

**LAND AT BARKBY ROAD, SYSTON – RESPONSE TO CHARNWOOD BOROUGH COUNCIL
LANDSCAPE CONSULTATION (14th DECEMBER 2022)**

APPLICANT: DAVID WILSON HOMES EAST MIDLANDS

APPLICATION REF: P/20/2380/2

DATE: 11TH MARCH 2022

1 INTRODUCTION

1.1 The following note has been written in response to the landscape consultation response made by the Borough's Senior Landscape Officer (Nola O'Donnell) (LO) on the 14TH December 2021. The consultation sets out the Landscape Officer's professional opinion relating to three issues;

- Impact of development on the Area of Local Separation (AoLS);
- Impact of the proposal in landscape character; and
- Impact of the proposal on visual setting.

1.2 This response note will deal with the issues raised in the same order and should be read in conjunction with the G+L response note prepared on the 11/05/2018 (G+L1).

2 AREA OF LOCAL SEPARATION

2.1 Details relating to the AoLS and associated policy was set out in G+L1, notably the findings of the appeal 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.

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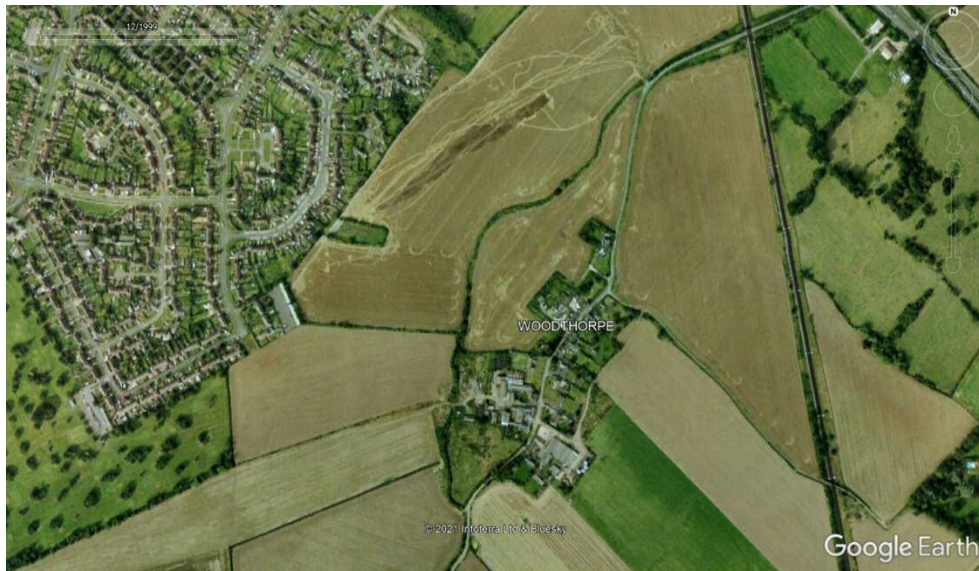
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- 2.2 Arguably, the likely effect of this proposal on the AoLS will not be greater than the recent development at Millstone Lane that resulted in a similar area of land being removed from the AoLS, with a similar scale of development and associated open space and structural planting.
- 2.3 Consistency in decision making is central to this matter, and it is therefore important to consider how CBC has dealt with similar AoLS applications in the past. The series of aerial images below detail the expansion of Loughborough towards Woodthorpe in recent years. Critical to this is that all of these schemes were considered and approved at CBC's Plans Committee, and the remaining AoLS assessed in CBC's review in 2016 that confirmed the continued function of the AoLS.

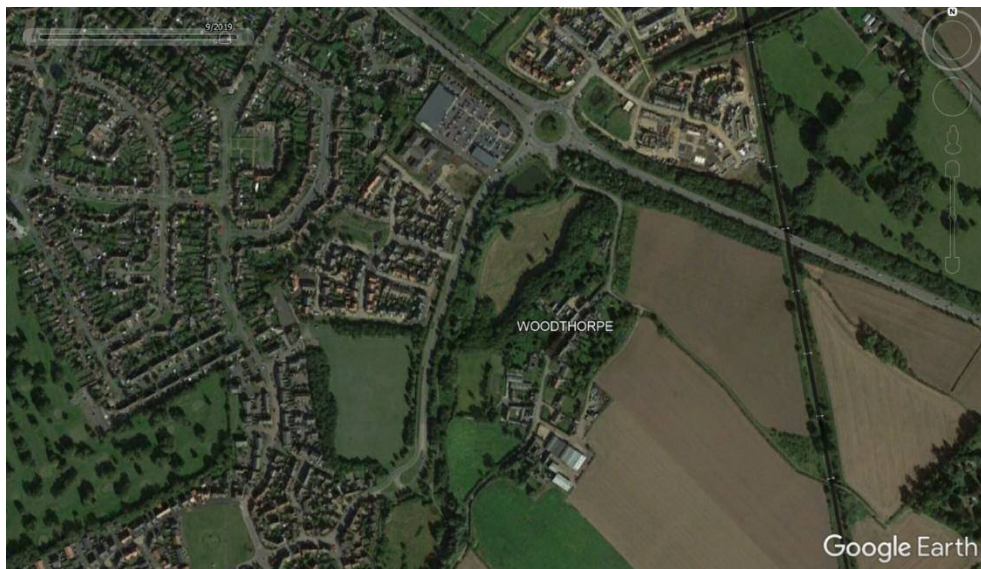


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2.4 The remaining AoLS extends to between approximately 250m at its widest point, reducing to approximately 150m and 100m at its narrowest point. The remaining AoLS comprises major highway infrastructure and designed/modified landscape that are designed to be publicly accessible.

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2.5 Regardless of the factors that led to CBC consenting these developments within this AoLS the key issue is that ARUP assessed this AoLS in 2016 and concluded that regardless of the significant incursion into the previous extent of the designation the function of separation remained and could be continued in policy.

2.6 This LO sets out parts of the policies relevant to the issues of separation but fails to consider the test that is set out in the current and most up-to-date policy set out under CS11 of the Core Strategy that states:

“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.”

2.7 The findings of the planning officer in relation to application P/12/2640/2 that proposed 130 dwellings to the north of Allendale Road are key to the consideration of this application and a consistent approach to the determination of planning applications by CBC. When assessing the effect of the proposal on the AoLS the planning officer stated:

“In relation to the reduction of the gap between the existing development at Shelthorpe and the existing hamlet of Woodthorpe, existing woodland planting and areas within the Woodthorpe linear park, it is concluded that the proposal would result in a significant reduction in the area currently identified as an Area of Local Separation (ALS). This is a popular local plan policy with members of the public, and an effective way of separating settlements to avoid coalescence. It should be considered whether the proposal would result in a significantly detrimental effect on the ALS sufficient to refuse the application. Firstly, we have to look at the result of the proposal on the existing gap. The ALS stretches from the edge of Woodthorpe up to the existing edge of Loughborough. The gap is also split by TYW, and the road into Grange Park. The effect on the ALS to the north of TYW has been assessed in the accompanying application at Ling Road. The applicant's view is that this development would not have a significant effect on the ALS, and that the retention of the area to the South East of Allendale Road, and the transfer of land to the Council within the linear park, is a sufficient gap to protect the

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settlement of Woodthorpe in the long term, and not only create a new definable edge of settlement boundary, but provide separation to protect the settlements from coalescing. It is clear that the proposal would be contrary to CT/4 as a result of the significant reduction of part of the ALS between Loughborough and Woodthorpe. Whilst the section to the South West that are to be the playing fields, would be retained intact, the housing development would reduce the gap between the existing settlement boundary for Loughborough and Woodthorpe in the area. The predominantly open and undeveloped character of the existing gap would not be wholly retained but partly replaced with two storey housing in an urban development, despite some set back from the edge near the corner with the ring road. Acknowledging the proposal is contrary to CT/4, the issue is therefore whether this conflict with policy should be balanced against the benefits of providing much needed housing development and to what extent would the integrity of the ALS be usefully retained."

2.8 Given the policy position set out in relation to the AoLS under CS11, the current and significant housing land supply shortage in CBC, and the approach adopted by officers in relation to previous AoLS application, it would be inconsistent and impossible to sustain a decision to recommend refusal to this application on grounds relating to the impact of development on the AoLS.

2.9 It is accepted that a single decision does not set a reliable precedence, and it is therefore important to consider other recent AoLS decisions that include:

- P/12/2005/2 and P/12/2456/2 - APP/X2410/A/13/2196928 & APP/X2410/A/13/2196929 Land off Mountsorrel Lane, Rothley;
- P/14/0058/2 - Land at West Cross Lane, Mountsorrel;
- P/14/0393/2 - Land off Millstone Lane, Queniborough; and
- P/12/1709/2 - APP/X2410/A/12/2187470 - Land at (the former) Rearsby Roses.

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- 2.10 All these decisions found development acceptable within an AoLS and are comparable to this application in terms of development scale, reduction of the AoLS, and consideration of development in the context of a shortfall in housing land supply.
- 2.11 In addition, CBC has gone further to identify draft housing allocations within AoLS that by their nature will result in a similar level of harm, but clearly accepted by CBC.

3 LANDSCAPE & VISUAL IMPACT

3.1 In terms of landscape impact, numerous issues and arguments were set out in G+L1 that remain relevant. Since the preparation of G+L1 this site has been the consideration of two landscape sensitivity assessments that form part of CBC's evidence base and build on the findings of the CBC landscape character assessment published in 2012.

3.2 The LUC Landscape Sensitivity Assessment of SHLAA Sites published in 2019 assessed the site under its SHLAA assessment number PSH316. The site was assessed as being of moderate landscape sensitivity to 2-3 storey residential development setting out the following guidance:

- Retain and enhance the linear settlement pattern of Queniborough and respect the rural setting to the settlement.
- Maintain the broad open aspect of views towards the village, including vistas towards the spire of St. Mary's Church.
- Increase tree cover at the settlement edges to enhance the well wooded character of Queniborough village and self-contained character of the Wreake Valley.

3.3 The assessment of landscape sensitivity is entirely consistent with the submitted LVIA and there is no reason why the application scheme cannot secure the identified guidance and opportunities.

3.4 An addendum assessment was completed by LUC in February 2021 within which the site was assessed as part of a wider landscape setting extending across all of the land

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between Queniborough and Syston from Melton Road to the west and Barkby Road to the east. In this assessment the broader area of land contiguous with the AoLS was assessed as being of moderate to high landscape sensitivity.

- 3.5 The findings of this assessment have to be considered in the context they were carried out, and the scale of development being considered. Unlike the 2019 assessment the 2021 assessment clearly considers the land between Queniborough and Syston as a whole, and the development of that land as a whole. This is made clear from the assumptions made in the assessment text, in particular the assessment of *“form, density, identity and setting of existing settlement/development”*.
- 3.6 Taking this forward, it is a matter of fact that LUC has assessed this site as being of moderate sensitivity to residential development. The 2021 assessment considers the suitability of the wider landscape beyond the site to development, and correctly assesses it as being of increased sensitivity. This application has been specifically restricted to the land assessed in 2019 for the exact reasons identified in the 2021 assessment.
- 3.7 Given these assessment findings, the type and scale of development proposed, and the balance of development and open space/structural landscaping within the site, it is important to consider CBC's approach to similar recent developments on sites with the same landscape sensitivity/likely landscape and visual effects.
- 3.8 A very recent planning application was considered to the east of Barkby Road (application reference P/20/2349/2) for the development of 50 dwellings on a green field site at the edge of the Queniborough Conservation Area sharing a far greater relationship with the historic core of the settlement when compared to this site. This scheme was recommended for approval with a resolution to grant permission. In the planning officers committee report the following statements were made in relation to landscape and visual effects:

“The Borough Council's Senior Landscape Officer has considered the submission documents for this proposal for new housing on the site and considers the proposal will

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impact on the landscape character and visual appearance of the area, causing some adverse harm to the immediate landscape. Whilst it is recognised that all new development would have some impact on the immediate landscape character, it is considered that the current application does not fully mitigate this visual impact. However, it should be recognised that this is an outline application and the provision of new additional landscaping could help mitigate its landscape impacts. Whilst it is accepted that the site would extend outside the defined development limits, the area to be lost would be limited only to that between the built edge of Queniborough, the sports pitches and the adjacent Boonton Meadows Way housing development. Overall it is considered the proposal is acceptable in principle in relation to landscape and visual impact because it relates well the adjacent market housing and the settlement of Queniborough. Although there would be some impact on the character of the edge of open countryside and landscape, this impact would not be so significant or demonstrable as to outweigh the benefits of providing the additional housing. If approved, it is recommended that further details in relation to mitigation for landscape and visual impact are secured by planning conditions."

3.9 The sensitivity of this site, the nature of development, and its immediate relationship with the settlement and wider land users are not dissimilar. Golby + Luck completed the landscape assessment that supported this application and can confirm that the likely landscape and visual effects of application P/20/2349/2 are not dissimilar. It therefore has to be drawn into question why the same consideration of landscape issues cannot be applied to this site.

3.10 This point of consistency goes further. Another application at Leconfield Road, Loughborough was recently heard at planning committee put forward by the planning officer with a recommendation to approve (planning reference P/20/2199/2). This was again supported by landscape assessment work completed by Golby + Luck identifying very similar landscape and visual effects. The site was assessed as moderate to low sensitivity in the LUC 2019 report. Whilst not accepted by members, the planning officer concluded in the planning balance that these effects did not significantly and

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demonstrably outweigh the benefits of the development in light of the demonstrable housing need.

- 3.11 A further scheme to the east of Cossington was also considered at planning committee with a resolution to grant permission (application reference P/20/2393/2). This application was supported by assessment work carried out by FPCR and again identified local adverse landscape and visual effects ranging from major to moderate. The site was assessed in the LUC 2019 assessment as moderate landscape sensitivity, the same as this site. In the consideration of this application and ultimate recommendation for approval the planning officer stated:

“Whilst there would be some significant changes to the immediate appearance of the landscape through the construction of the access road which necessitates the removal of the existing hedgerow and trees at the access point, and, the development of housing on agricultural land, the effects overall would be relatively localised and of limited overall landscape impact. This could be mitigated with additional planting to be secured as part of the reserved matters application. Also, whilst only having minimal weight at the present time in the planning balance, the findings of the evidence base for the Draft Local Plan indicates that the development of the site could be accommodated without significant harm to the landscape. It is therefore concluded that the overall long term impact on the landscape character of The Soar Valley would not be so significant as to change the overall character of the area or fail to comply with the guidelines of the landscape character appraisal. Whilst it should be acknowledged that there would be some limited landscape impacts at the site level, it is considered that the localised visual impact of the development could be mitigated following careful consideration of design at the reserved matters stage if outline consent were to be granted.”

- 3.12 The most recent appeal decision in CBC relates to a site in Woodhouse Eaves located on the north side of Maplewell Road (appeal reference APP/X2410/W/21/3271340) (application reference P/20/2107/2). This site is located within the Charnwood Forest Core landscape character area assessed in the 2012 CBC landscape character

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assessment as having a strong sense of place and strong landscape condition, with an adopted landscape strategy to conserve and manage. This is clearly of greater overall sensitivity when compared to the landscape associated with the Wreake Valley and this site assessed in the same report as having a moderate character and moderate condition with an adopted landscape strategy to conserve and enhance.

3.13 This site was assessed in the 2019 LUC assessment under the SHLAA number PSH444 as having a moderate to high landscape sensitivity to residential development. The site is located opposite a locally listed building that is representative of the Arts and Crafts character that defined the Forest, the Leicestershire Round passes directly in front of the site, and the Broombriggs Farm Country Park is located to the north.

3.14 In relation to the likely landscape effect of the appeal scheme the Inspector concluded:

"Accordingly, I conclude that the development would fail to respect the character and appearance of the locality as it extended the perception of the built-up area into the wider countryside in a manner that was at odds with that of the immediately adjacent settlement. As such, it would conflict with Core Strategy Policy CS.11 which requires new development to protect landscape character and reinforce sense of place and local distinctiveness. Insofar as they are material considerations it would also conflict with WNP Policy H6 that requires development to respect and enhance the local distinctiveness and character of the area, and the Woodhouse Eaves Design Statement, which requires the retention of the gradual increase in density as one approaches the village and a retention of the sense of landscape."

3.15 The Inspector upheld the appeal making the following planning balance relative to landscape issues:

"It would result in an estate of 36 dwellings beyond the built-up area of the village, but given the size of the existing settlement I consider that is not so great a number as to be disproportionate and constitute a harm of significant weight. Although it would be a density of housing that exceeded that of the houses to the north, the presence of some development in depth and the variety in the layout of built form reduce the weight

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attached to this. I accept that the countryside around Woodhouse Eaves is particularly attractive, and is a valued landscape for many of those who live nearby or go there to walk. I appreciate too how it lies within an important area of the Charnwood Forest designation. I therefore attach significant weight to the harm to this specific area of countryside, although I am aware it is not subject to any of the designations in paragraph 176 of the Framework. The scheme would also impact on the enjoyment of part of the Leicestershire Round, but for a limited stretch of what is a lengthy route as one enters or leaves a built-up area, and this affects the weight I afford such an impact. Similarly, it would affect the other footpaths nearby, but this would be from limited points."

3.16 Making the final balanced conclusion:

"Accordingly, even if I were to take all these harms together, I find they do not outweigh the benefits that derive principally from the delivery of 36 more dwellings in a Borough with a significant shortfall, and from the delivery of affordable units.

In reaching this view I have taken into account the numerous other decisions from the Inspectorate and the Local Planning Authority that were put before me. I am aware they pull in different directions and are invariably dependent upon the specific circumstances of the site or the housing land supply situation at that time. As such, none lead me to different findings in this case."

3.17 Given the weight of evidence sourced from recent planning decisions made by CBC and the most recent findings of the Planning Inspectorate in relation to landscape harm, the planning balance, and housing delivery, it is clear that the comments relative to landscape issues made by the LO in relation to this application are unsustainable and should be reconsidered.

3.18 This note has been prepared by Jonathan Golby CMLI on behalf of David Wilson Homes East Midlands.

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