are contiguous with the site's northern boundary which reveals a strong sense of physical and visual connection between the settlement of Sileby and the adjacent areas of the site.
- 5.22 Similarly, currently, the southern boundary is defined by hedgerows and trees with the appearance of fields beyond however this land having been allocated has now been consented and now has an outline consent for residential development, the Clarendon scheme. Immediately to the west of the site lies the busy Cossington Road, traffic passing alongside the site can be both seen and heard particularly in the area close to this highway. Further back towards the centre of the northern part of the site there is a clear line of sight of residential properties

fronting the Cossington Road, which further reinforces the sense of urban fringe environment associated with the site.

- 5.23 The site does accommodate some features such as mature trees and a few hedgerows, which contribute to the defining characteristics of the locality, but all of these elements would be retained, and their presence reinforced with the green of structure proposals as an integral part of the scheme.

### **Settlement Pattern**

- 5.24 With regard to the settlement pattern, I would note the following.
- 5.25 The signpost to denote the southern arrival point for Sileby is located close to the vehicular access point for the appeal site. There is physical separation between the southern point of Sileby and the northern point of Cossington which maintains a sense of separation to provide a separate identity for Cossington. This area of physical separation would remain permanent through the provision of strategic open space which would front onto the Cossington Road. The scheme would maintain and respect the separation between Sileby and Cossington. Land within the site adjacent to the road would form strategic open space as grassland and meadows with proposed woodland which upon establishment would further reinforce a sense of physical and visual separation with Cossington to the south. The physical separate identity of Sileby would continue to remain and prevail with the scheme in place, as the latter would not cause any actual or perceived coalescence.

## **6. EFFECT ON THE ACTUAL AND PERCEIVED GAP OF OPEN UNDEVELOPED LAND BETWEEN THE VILLAGES OF SILEBY AND COSSINGTON AND ITS PURPOSE AND INTEGRITY**

6.1 This section of my proof addresses the alleged harm that the proposal would cause to the Area of Local Separation as set out in the first Reason for Refusal (CD5.01).

### **The Extent of the Area of Local Separation**

6.2 The Area of Local Separation (ALS) is applied to some of the local landscape that lies between two settlements Sileby to the north and Cossington to the south. As can be seen on the Designations Plan, the full extent of this designated land can be described as follows. The southern part of the settlement boundary of Sileby wraps around existing residential areas within the southern part of the settlement. This includes a number of residential roads which lie immediately to the north of the site and include Chalfont Drive and Molyneux Drive and Charles Street, along with a number of cul-de-sacs including Chalfont Drive, West Orchard, Middle Orchard and East Orchard cul-de-sacs. The ALS boundary runs along the southern side of these residential neighbourhoods. However, the designation also runs along the Cossington Road southward and wraps around a number of residential properties that lie to the west of and face towards the Cossington Road.

6.3 The ALS extends southward from Sileby and washes over a local farm complex known as Brook Farm and also a wider area of land operated as a garden centre and nursery, known as Derry's Nurseries. The ALS incorporates these commercial premises as far south as a local watercourse which defines the southern limit of the ALS. The southern limit runs along the northern boundary of the settlement of Cossington. The western extent of the ALS follows in part, two field boundaries defined by hedgerows, but the northern part of the western boundary to this designation follows a diagonal line from a footbridge over a brook to the corner of a residential property, the most southerly property of Sileby off the Cossington Road and does not follow any definable feature on the ground.

6.4 The Area of Separation is a local designation that defines the actual separation between two settlements but there is also a visual dimension to this which relates to the perceived sense of separation which can only be appreciated by members of the public on the ground passing through the area whether it be the countryside or the two villages. The way in which members of the public can

appreciate this perception is principally by using publicly accessible routes that are highways or public rights of way. I proceed to consider how the site functions in terms of contributing to the actual and perceived sense of separation in terms of its purpose and integrity and how the proposed scheme would have a bearing upon the actual and perceived separation, which I address in the preceding paragraphs.

**How the site and proposal would be appreciated from the southern parts of Sileby**

- 6.5 The southern side of Sileby as a settlement is defined by residential properties fronting onto several residential roads, Chalfont Drive and Molyneux Drive. As a result, there is no obvious public viewpoint location associated with these locations other than the southernmost point of Molyneux Drive which forms a cul-de-sac with the road terminating at the site boundary. Views from this location on the road are heavily filtered in a southward direction due to the high level shrubs which define the boundary of the site. From this location, it is difficult to appreciate the location of Cossington to the south. The view currently reveals a foreground of the site field and in the middle distance conifer and deciduous tree cover associated with the nursery and watercourse. Brook Farm complex is also visible, however the opportunity to observe Cossington as a settlement is very limited. The current view reveals an agricultural landscape in a southward direction towards Cossington. The point at which Cossington finishes along its northern edge and the gap starts cannot be readily appreciated from this location.
- 6.6 There are two public right of ways reference numbers 1109 and 1110 which pass through the residential neighbourhood in the southern part of Sileby. However, from these routes, there is no opportunity to appreciate the gap between the two settlements. With the scheme in place this situation would not materially change.

**How the site and proposal would be appreciated from the countryside to the east looking towards the two settlements**

- 6.7 Immediately to the east of the site is the mainline railway which is on a slightly raised embankment. For train passengers using this length of the rail line, they would be able to appreciate and recognise the settlement of Sileby as the southern residential area backs onto this railway line. South of the existing residential area, rail users looking westward into the gap would appreciate a sense of countryside in contrast to the village and travelling further south of the watercourse, rail users would look across open countryside currently across one

field towards Cossington beyond. Part of this view would in the future accommodate an extant scheme. Even with this in place and with the proposed scheme also in place, there would still be the opportunity to appreciate the sense of physical separation reinforced by the creation of a naturalistic rural parkland as proposed. The sense of physical and visual separation would continue to remain with the proposed scheme in place.

6.8 Further to the east of the site lies open countryside, but most of this is private land with few public rights of way. There is only one public right of way reference number 165 which lies in this area and is broadly orientated northeast-southwest linking Ratcliffe Road to the north with Humble Lane to the south. Along most of this route, the southern part of Sileby can be seen in the far distance whilst there is little evidence of Cossington. Much of this route is framed by mature hedgerows and tree cover such that these views are quite limited. See LVIA viewpoints 10 and 11. From this route, the southern limit of Sileby can be appreciated to some extent as some of the residential properties are visible. Much of the site where the proposed dwellings would be located is screened from view and in the arc of view southward, significant tree cover characterises the countryside and the northern part of Cossington cannot be readily appreciated. There is a strong sense of countryside therefore to the south of Sileby and with the proposed scheme in place, this appreciation of this particular part of the countryside would continue to prevail with the scheme in place.

6.9 To the east of the site within the countryside lies the Ratcliffe Road which is flanked by mature hedgerows which channel motorists' views along the road. As a result, there is little opportunity to observe and appreciate the countryside gap between Sileby and Cossington and with the proposed scheme in place, this would not change the perception of this gap for users of this road. Humble Lane affords limited views except over the rail bridge.

6.10 In summary, I consider that the area proposed for housing has a limited role in its function in maintaining a gap between the two settlements. With the proposed scheme in place the sense of gap would prevail.

**How the site and proposal would be appreciated from the countryside to the west looking towards the two settlements**

6.11 There is a public right of way reference number 150, which is orientated north-south and links Sileby to the north with Syston Road to the south. This route

passes through the countryside and for much of its length is flanked by hedgerows and tree cover. From this route, the countryside gap between Sileby and Cossington cannot be appreciated due to tree cover in the intervening landscape.

- 6.12 There is a public right of way reference number 152 which connects to route 150 and extends southward to join with the northern part of Cossington. Much of this route is flanked by mature tree cover and hedges such that there is no opportunity to observe the gap between the settlements. There is a short section close to the west of the gap which affords views eastwards towards the Area of Separation. This section reveals the northern part of Cossington. The gap that lies to the west of Cossington Road and looking north-eastward the southern part of Sileby can be also observed. The designation which lies to the west of Cossington Road forms the foreground and middle distance views in this context and has a strong role in maintaining the separation of the settlement. In contrast, the area proposed for development forms a small distant element in the view and has a limited role in maintaining the sense of separation. With the proposed housing in place, combined with the naturalistic parkland, there would be little change to the perception of separation between the settlements as is illustrated by the visualisation for viewpoint 7.

**How the site and proposal would be appreciated from the northern parts of Cossington**

- 6.13 The northern part of Cossington is defined by a residential area flanking the Cossington Road. The northern boundary of the settlement is contiguous with the gap designation and is private land with few public viewing opportunities. The Cossington Road itself leaves the northern part of Cossington close to the Derry's Nursery. From this northern point of the settlement on this road, the site cannot be observed nor would the proposed development. What can be seen is the highway arrival sign for Sileby and the residential properties on the southern point of Sileby to the west of Cossington Road located in the far distance. Between those properties and the northern viewpoint on the Cossington Road within Cossington, the countryside performs a strong role in maintaining the perceived and actual separation. With the proposed scheme in place, there would be no change to this current situation.
- 6.14 Another location which is close to the northern boundary of Cossington is the public route 161 close to a farm pond which affords the opportunity to gain views

northward across the gap. From this route, residential properties on the northern side of Cossington can be observed and in the far distance, the southernmost properties of Sileby can be seen along with some other residential properties forming some limited backdrop in the view. From this location, the site and the proposed development would not be capable of being appreciated and seen and would therefore not result in any material change to the sense of separation.

### **Public highway passing through the ALS**

- 6.15 There is only one public highway which passes through the ALS, which is the Cossington Road itself, broadly orientated north-south. For users of this route travelling northbound, I would note the following. Derry's Nursery can be clearly seen in the foreground, with the backdrop defined by the Brook Farm complex. The road passes through the countryside in the middle distance and in the far distance, the arrival sign for Sileby can be seen along with the southernmost properties of Sileby. The proposed scheme would not change this perception of the gap. As road users travel further north and approach the Sileby arrival sign, Brook Farm defines the character of the road to the east and residential properties of Sileby can be seen flanking both sides of the Cossington Road, but the site where the dwellings are proposed cannot be observed and this situation would not change with the scheme in place. Further north on this road alongside Brook Farm, the properties of Sileby can be clearly seen and at this location, road users are beyond the arrival sign and adjacent to residential properties on the west side of the road. It is only when users are alongside existing Sileby properties that the development area and proposed dwellings would be observed. At this location, the current southern side of Sileby residential neighbourhood can be seen but at this location, observers are within the development context of Sileby. The proposal would not materially change this situation.
- 6.16 For road users travelling southbound, they depart at the southern point of Sileby with residential properties to the west of the road. From this location, there are views southward across the gap which reveal some limited evidence of residential properties associated with Cossington. This part of the gap to the west of Cossington Road performs a strong role in terms of maintaining the actual and perceived sense of separation. Motorists travelling southbound, south of the departure of Sileby, would have no appreciation of the proposed dwellings and therefore the existing actual and perceived sense of separation as appreciated by these users would be unchanged with the proposed scheme in place.

---

### **Public rights of way passing through the ALS**

- 6.17 Public right of way reference 147 passes through the ALS linking Cossington Road and the southern point of Sileby to the north with Cossington to the south. This route passes diagonally across several fields. The northern half of the route skirts through the western part of the ALS, whilst the southern half of the route lies outwith to the west of the ALS. For users of this route travelling southbound from the Cossington Road, views southbound reveal the gap and some properties of Cossington can be seen in the far distance. As such, this part of the gap performs strongly in maintaining the actual and perceived separation between settlements. Users of this route would have southbound views and would be visually unaffected by the proposed development as would any sense of separation.
- 6.18 For users walking northbound along this route, views northward reveal the countryside in the foreground and middle distance. Residential properties of Sileby at the most southerly point of the village can be seen, but the proposed development area cannot be observed. Further north along this route, the northern part of Cossington can be seen as can Derry's Nursery and Brook Farm, but the development site cannot be observed, nor would the proposed development. The route passes over a small watercourse with a footbridge stile. From this location and north of this point, the southern limit of Sileby and its residential properties can be clearly seen in the middle distance beyond which further residential properties of Sileby can be seen in the far distance. The proposed development would be seen to a limited degree in this far distance plain of the view well beyond the existing southern point of Sileby clearly seen in the view, see visualisation 4, viewpoint 6. With the proposed scheme in place, the perceived view of the gap and sense of separation between the two villages would not materially change with the proposed scheme in place. This is because the development area has a limited role to play in terms of the gap, whereas the designation to the west of Cossington Road has a strong role to play in terms of maintaining the gap.

### **Summary**

- 6.19 In light of the above analysis, I consider that the actual physical separation between the two settlements in terms of the shortest distance would not reduce with the proposed scheme in place. The proposed housing would be located in the northern part of the ALS adjacent to Sileby. But this particular part of the ALS performs a role to a limited degree. The perceived sense of separation associated

---

with the gap would not materially change with the proposed scheme in place. The purpose and integrity of the gap would remain with the scheme in place, and not materially harmed.

## 7. RESIDENTIAL VISUAL AMENITY

7.1 It is right to make a distinction between residential and general visual amenity. The latter term from a planning policy perspective usually relates to the public realm and the wider landscape whilst the former is concerned with the private visual amenity of an individual residential property.

7.2 The separation between what is a private interest and what should be considered in the public interest is clear and has no status in terms of being part of statutory documentation, planning policy or guidance. Furthermore, it is noted that no individual has the right to a particular view but there does come a point where, by virtue of the proximity, size and scale of a given development, a residential property or properties would be rendered so unattractive as a place in which to live that planning permission should justifiably be refused. The test relates to the position which would pertain with the proposed scheme in situ, irrespective of the position beforehand. In other words, the test is not whether, in relative terms, a property would become a substantially less attractive place to live, the test is whether viewed objectively and in the public interest a property would become an unattractive place in which to live. Such a situation if left unchecked would lead clearly to undesirable consequences. It is useful to pose the question:

**“Would the proposal affect the outlook of these residences to such an extent, i.e., be so unpleasant, overwhelming and oppressive that this would become an unattractive place to live?”**

7.3 The test of what would be unacceptably unattractive should be an objective test, albeit that professional judgement is required in its application to the circumstances of each particular case. There needs to be a degree of harm over and above an identified substantial adverse effect on a private interest to take a case into the category of refusal in the public interest. Change in the outlook from a property is not sufficient; indeed, even a fundamental change in outlook is not necessarily unacceptable.

7.4 It is worthy of note that the visual component of residential amenity should be addressed “in the round” taking into account factors such as distance, the direction of the view, size of the proposed dwellings and their layout, the layout of particular dwellings in terms of their floor plans, the garden environment, and the lines of sight towards the proposed development.

- 7.5 I have visited the site and the surrounding residential areas, mindful of the various parameters as identified in the preceding paragraphs and on that basis, I consider that there would be no unacceptable effects on the visual component of the residential amenity for any nearby properties.
- 7.6 It is accepted that the proposed development would result in a change to some views, and this would involve a change to the composition of a number of private views, however, I consider this change in itself is not unacceptable, in private visual amenity terms. I note some proposed residential properties would be seen from a few of these existing properties but would not be visually overbearing, overwhelming or oppressive in these views. Given the size and location of the proposed properties, the distances involved, the orientation of the existing properties and the nature of the views, any effect on outlook would not cross the public interest test here.

#### **Officer's Report**

- 7.7 The Officer's Report addressed residential amenity referring to Policy CS 2 of the Core Strategy and Policy EV/1 of the Local Plan which seeks to protect the amenity of existing and future residents. The report notes that properties most likely to be affected are those backing onto the site to the north. The properties nearer to the front of the site are mainly single storey in height. It notes that careful consideration of house types adjacent to single storey properties would be addressed through Reserved Matters to ensure that adequate separation between the existing and the proposed development is provided to prevent any unacceptable impacts upon the residential amenity of both existing and future residents. The Officer Report does not raise any points of material concern or that residential amenity would be unacceptably affected and is consistent with the fact that this matter is not raised as a Reason for Refusal in the Decision Notice.

## **8. LANDSCAPE PLANNING POLICY CONTEXT RESPONSE TO REASON FOR REFUSAL ONE**

8.1 This section of my evidence explains how the appeal scheme would comply with the relevant landscape planning policies referred to within the Council's first Reasons for Refusal. The first reason cites a number of policies with reference to both the Development Plan and the Neighbourhood Plan. I address each of these policies in so far as they relate to landscape and visual issues. It is for planners to determine the weight that should be applied to these policies and my analysis.

8.2 The Development Plan for Charnwood currently consists of the Charnwood Local Plan Core Strategy 2011 – 2028 along with saved Policies of the Borough of Charnwood Local plan (2004). The Sileby Neighbourhood Plan also forms part of the Development Plan and is therefore relevant to this proposal.

### **Charnwood Core Strategy**

#### **Policy CS 1**

8.3 Policy CS 1 is concerned with the Development Strategy. It sets out the growth hierarchy for the Borough that sequentially guides development towards the most sustainable settlements. This identifies Sileby as a 'service centre', a settlement that has access to a good range of services or facilities compared to other settlements. This policy states that:

#### **"Development Strategy**

**We will make provision for at least 13,940 new homes between 2011 and 2028.**

#### **Leicester Principal Urban Area**

**Our priority location for growth will be the Leicester Principal Urban Area, where provision will be made for at least 5,500 new homes and up to 46 hectares of employment land between 2011 and 2028.**

**We will do this by planning positively for:**

- **a sustainable urban extension of approximately 4,500 homes to the north east of Leicester, delivering approximately 3,250 homes and up to 13 hectares of employment land by 2028 and the remaining homes beyond the plan period as part of a comprehensive and integrated development;**
- **a direction of growth for approximately 1,500 homes as part of a sustainable urban extension to the north of Birstall, delivering approximately 1,345 homes and up to 15 hectares of employment land by 2028 and the remaining homes beyond the**

**plan period as part of a comprehensive development;**

- **a direction of growth for up to 8,750 sqm of offices and up to 16 hectares of general employment land within the Watermead Regeneration corridor; and sustainable development which contributes towards meeting our remaining development needs, supports our strategic vision, makes effective use of land and is in accordance with the policies in this strategy.**

8.4 Comment: none.

#### **Loughborough and Shepshed**

**The majority of our remaining growth will be met at Loughborough and Shepshed where provision will be made for at least 5,000 new homes and up to 22 hectares of employment land between 2011 and 2028.**

**We will do this by planning positively for:**

- **a sustainable urban extension of approximately 3,000 homes to the west of Loughborough, delivering approximately 2,440 homes and up to 16 hectares of employment land by 2028 and the remaining homes beyond the plan period as part of a comprehensive and integrated development;**
- **approximately 1,200 homes within and adjoining Shepshed to support its regeneration;**
- **up to 6 hectares of employment land within and adjoining Loughborough/Shepshed; and**
- **sustainable development which contributes towards meeting our remaining development needs, supports our strategic vision, makes effective use of land and is in accordance with the policies in this strategy.**

8.5 Comment: none.

**We will also plan positively for up to a 77 hectare expansion of Science and Enterprise Park to the West of Loughborough University.**

8.6 Comment: none.

#### **Service Centres**

**We will plan positively for the role of Service Centres (Anstey, Barrow Upon Soar, Mountsorrel, Quorn, Rothley, Sileby and Syston). We will do this by;**

- **providing for at least 3,000 new homes and approximately 7 hectares of employment land**

**within and adjoining our Service Centres between 2011 and 2028;**

- **safeguarding services and facilities; and**
- **responding positively to sustainable development which contributes towards meeting our development needs, supports our strategic vision, makes effective use of land and is in accordance with the policies in this strategy.**

8.7 Comment: Sileby is identified as a service centre. The proposed scheme is considered sustainable development given its immediate proximity to the settlement of Sileby. Indeed, the existing settlement is contiguous to two sides of the site and is adjacent to a main highway and associated roadside pavements which also benefit from street lighting. The scheme has been carefully designed such that the development area would make efficient use of the land.

#### **Other Settlements**

**We will meet the local social and economic need for development in other settlements (Barkby, Burton on the Wolds, Cossington, East Goscote, Hathern, Newtown Linford, Queniborough, Rearsby, Thrussington, Thurcaston, Woodhouse Eaves and Wymeswold). We will do this by:**

- **providing for at least 500 new homes within settlement boundaries identified in our Site Allocations and Development Management Plan Document between 2011 and 2028;**
- **responding positively to small-scale opportunities within defined limits to development;**
- **responding positively to affordable housing developments in accordance with Policy CS3;**
- **safeguarding services and facilities; and**
- **responding positively to development which contributes to local priorities as identified in Neighbourhood Plans.**

8.8 Comment: none.

#### **Small Villages and Hamlets**

**We will safeguard services and facilities and respond positively to development that meets a specific local social or economic need in our smallest settlements (Barkby Thorpe, Beeby, Cotes, Cropston, Hoton, Prestwold, Ratcliffe on the Wreake, Ridgeway Area of Rothley, Seagrave, South Croxton, Swithland, Ulverscroft, Walton on the Wolds, Wanlip, Woodhouse and Woodthorpe). We will do this where:**

- **the specific local social or economic need is identified by a Neighbourhood Plan or other appropriate community-led strategy; or**
- **the development supports sustainable businesses in accordance with Policy CS10.”**

8.9 Comment: none.

8.10 Accordingly, I consider that the proposal would not offend Policy CS 1.

### **Policy CS 11**

8.11 Policy CS 11 is concerned with landscape and countryside and seeks to protect the character of the landscape and countryside. It requires new development to protect landscape character, reinforce the sense of place and local distinctiveness, tranquillity and maintain separate identities of settlements. The policy advises that it is intended to protect the predominantly open and undeveloped character of Areas of Local Separation unless new development clearly maintains the separation between the built up areas of these settlements. This policy states that:

#### **“Landscape and Countryside**

**We will support and protect the character of our landscape and countryside by:**

- **requiring new developments to protect landscape character and to reinforce sense of place and local distinctiveness by taking account of relevant local Landscape Character Assessments;**

8.12 Comment: The proposed scheme would inevitably require a part of the site to change in character from an area of arable land to one of a residential neighbourhood, an inevitable consequence of accommodating a new residential area. The proposed scheme also includes a substantial area of green infrastructure which would create several smaller pasture fields defined by hedgerows and trees to create an attractive naturalistic rural parkland. The scheme would protect the existing landscape elements associated with the site, namely the vegetation around the perimeter of the land with the only material loss being incurred relating to the loss of arable land. The careful design of the green infrastructure would, along with the proposed dwellings reinforce the sense of place and local distinctiveness that is identified in the published Landscape Character Assessments.

- **requiring new development to take into account and mitigate its impact on tranquillity;**

8.13 Comment: in terms of tranquillity, the site is framed to the east by a mainline railway, residential neighbourhoods immediately to the north and west, and a main highway along the western boundary, the Cossington Road. All of these elements generate both noise and a sense of movement, both of which are components of tranquillity. The site in this development context is not considered tranquil but an area of countryside subject to strong urbanising influences and as such, forms a peri-urban environment. The proposed scheme would introduce movement and some noise one would associate with a residential area but would not materially change the profile of tranquillity associated with the site.

- **requiring new development to maintain the separate identities of our towns and villages;**

8.14 Comment: the proposed scheme would leave the identity of Cossington unchanged. Furthermore, the general defining characteristics that define the identity of Sileby would not materially change with the proposed scheme in place.

- **supporting rural economic development, or residential development which has a strong relationship with the operational requirements of agriculture, horticulture, forestry and other land based industries and contributes to a low carbon economy, in accordance with Policy CS10;**

8.15 Comment: none.

- **supporting the provision of community services and facilities that meet proven local needs as identified by a Neighbourhood Plan or other community-led plan; and**

8.16 Comment: none.

- **supporting rural communities by allowing housing development for local needs in accordance with Policy CS3.**

8.17 Comment: none.

**We will protect the predominantly open and undeveloped character of Areas of Local Separation unless new development clearly maintains the separation between the built-up areas of these settlements."**

8.18 Comment: the proposed scheme would inevitably introduce a new residential neighbourhood within the ALS. However, it would not extend Sileby any further

south than the current furthest point and therefore maintain the separation between Sileby and Cossington materially unchanged with the scheme in place. From a landscape and visual perspective, the proposed scheme would not materially offend Policy CS 11.

### **Borough of Charnwood Local Plan**

#### **Saved Policy ST/2**

8.19 Policy ST/2 is concerned with limits to development and sets out limits to development for settlements within Charnwood. This policy states that:

**“Built development will be confined to allocated sites and other land within the Limits to Development identified on the Proposals Map, subject to the specific exceptions set out in this Plan.”**

8.20 Comment: the proposed development would inevitably involve the introduction of built form on land outside the settlement boundary and beyond limits to development identified on the proposals map but would not reduce the Area of Separation that currently separates Cossington and Sileby at its narrowest point.

#### **Saved Policy CT/1**

8.21 Policy CT/1 is concerned with General Principles for Areas of Countryside, Green Wedge and Local Separation. This policy defines which types of development are acceptable in principle within Areas of Countryside and seeks to prevent significant adverse environmental impact. This policy states that:

**“Land lying outside the defined Limits to Development is variously identified on the Proposals Map as Countryside, Green Wedge and Areas of Local Separation.**

**Development within these areas of generally open land will be strictly controlled. Planning permission will be granted for the re-use and adaptation of rural buildings for uses suitable in scale and nature, and small-scale new built development, where there would not be a significant adverse environmental impact and the proposal would:**

- i) be essential for the efficient long-term operation of agriculture, horticulture or forestry; or**
- ii) facilitate the diversification of the rural economy; or**
- iii) improve facilities for recreation, or leisure uses; or**
- iv) implement strategically important schemes for mineral related uses, transport infrastructure, and for public services or utilities.**

---

**In all cases it should be demonstrated that the proposed development could not reasonably be located within or adjacent to an existing settlement.”**

8.22 Comment: the proposed scheme would lie within an Area of Local Separation. It is considered that there would be no significant adverse environmental impact in terms of landscape elements, landscape character, general visual amenity and the Area of Separation would remain materially unchanged. The scheme would create a new residential neighbourhood along with an extensive area of naturalistic rural parkland as accessible recreational space for leisure uses. The proposal would not lie within the existing settlement but would lie adjacent and contiguous with Sileby. Accordingly, the proposal would accord with Policy CT/1.

#### **Saved Policy CT/4**

8.23 Policy CT/4/2 is concerned with development in Areas of Separation. It sets out policy context for Areas of Local Separation identified on the policies map. The policy states that in such areas, development will be deemed acceptable wherein the location, scale and design of the development would ensure that firstly the predominantly open and undeveloped character of the area is retained and secondly, the already narrow gap between settlements is not reduced. This policy states that:

**“In areas of local separation development acceptable in principle will only be permitted where the location, scale and design of development would ensure that:**

**i) the predominantly open and undeveloped character of the area is retained; and**

8.24 Comment: I note that this is a permissive policy, subject to particular parameters being met. In terms of location, the scheme sits alongside adjacent to Sileby framed on two sides by the settlement. The scale of the proposed residential neighbourhood is proportionate and does not overwhelm the existing residential neighbourhoods and the design as illustrated would be in keeping with the character of adjacent residential areas. The predominantly open and undeveloped character of the remaining Area of Separation would be retained with the proposal in place. The new parkland would also be permanent.

**ii) the already narrow gap between settlements is not reduced.**

8.25 Comment: the southern point of Sileby and the northern point of Cossington defines the actual narrowest physical distance that forms a gap between the two settlements. The proposed development would not reduce this distance and gap.

**Areas of local separation are defined on the Proposals Map to include land between:**

- a) Loughborough/Woodthorpe;**
- b) Quorn/Mountsorrel;**
- c) Mountsorrel/Rothley (East and West of Mountsorrel Lane);**
- d) Sileby/Cossington;**
- e) Sileby/Barrow upon Soar;**
- f) Thurcaston/Cropston/The Ridgeway Area of Rothley;**
- g) Wanlip/Birstall;**
- h) Rearsby/East Goscote;**
- i) East Goscote/Queniborough;**
- j) Queniborough/Syston**
- k) Syston/Thurmaston (west of Melton Road);**
- l) Syston Barkby;**
- m) Anstey/Newtown Linford"**

8.26 Comment: the site falls within the Area of Separation between Sileby and Cossington but the narrowest physical distance between the two settlements defined by their settlement boundaries would not physically reduce with the proposed scheme in place. The visual sense of perceived separation again would not materially change or reduce with the proposed scheme in place as explained in the preceding sections. I consider that the proposed scheme would not offend Policy CT/4.

**Sileby Neighbourhood Plan**

**Policy G1: Limits to Development**

8.27 Policy G1 is concerned with limits to development, noting that outside of the defined limits development will be strictly controlled. This policy states that:

**"Development proposals within the Neighbourhood Plan area will be supported on sites within the settlement boundary as shown in Figure 2 (below) where the proposal complies with the policies in this Neighbourhood Plan.**

**Land outside the defined Limits to Development will be treated as open countryside, where development will be**

**carefully controlled in line with local and national strategic planning policies.**

**Appropriate development in the countryside includes:**

**a) For the purposes of agriculture – including farm diversification and other land-based rural businesses;**

**b) For the provision of affordable housing through a rural exception site, where local need has been identified;**

**c) For the provision of a formal recreation or sport use or for rural tourism that respects the character of the countryside.”**

8.28 Comment: the proposed scheme would lie outside the settlement boundary, but the site is contiguous with this on two sides framing the site both to the west and to the north. In terms of the policy, it would not be regarded as appropriate development in terms of residential development, however, the extensive and substantial green infrastructure would provide substantive provision for informal leisure in the rural area whilst respecting the character of the countryside in the gap.

#### **Policy G2: Design**

8.29 Policy G2 is concerned with design and sets out criteria for new development to ensure it enhances and reinforces local distinctiveness, the character of the area and be sympathetic to any neighbouring properties and the surrounding area. This policy states that:

**“This policy will apply to all new commercial and residential developments, including one or more houses, extensions and replacement dwellings. The following criteria should be met:**

**a) New development should enhance and reinforce the local distinctiveness and character of the area in which it is situated, particularly within the Conservation Area, and proposals should clearly show within a Design and Access Statement (where appropriate) how the general character, scale, mass, density, materials and layout of development are sympathetic to any neighbouring properties and the surrounding area. Development which would have a significant adverse effect on the street scene, or the character of the countryside will only be permitted where any harm is clearly outweighed by the wider benefits of the proposal;**

8.30 Comment: the scheme would introduce housing which would be in keeping with existing neighbourhoods in the locality which forms part and parcel of the

landscape character of the area as the local landscape character area washes over the settlement. The settlement itself is a defining element of the local landscape. The proposed parkland would enhance and reinforce the local distinctiveness and character of the area.

**b) Design principles that apply to the Conservation Area should be applied where development is adjacent to the Conservation Area to help ensure a controlled transition between the Conservation Area and new development outside the Conservation Area**

8.31 Comment: none.

**c) Contemporary or innovative design will be encouraged and supported where it makes a positive contribution to the character of the area and is compatible with the surrounding historic context;**

8.32 Comment: the green infrastructure has been carefully designed which has included the reinstatement of hedgerows that had been removed previously, together with new tree cover and creation of grassland fields would all positively contribute to the local landscape character and be permanent in the gap.

**d) Development proposals should aim to maintain and enhance biodiversity by preserving as far as possible existing trees, hedges and wildlife habitats. Where appropriate developments are encouraged to include measures to enhance biodiversity which may include:**

8.33 Comment: a naturalistic design approach to the landscape utilising indigenous tree and shrub species would create a range of wildlife habitats and considerable net biodiversity gain.

**e) Providing roof and wall constructions that follow technical best practice recommendations for integral bird nest boxes and bat breeding and roosting sites;**

8.34 Comment: none.

**f) Providing hedges or fences with ground level gaps for property boundaries that maintain connectivity of habitat for hedgehogs;**

8.35 Comment: new hedgerows are proposed throughout the parkland and development generally.

**g) Ensuring that any intruder switched security lighting is not constantly switched on and that any other site or sports facility lighting meets the best practice guidelines in Bats and Lighting (ref LREC 2014);**

8.36 Comment: none.

**h) Development should ensure the appropriate provision for the storage of household waste and any recyclable materials;**

8.37 Comment: none.

**i) With the development of Hybrid and electric vehicles all properties should include infrastructure and the available power supply that will support the charging of electric vehicles. Where possible, this should be within the property boundary.”**

8.38 Comment: none.

8.39 From a landscape and visual perspective, the proposed scheme would comply with the general thrust of Policy G2.

#### **National Planning Policy Framework 2021**

8.40 Section 2 is concerned with achieving sustainable development and identifies three over-riding objectives which are inter- dependent and need to be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the three objectives: economic; social and environmental.

8.41 Section 15 of the document is concerned with the principle of conserving and enhancing the natural environment.

8.42 174 notes that both policies and decisions should contribute and enhance the natural and local environment and identifies six criteria. The second of which (b), recognises the intrinsic character and beauty of the countryside.

8.43 Having reviewed the relevant sections of the NPPF, I consider that the proposal would be in accord with the Framework when read as a whole.

## 9. SUMMARY AND CONCLUSIONS

### Introduction

9.1 I am instructed on behalf of David Wilson Homes East Midlands Ltd ('the Applicant') to present evidence relating to landscape and visual matters in respect of this Inquiry relating to an application for outline planning permission, which was submitted to Charnwood Borough Council validated on 31<sup>st</sup> March 2021. The application as amended proposed the following:

**"Outline planning application for up to 170 dwellings (including affordable housing) with all matters reserved other than access together with associated landscaping and other infrastructure."**

9.2 My Landscape Proof of Evidence comprises this document and my appendices.

9.3 This evidence should be read in conjunction with the Planning Proof of Evidence prepared by Angela Smedley.

### Description of the Scheme

9.4 The site can be described as forming two parts, a 'development area' accommodating the proposed housing and a 'wider landholding' which forms the balance of the site and forms the extensive green infrastructure as a series of naturalistic green spaces. Within the development, the majority of the proposed dwellings would be two storeys.

9.5 The proposal would deliver a high-quality scheme, both in terms of its built form and in terms of the substantial green infrastructure that is proposed across the majority of the site and is significant in my opinion.

### Effect on Landscape Elements

9.6 The site comprises a number of landscape elements including topography, land use, vegetation, trees and woodlands, hedgerows. The majority of these individual elements would be retained and enhanced which would result in an overall net major beneficial effect with regard to landscape elements within the site. The scheme would inevitably result in the loss of some arable land. In overall terms, there would be a substantial (major) net beneficial effect with regard to landscape elements within the site itself. There would be no change to landscape elements beyond the site.

### **Effects on Landscape Character**

- 9.7 With regard to landscape character, the site and its surroundings and Sileby all fall within the Trent Valley NCA and Soar Valley locally. Limited off-site works are proposed to enable this scheme to come forward. As such, the key characteristics that define the local landscape character beyond the site would remain physically unaffected and with regard to experiential aspects, there would be no material change to the landscape character of the area beyond the site with the proposed scheme in place.
- 9.8 The northern part of the site is proposed to accommodate the residential neighbourhoods referred to as the development area which as a high-quality scheme would reflect the local vernacular architecture which would be in keeping with other residential areas associated with Sileby. The proposal would result in a change to the character of the site, an inevitable consequence of accommodating housing on a greenfield site and thus resulting in a significant magnitude of change (major), but in terms of its nature of effect this would be neutral rather than adverse, given it would be in keeping in terms of its character and appearance.
- 9.9 The balance of the site would form substantial green infrastructure, which would bring about a substantial major change in character terms from arable field land to a whole series of fields including the creation of new enclosures as part of a historic landscape restoration scheme. The whole green infrastructure would be more in keeping with the local rural farmland with its new wildflower meadows and pastoral fields, together with new woodlands, water features and improved recreational opportunities. Such change to the character of the site would bring about a high magnitude of change and enhancement which would be beneficial in nature in landscape character terms. This reflects the sheer volume of planting and landscape enhancement which in my view is quite exceptional given the limited scale of the proposed housing.

### **Effects on Visual Amenity**

- 9.10 In terms of how the proposed scheme would have a bearing upon general visual amenity, I would note the following main observations. The potential to observe the scheme in terms of the visual envelope would be mainly restricted to the immediate environs of the site and wholly contained within the local landscape. As such, the proposed housing would have a very limited visual envelope. Where

observed, the proposed scheme would be generally heavily framed and screened by tree cover such that it would be difficult to distinguish it from Sileby.

9.11 Where observed, it would also always be seen in the context of adjacent development. This means that the proposed scheme would not visually extend the visual envelope of Sileby as it relates to the wider landscape but rather it would fall within the existing visual envelope associated with the wider environs of Sileby. As a result, the magnitude in terms of the degree of effect would be quite limited and local to the environs of Sileby. The scheme would also not impinge in visual terms upon the existing visual relationship between the Sileby and Cossington settlement further to the south, an aspect that the Council seeks to protect.

9.12 As for the nature of effect with regard to visual amenity, given the high quality of the proposal reflecting the vernacular, the proposed housing would be in keeping in terms of its appearance and therefore, the housing scheme would be neutral rather than adverse in terms of nature of effect. Simply, this would be an attractive housing scheme to observe rather than harmful on the eye. Sight of the proposed scheme would not cause harm to the visual amenity of the area. The green infrastructure would be beneficial in terms of the nature of effect. Together with both elements at the site level, there would be a major degree of effect whilst locally within the Valley in overall terms there would be a negligible (neutral to beneficial) degree of effect in terms of this valley landscape.

9.13 The proposal would result in some physical loss of arable land. The proposals would result in a change to the landscape at a very localised site level and would have a limited effect on the landscape character of the area and would not cause material harm. Once the green infrastructure is established and has the opportunity to thrive, the proposals would have a more positive effect physically with regard to the site and as appreciated visually within the local environs. The proposed development would have some localised landscape visual effects, but these would not result in unacceptable impacts on the landscape context of Sileby and Cossington.

#### **Loss of Area of Local Separation (ALS) affecting its purpose and integrity**

9.14 With regard to the concern with respect to loss of Area of Local Separation, the proposal would technically extend and encroach into the ALS. However, what I consider needs to be borne in mind is how the various parcels on land within the

ALS are actually performing in the role to maintain separation between the two settlements and I would use the grades strong, moderate and limited as a three point scale. The area which would accommodate the proposed housing dwellings I consider only has a limited role in realising the function of this policy. So whilst there would be some physical loss, the actual and perceived sense of separation would not materially change with the proposed scheme in place.

### **Significantly narrowed ALS**

- 9.15 The actual physical distance in terms of the gap between Sileby and Cossington is defined by the southernmost points of Sileby and the northernmost point of Cossington. This narrowest gap would remain unchanged and as such, there would be no narrowing of this gap in physical terms. The Reason for Refusal states that the ALS would reduce significantly, i.e., I interpret that qualification has been synonymous with substantial. I consider that this would not be the case.

### **Reduced actual gap of open undeveloped land between villages**

- 9.16 The actual gap of open undeveloped land is shown on the proposals plan, and it is clear on this diagram and on the ground that the actual gap at its narrowest point is formed by the southernmost point of Sileby and the northernmost point of Cossington and is most readily appreciated by travelling along the Cossington Road, either as a pedestrian or motorist. With the proposed scheme in place, there would be no reduction in this narrowest actual gap. The proposal would not, even with encroaching into the ALS reduce this actual distance between the two settlements identified by open undeveloped land.

### **Reduced perceived gap of open undeveloped land between villages**

- 9.17 The gap can be appreciated by members of the public passing through the local villages and surrounding countryside. The two means by which members of the public can appreciate and have a perception of the gap is by passing through the area and appreciating the area from locations that are publicly accessible, which are generally public highways, rights of way and other publicly accessible areas such as parks for instance. Having examined the gap from the local public highways and rights of way, it is apparent that the area proposed to accommodate the appeal scheme, this particular part of the ALS performs a limited role in maintaining the perceived sense of separation between Sileby and

---

Cossington and as such, would not materially change the perceived sense of separation between the two settlements.

9.18 The AOS to the west of Cossington Road, plays a far more significant strong role in the perception of the separation of the settlements, than the appeal site does. I consider that, in terms of the AOS purpose, the appeal site is limited in its role owing to its physical and visual containment significantly curtailing visibility of part of the site which would accommodate the housing area. Furthermore, the site does not play a material role in principal lines of sight across the AOS from public vantage points.

9.19 In respect of the physical distance of separation, a significant proportion of the appeal site is proposed as open space, to include the restoration of historic hedgerows and smaller fields. The proposed development (housing) would reduce the AOS by approximately 170 metres (at its widest) however, this would not reduce the shortest physical distance between the settlements.

9.20 At present, the western boundary of the AOS to the west of Cossington Road is not defined by any boundary feature on the ground. There is an opportunity to redraw this designation to include additional land. The designation to the west of Cossington Road does not follow physical features on the ground with respect to some of the boundaries of the designation. Consequently, land both within the designation as well as land outside the designation in this area both fulfil a strong role in maintaining separation. Extending the designation westward to the boundary of the same field at the start of the woodland would be more appropriate. Furthermore, the designation could be extended further southward of the watercourse to the east of Cossington Road to incorporate the open space of the approved Clarendon scheme on land to the east of Cossington and extend the designation as far south to the boundary of the Clarendon housing area, (this has a resolution to grant subject to the signing of a S106 (P/20/2393/2 – CD7.01) and is a proposed allocation in the emerging Local Plan (HA59 CD6.04 and CD6.05)). Such a revised approach would be more logical in further reinforcing the physical and perceived separation between the two settlements of Sileby and Cossington.

9.21 I note that the Local Plan is subject to review, and an Emerging Plan is in draft. This version of the Plan as a result of the Green Wedges and Areas of Local Separation Review (CD6.06) proposes that the Area of Separation is indeed

extended westward to enclose the entirety of the field and the boundary realigned to follow the woodland, as per the key diagram map. This is in the context of the Housing Allocation site HA59 which is located immediately to the east of Cossington and extends as far north to a watercourse.

### **Significant harmful impact to the character of the countryside**

9.22 The proposed residential scheme would change the character of the site as part of an arable field to a residential neighbourhood. However, what is proposed in this regard would be in keeping in character and consistent with other nearby residential neighbourhoods of Cossington. Development of this greenfield site would involve the loss of a limited area which is currently countryside. The balance and remaining area of the site currently forms the remainder of one large arable field, has no particular features of note and is I consider, an area of unremarkable landscape in terms of this particular parcel of land. An integral part of the scheme is to provide a substantial area of naturalistic parkland as green infrastructure. This area would be managed as a series of smaller fields defined by reinstated hedgerows that historically previously existed and had been removed previously and that the fields would be managed as wildflower meadows punctuated with standard trees within the fields themselves to create a rural parkland. These are all the characteristics of an attractive rural parkland and would reflect many of the characteristics that define the character of the countryside locally. This change to the character of the wider landholding I consider to be beneficial in character terms with the proposed dwellings being neutral in terms of nature of effect rather than adverse, i.e., harmful. Such a proposal would not be unsightly or offensive to the eye based on the quality proposals. There would in my view no significant harmful impact on the character of the countryside.

### **Significant harmful impact to the separate identities of the villages**

9.23 The character of the two settlements define their separate identities. With regard to Cossington, this forms a small village that is quite loose in terms of its density and arrangement. The northern part of Cossington reveals a mix of residential properties which are mainly detached and range between single storey bungalows to two storey properties, which in the northern part of the settlement, whilst face onto Cossington Road, are set back from this highway at depth within generous curtilages, the boundaries of which are heavily defined by vegetation, hedgerows, trees and shrubs rather than built form. The Cossington Road itself is flanked on

either side by pedestrian pavements whilst these and the road itself are lit by lighting columns. These characteristics that define the northern part of Cossington would remain unchanged with the proposed scheme in place.

- 9.24 In contrast to Cossington, the southern part of Sileby has a more urban character in general. Whilst there are some single storey bungalows and dormer bungalows, the majority of the residential properties are two storeys, a combination of detached and semi-detached properties which face the local residential roads. The Cossington Road in particular in Sileby as a street scene is wider as a result of wider pavements on either side of the road combined with grass verges separating the pavement from the highway in places. The density of the residential properties associated with these street scenes is higher than that of Cossington. These residential areas and street scenes are typically urban and suburban in character. The proposed scheme would in general terms be consistent with these defining characteristics and consequently would not change the character that defines the separate identity of Sileby. The physical distances that separates the two villages would remain effective such that both settlements would continue to be framed within the context of a rural landscape. I consider there would be no significant harmful impact to the separate identities of the villages.

#### **Prevent the coalescence of merging of villages**

- 9.25 The current urban countryside separates Sileby from Cossington and as such, prevents any coalescence and the merging of the two villages. The physical separation between the two villages whilst slightly reduced with the introduction of the proposed scheme would nonetheless not materially change the perceived or actual gap between the two villages. The proposal would not bring about any physical coalescence of the villages and would maintain the purpose and integrity of the gap.

#### **Conclusion**

- 9.26 For the reasons stated above it is my view that on landscape and visual grounds there are no substantive reasons for refusing planning permission for the proposed residential scheme on land adjacent to Cossington Road. Therefore, the Inspector is respectfully requested to uphold the scheme and allow the grant of planning permission so far as landscape and visual issues are concerned.