

**LAND AT BARKBY ROAD, SYSTON – RESPONSE TO CHARNWOOD BROUGH COUNCIL LANDSCAPE CONSULTATION (19<sup>TH</sup> APRIL 2018)**

APPLICANT: DAVID WILSON HOMES EAST MIDLANDS

APPLICATION REF: P/18/0309/2

**1 INTRODUCTION**

1.1 The following note has been written in response to the conservation and landscape consultation response made by the Borough's Senior Landscape Officer (Nola O'Donnell) (LO) on the 19th April 2018. The consultation sets out the Landscape Officer's professional opinion on a number of issues that include the policy position, the content and assessment set out in the Golby + Luck landscape and visual appraisal (LVA) that accompanied the application, issues relating to separation, and comments on the submitted illustrative masterplan.

**2 POLICY POSITION**

2.1 In terms of policy position, the LO covers the saved policy CT/4 of the Borough of Charnwood Local Plan (2004) – Saved Policies, and policy CS11 of the Charnwood Local Plan 2011-2028 Core Strategy (2015).

2.2 The LO continues by setting out the findings of the Green Wedges, Urban Fringe Green Infrastructure Enhancement Zones and Areas of Local Separation Methodology and Assessment Findings Report (2016) (the Separation Report) within which the site is identified within area ALS-j. The report concludes that area ALS-j provides a strong separation function, and this is the reason why the adopted development strategy seeks to ensure that the settlements are not brought any closer than they currently exist, a strategy previously adopted and accepted elsewhere within the Borough and discussed in the following section of this note. The Separation Study was primarily carried out as an assessment to justify the continuation of the policy areas, identify zones of weakness and

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zones of expansion. This is not a report that deals with issues relating to landscape character and capacity as this is dealt with in the Borough of Charnwood Landscape Character Assessment (2012) (the Borough Landscape Assessment) as noted in the Separation Study.

- 2.3 The findings of the Borough Landscape Assessment are not properly reported in the LO's consultation response and could be easily confused with the findings of the submitted LVIA.
- 2.4 The policy position in landscape terms is that the site forms part of a landscape identified in the Borough's Landscape Assessment as having a medium to high capacity to accommodate development. This must be the starting point for any further assessment. That is unless the Local Authority is going to rewrite their policy evidence base as part of this application. The Local Authority has relied on the findings of this study since 2012 and there is no reason that this should change now. This is reflected in the recent planning decision at Millstone Lane (within the AoLS and the same landscape capacity zone) which like the site formerly comprised open farmland adjoining the settlement edge (albeit the Millstone Lane site did not afford the same degree of containment from the surrounding settlement).
- 2.5 In summary, whilst the policy position has been reported by the LO the findings of the Borough's Landscape Assessment must be more accurately represented as the starting point and any changes to this must be fully justified by further structured assessment completed in accordance with a recognised methodology. Furthermore, a consistent approach to the application of this policy must be applied to reflect recent decisions in the locality.

### **3 SETTLEMENT SEPARATION**

- 3.1 It is important to maintain the distinction between issues of functional separation and what are the likely landscape and visual effects arising from this proposal. They are distinct and should remain so.

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- 3.2 Dealing with separation the development strategy adopted for this proposal has sought to maintain the existing 'gap' between the settlement bringing the built-form no closer than currently exists. This was the development strategy adopted by the David Wilson Homes development at Melton Road, East Goscote (application ref: P/12/1709/2). The sites and their relationship with settlements are not indistinct both comprising farmland within the designated AoLS with surrounding settlement approximately 300m apart. Both sites afford a recessed location with settlement defining their boundaries. In the case of this site there is only one open boundary to the countryside.
- 3.3 The Inspector considered the proposal and made the following conclusions:

*“By building 60 houses on a greenfield site, the proposed development would clearly affect the existing ALS between East Goscote and Rearsby. It would significantly reduce its extent on the east side of Melton Road, and when seen from virtually any direction would replace open views of a large field with views of 2 storey housing, estate roads and footpaths, a play area and other ancillary development. Thus the character and appearance of the site itself would be changed radically.*

*However, in my opinion there are several reasons for thinking that the impact of the development on the ALS would be quite limited, and not very harmful - much less fatal - to its overall purpose, integrity, or character. In brief, these reasons are as follows.*

*First, the site is already contained on 2 sides by built development, which acts as a backdrop in views of it from various viewpoints and directions. Thus it is located on the northern edge of East Goscote, and not in the open countryside as such. Second, owing to the aforementioned “stagger” in the ALS’s plan form, the minimum extent of the open and undeveloped gap between the two villages would not be reduced any further, although it would, of course, be reduced on the east side of Melton Road.*

*But (third), even on that eastern side there would still remain a substantial open gap - both actual and “perceived” - between the northern edge of built development on the appeal site and Grange Avenue in Rearsby, which is the nearest built development to the north. This retained gap would include both the northern part of the appeal site itself,*

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*which as mentioned above would be kept open and undeveloped, and the large, tree-fringed paddock between that and Grange Avenue. In my judgement, this gap would be sufficiently wide to prevent any demonstrable coalescence or merging between the villages, which could lead to the undesirable diminution of their separate identities.*

*Fourth, in terms of its intrinsic landscape character and value, no one at the hearing argued that the appeal site itself is particularly interesting or attractive. Like the rest of the ALS, it has not been designated for its landscape value, but only for its location and function as a small part of the ALS. Indeed, it both looks like, and is, rather a dull and featureless flat expanse of grass, overlooked by nearby houses and bordered by the busy Melton Road.*

*For all those reasons, I consider that the proposed development would not significantly harm the landscape character of the site, or undermine the planning purpose or overall integrity of the wider ALS. Nor would it necessarily lead (as assumed by some local residents) to any further loss or erosion of the ALS in this area.*

*Nevertheless, under this heading there would be some slight harm, to be weighed in the overall planning balance. The other side of the balance includes considerations of housing land supply, and the Framework presumption in favour of sustainable development. I now turn to these."*

- 3.4 There are some key issues dealt with in this decision that must be recognised as being relevant to this site. The Inspector correctly distinguishes between issues that relate to landscape impact, and other issues that relate to the effect of development on local separation.
- 3.5 The Inspector concluded that the loss of land will result in an adverse effect to the AoLS but will not result in a critical loss of function. This approach and assessment can be directly applied to this application.

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3.6 It is accepted there will be some harm in landscape terms, and that the development will result in adverse changes to the AoLS but its function will remain as will the distinct and separate character of the settlements.

#### **4 LANDSCAPE & VISUAL IMPACT**

4.1 In terms of landscape character, the site is located within an area identified in the Borough's Landscape Assessment as having a medium to high capacity to accommodate development. The submitted LVA has assessed the site as being of medium landscape sensitivity, and the development within it resulting in a material change to its character that will result in an adverse effect considered to be of significance to the planning decision making process. This finding is no different to the conclusion drawn by the Inspector when dealing with the Melton Road, East Goscote proposal, and is not different to the effects arising from the vast majority of new housing development within the Borough, most of which is delivered on greenfield sites.

4.2 The LO notes recent changes to the site and continues to suggest that this should somehow change the overall sensitivity. The LVA has taken this into account with an assessment of medium sensitivity rather than medium to low. What is clear is that this is not a landscape of high sensitivity to change.

4.3 The LO continues by making an assessment of visual effects. This assessment is not supported by any methodology and has clearly not adopted the methodology set out in the LVA or the guidance set out under the Guidelines for Landscape and Visual Impact Assessment 2013 (GLVIA3).

4.4 GLVIA3 sets out guidance relating to the assessment of visual effects that includes:

- The assessment of sensitivity. This is a combined assessment of the susceptibility of the identified receptor and the value attributed to the view (GLVIA3 para 6.31 to 6.37);

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- The assessment of magnitude. This combines the assessment of size, scale, geographical extent, and the duration/reversibility of the effect (GLVIA3 para 6.38 to 6.41); and
  - The assessment of overall significance. This accepted as an informed professional judgment but GLVIA3 does note that significance is likely to increase when dealing with receptor groups particularly sensitive to change, effect to people at recognised viewpoints and recognised scenic routes, and large-scale changes that introduce non-characteristics or discordant elements (GLVIA3 para 6.42 to 6.45).
- 4.5 GLVIA has promoted the same relatively simple three stage assessment process for many years so it is unclear how the LO has adopted a four-stage assessment process that includes an assessment of receptor susceptibility and a separate assessment of receptors. This is unclear, it does not accord with GLVIA3 guidance, and needs to be explained with an accompanying assessment methodology. If the LO is using alternative assessment guidance this need to be set out.
- 4.6 The lack of consistency with GLVIA3 is evident throughout the assessment of visual effects.
- 4.7 The LO considers Views 1 and 2 from Barkby Road to be of high value. GLVIA3 sets out issues to be taken into account when considering value (GLVIA para 6.37) that include:
- Recognition of value through designation or in relation to designated assets such as heritage assets. The distinction must be drawn here between landscape designation (i.e landscapes protected for their quality and scenic beauty), and functional designation (i.e separation land in the case of this site that is not concerned with issues of quality and scenic value); and
  - Indicators of value such as appearance in guidebooks, on maps, provision of facilities for the enjoyment of a view, and reference to views in literature and works of art.

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4.8 It is clear that none of these issues apply to the highway views afforded from Barkby Road and therefore cannot be considered as high value. The highway provides an appreciation of the site and surrounding countryside set within an urban fringe setting.

4.9 The LO considers that the receptors local to these highway views are of high susceptibility to change. Again, GLVIA is clear on the hierarchy of susceptibility stating in paragraph 6.33 that:

*“Travellers on road, rail or other transport routes tend to fall into an intermediate category of moderate susceptibility to change. Where travel involves recognised scenic routes awareness of views is likely to be particularly high”.*

4.10 Barkby Road does not provide an experience comparable to say the journey along the Great Central Railway, so its receptors can only be assessed as medium susceptibility.

4.11 Based on the guidance in GLVIA3 it would be wrong to assess Views 1 and 2 as being of high visual sensitivity and based on the combined judgements set out in the LVA and assessment of major-moderate in entirely correct and consistent with GLVIA3.

4.12 My conclusion in relation to the LO's assessment of visual effects is that it does not accord with GLVIA3 guidance as demonstrated above. I do not intend to go through each view as the same errors occur for each.

## 5 LO'S REBUTTAL

5.1 Many of the issues raised in rebuttal have been dealt with and I do not intend to repeat myself. It is important to note that the Separation Assessment was carried out to justify the continuation of the AoLS policy as was not devised as an assessment of this site and the planning application in hand.

5.2 The issue of agricultural land classification has also been raised. There is no dispute that this is a consideration of the planning process, but it has to be given appropriate weight. The Local Authority has sought to deliver the majority of its new housing development on land of similar quality so should not be seen as a material constraint.

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5.3 The separation test carried out by the LO is incorrect. The application will result in the loss of land from the AoLS but will **not** result in the **reduction of the gap** between the two settlements. The proposal will not bring the settlement any closer than they currently exist. The findings of the Inspector in relation to Melton Road, East Goscote entirely support this assessment.

5.4 The LO states that:

*“The proposed development would amount to a significant contribution toward effective coalescence by reducing the physical gap and consolidating the perceptual coalescence. The sensitivity of the gap is high as a result of pressures and its width is narrowed to approx. 400m at its narrowest point. The site is open and allows cross views only partially filtered by intervening hedges.”*

5.5 This is not correct. The proposal will not result in the effective coalescence of the settlements. There will be a loss of land within the AoLS and this will have its own adverse effect, but the critical function of separation will be retained. The scale of the gap is comparable to that recently considered between East Goscote and Rearsby, and greater than the reduction in separation recently considered and accepted by the Local Authority between Allendale Road and Woodthorpe where David Wilson Homes are currently developing a greenfield site (gap approximately 100m).

5.6 The LO raises the issue of 'periurban' landscapes. Urban fringe is the term commonly accepted and used to describe peri-urban landscapes, and is certainly the term adopted in National, County, and Local character assessments. There is no dispute, and nowhere in the LVA that attempts to say that the site is anything but farmland comprising grassland. What the LVA does set out is the distinction between the site and its immediate urban setting (urban fringe) compared to wider areas of countryside that comprise farmland less affected by the immediate setting of settlement.

5.7 The LVA takes into consideration the recent changes that have seen a move from the commercial nursery landscape back to a more traditional farmed setting and this is reflected in the assessment that identifies the site as being of medium value and medium

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susceptibility to the proposed changes, and in overall terms medium landscape sensitivity. This is a change from the medium to low sensitivity landscape that the Local Authority has identified as having a medium to high capacity to accommodate residential development.

- 5.8 The LO does not provide any form of assessment to counter the findings of the LVA but does appear to continue the argument that the LVA is trying to suggest the site is not farmland and therefore not rural. To be clear on this point the site forms part of a wider rural farmed landscape that is bound on three sides by residential and industrial development that by virtue imparts an urban fringe character onto the site. Moreover, the site forms part of a landscape assessed by the Local Authority as having a medium to high capacity to accommodate development. This is not a finding the Local Authority is likely to reach about many rural landscapes within the Borough.

## **6 MASTERPLAN**

- 6.1 The LO concludes by commenting on the submitted illustrative masterplan and landscape framework plan in the LVA. It is somewhat astonishing that the Local Authority chooses to criticise the concept of retaining the footpath on its alignment across the site. This was the very same development strategy requested by the Local Authority in relation to the Millstone Lane site to the south and has been reflected in this application. Further explanation must be provided as to why the Local Authority recently endorsed a design approach that is now considered to be a weakness of this scheme.
- 6.2 On that point it should be noted that the LVA that supported the application for development at Millstone Lane was carried out by Golby + Luck Landscape Architects. The findings of that LVA were not disputed by the Local Authority and are not substantially different to the findings of the LVA supporting this application (as would be expected).
- 6.3 The Millstone Lane scheme was recommended for approval and subsequently approved at planning committee based on the findings of that LVA. In the Committee Report (P/14/0393/2 – 24<sup>th</sup> February 2014) the Officer noted that:

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*“Following an assessment of the applicant's Landscape and Visual Impact assessment (LVIA) it is considered the impact on the wider landscape from the development is **correctly assessed regarding the sensitivity of the site.** However the recommended mitigation measures including northern hedgerow enhancement features are excluded from the layout. Accordingly, if approved, conditions will be imposed to secure the implementation of a strong hedge line along the full length of the northern boundary through a detailed landscape scheme. It is considered that these amendments can be reasonably achieved.”*

Emphasis added.

6.4 This site was also farmland set at the immediate edge of the settlement.

6.5 The Officer continued her summary of landscape issues by stating:

*“Although there would be some impact on the character of the edge of the open countryside and landscape, this impact would not be so significant or demonstrable as to outweigh the benefits of providing housing land. Whilst the area would extend outside the defined limits to development, the area to be lost would be limited and given its location adjacent to Syston, behind existing housing of Melton Road and given a field would remain between the site and Queniborough, it is considered a refusal on the loss of local separation and settlement coalescence would be hard to justify, especially given Inspectors' recent decisions in similar situations. The site relates well to the existing settlement of Syston and would retain a substantial area of open space to separate Queniborough and Syston. As such, although there would be some impact on the character and appearance of this area of local separation, the significance of this impact is considered limited. The separate identity of Queniborough and Syston would be retained and the harm caused to their identities and character, by the development would also not be so significant or demonstrable as to warrant a refusal of planning permission.”*

6.6 Furthermore, when considering the layout and design of the scheme the Officer noted:

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The application has been amended to allow access from Millstone Lane and Melton Road, improving the flow through and around the site. **In addition the existing pedestrian link (footpath J17) has been retained and incorporated into the design.**

Emphasis added.

- 6.7 This draws into question the LO's comment relating to the submitted LVA, the approach and findings of which were only recently found acceptable on a site within the same landscape character area, and the same focussed study area assessed in the Borough's Landscape Assessment.
- 6.8 Should any further information be required please do not hesitate to contact me.

Best Wishes



**Jonathan Golby** BA Hons (1<sup>st</sup>) Dip LA (Dist) MA CMLI

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