

LAND OFF LECONFIELD ROAD, NANPANTAN,
LOUGHBOROUGH

LPA ref. P/20/2199/2

PINS ref: APP/X2410/W/22/3304644

Rebuttal by

Simon Higson BA (Hons), MA, CMLI

Prepared for Charnwood Borough Council

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Heatons

The Arc, 6 Mallard Way, Pride Park, Derby. DE24 8GX

tel: 01332 949656 email: consultants@heatonplanning.co.uk web: www.heatonplanning.co.uk

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– 12 Bridgford Road, West Bridgford, Nottingham, NG2 6AB. Registered No. 4786259

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Viewpoint Location Plan for Inspector’s Site Visit – S.Higson Mark up

1 REBUTTAL

1.1 Introduction

1.1.1 I have reviewed the Appellant's Landscape Proof of Evidence for the above Appeal (Land off Leconfield Road), dated February 2023 and provide my rebuttal below.

1.1.2 This focuses primarily on the following key topics:

- Policy CS11 and Definition of Landscape;
- Technical Guidance Note 02/21 and Green Infrastructure;
- Proposed PRow through the Appeal Site;
- Public Access to and Views from Burleigh Wood;
- Landscape Connection to Burleigh Farmhouse; and
- Viewpoint Location Plan for Inspector's Site Visit.

1.1.3 I have cross referenced against my own Proof of Evidence and Core Documents where appropriate.

1.2 Policy CS11 and Definition of Landscape

1.2.1 Paragraph 3.9 of the Appellant's Landscape Proof of Evidence states: *"It is clear to me that policy CS11 aims to support and protect the landscape within the countryside, namely the areas of undeveloped land beyond the settlement limits. The appeal site lies within the defined settlement limits of Loughborough and does not, therefore, fall within the countryside."*

1.2.2 I disagree with this statement, as this is not the policy wording, and I don't believe it to be an appropriate description of the character of the Appeal Site.

1.2.3 Policy CS11 is called *"Landscape and Countryside"* and not landscape within the countryside.

1.2.4 The policy wording is to *"support and protect the character of our landscape and countryside."* It is not solely restricted to supporting and protecting the landscape within the countryside.

- 1.2.5 As noted in paragraph 1.2.1 of Appendix 1 of my Proof of Evidence, the accepted definition of landscape is inclusive, in that it covers “*natural, rural, urban and peri-urban areas*”, as well as “*inland water and marine areas*” and is an “*area as perceived by people, whose character is the result of the action and interaction of natural and/or human factors.*” See Guidelines for Landscape and Visual Impact Assessment, Third Edition (GLVIA3, **CD 5.2.7**), para 2.2 and 2.5 and Article 2 of the European Landscape Convention.
- 1.2.6 Policy CS11 therefore relates to all parts of the Borough, whether it is developed or undeveloped land, beyond or within the settlement limits.
- 1.2.7 In relation to the settlement limits, as I noted in my proof, the Appeal Site is within the settlement limits of Loughborough as defined by saved Policy ST/2 (my paragraph 2.1.4), however the submitted Local Plan 2021-2037 shows the Appeal Site outside of the settlement limits (my paragraph 2.1.6).
- 1.2.8 In landscape character terms, I would describe the Appeal Site as undeveloped land which is bordered by the built form of the settlement on three sides (north, east and south). As I noted in my proof, the Appeal Site forms part of the unique Charnwood Forest landscape, which extends right up to the built form of Loughborough and forms part of an attractive backdrop to several residential streets (my paragraph 5.1.3).
- 1.2.9 I agree with the emerging Local Plan that the settlement limit should follow the edge of the existing built form around the boundaries of the Appeal Site and that the Appeal Site itself is therefore countryside.

1.3 Technical Guidance Note 02/21 and Green Infrastructure

- 1.3.1 Paragraph 4.3 of the Appellant’s Landscape Proof of Evidence refers to the method followed in determining landscape value, with reference to the Golby and Luck LVIA (G+LLVIA) (**CD 1.10**), and GLVIA3, Box 5.1. Paragraph 4.5 of the Appellant’s Landscape Proof of Evidence refers to a judgement of a “medium to low” value for the Appeal Site.
- 1.3.2 However, there is no reference to the use of Technical Guidance Note 02/21 – “Assessing Landscape Value outside National Designations”, published by the Landscape Institute in May 2021 (**CD 5.2.15**).
- 1.3.3 In particular, I am aware that para 2.3.2, 4th bullet point of TGN 02/21 states that “A *new factor, ‘function’ is included which addresses the value attached to landscapes*

which perform a clearly identifiable and valuable function”, such as forming an “important part of a multifunctional Green Infrastructure network” (Table 1 Column 3, page 11).

- 1.3.4 As noted in paragraph 5.1.6 of my Proof of Evidence, the proposed development would affect part of a recognised Green Infrastructure asset, Charnwood Forest Regional Park. The presence of this clearly identifiable function should therefore be included within the consideration of landscape value of the Appeal Site.
- 1.3.5 As I noted in my proof, in paragraph 1.3, the TGN 02/21 document was published after G+L LVIA (November 2020). It was also published after the Council’s SHLAA Assessment from 2019. Consequently, the judgements about landscape value (and therefore sensitivity) in these earlier documents will not have taken into account the latest technical guidance.
- 1.3.6 In each case the presence of Green Infrastructure would elevate the previous judgements of value, especially given its proximity to the edge of the settlement and importance to local distinctiveness and character.
- 1.3.7 As noted in paragraph 3.2.11 of Appendix 1 of my Proof of Evidence, my assessment of the Local Setting of the Appeal Site concluded Medium landscape value. This was based on consideration of the full range of factors within TGN 02/21.
- 1.3.8 The level of landscape value inevitably influences landscape sensitivity and in turn overall effect. I concluded a Major/Moderate adverse effect upon the Local Setting of the Appeal Site, which I consider to be significant.

1.4 Proposed PRoW through the Appeal Site

- 1.4.1 The Appellant’s Landscape Proof of Evidence acknowledges the application for a Public Right of Way to be designated within the site which would allow public access to the site in a circular route around the perimeter and across the ridge before returning to the existing access gate, with illustrative photographs. In paragraph 7.10 the Appellants Proof of Evidence states *“I consider that the proposals would have a magnitude of change of medium to low on the users of the PRoW, in the event that it is designate in the future.”*
- 1.4.2 I did not take the proposed Public Right of Way into account in my Proof of Evidence.

- 1.4.3 I did identify an additional micro-siting location during my fieldwork to show the wider context of views within and around the Appeal Site and in particular the relationship between key elements, with my Viewpoint 7i located close to the route of the proposed Public Right of Way within the Appeal Site.
- 1.4.4 I did review the G+L LVIA Viewpoint 7 as part of my assessment (in Appendix 1 of my Proof of Evidence), which is located on the western site boundary at the edge of Burleigh Wood and is close to the approximate route of the proposed Public Right of Way.
- 1.4.5 G+L LVIA assessed the magnitude of change at Viewpoint 7 as high, with a Major-Moderate Adverse effect. This is much higher than the medium to low suggested in the Appellant's Landscape Proof of Evidence.
- 1.4.6 I assessed effects to the views at Viewpoint 7 as Major and Adverse in my Proof of Evidence. Based on these gradings from Viewpoint 7, in both my own assessment and G+L LVIA, the changes to views and visual amenity from the proposed Public Right of Way would be significant.
- 1.4.7 I would also highlight that should the Public Right of Way be approved then this would formally establish recreational use of the Appeal Site. TGN 02/21 identifies this as a factor to be considered in assessing landscape value, as follows "*landscape offering recreational opportunities where experience of landscape is important*", for example "*definitive public rights of way mapping*" (Table 1 Columns 1 and 3, page 9).
- 1.4.8 I did not include recreational access to the Appeal Site itself in my Proof of Evidence and consequently, should the Public Right of Way be designated I would increase the landscape value of the Local Setting of the Appeal Site to Medium-High.
- 1.4.9 As noted above, the level of landscape value inevitably influences the landscape sensitivity and overall effect. The additional of the Public Right of Way would result in Major adverse effects upon the Local Setting of the Appeal Site, which I consider to be significant.

1.5 Public Access to and Views from Burleigh Wood

- 1.5.1 Paragraph 3.41 of the Appellant's Landscape Proof of Evidence states: "*To the west is Burleigh Wood, an ancient woodland, which is of a dense nature and does not have public access.*"

- 1.5.2 As referenced in my Table SH-6 in Appendix 1 of my Proof of Evidence, the long-term vision in the University's Management Plan (**CD 5.2.14**) is *"To maximise the biodiversity value of all the woodlands, with controlled public access to protect this over-arching objective"* and *"Local residents continue to enjoy walking through Burleigh Wood"*.
- 1.5.3 As noted in paragraph 4.3.20 of Appendix 1 of my Proof of Evidence, long-distance filtered views can be experienced from Burleigh Wood where public access is currently permitted (with a trodden footpath and memorial bench).
- 1.5.4 However, the Appellant's Landscape Proof of Evidence makes no mention of recreational visitors to Burleigh Wood and the loss of (filtered) views of open undeveloped skyline and long-distance views from along the footpath.
- 1.5.5 This is inconsistent with G+L LVIA which included two viewpoints from the Burleigh Wood with adverse visual impacts upon recreational visitors predicted at each location (Viewpoints 7 and 8).
- 1.5.6 As noted in Paragraph 4.1.2 of my Proof of Evidence, I have identified additional micro-siting locations during my fieldwork to show the wider context of views within and around the Appeal Site and in particular the relationship between key elements. Burleigh Wood has a different character where the existing residential area is close to and encloses the woodland edge (my Viewpoint 8i, next to the interpretation board), in comparison to where the grassland within the Appeal site allows for filtered longer distance views and open undeveloped skyline (see my Viewpoint 8ii, next to the memorial bench). The proposed development would result in the loss of these longer distance views and open undeveloped skyline from a well-used recreational route.

1.6 Landscape Connection to Burleigh Farmhouse

- 1.6.1 On page 48, paragraph 8.1 of the Appellant's Landscape Proof of Evidence states: *"it is clear that the site is not 'special' in terms of its character, it is simply a pleasant piece of land adjacent to existing residential development. Its character does not contribute particularly to the adjacent settlement edge and links to the former agricultural setting of Burleigh Farmhouse have long been severed."*
- 1.6.2 The Appeal Site was designated as the 'Burleigh Farm' 'Open Space of Special Character' under Policy EV/18 in the 2004 Local Plan, until 2015. I believe this is strong evidence as to its special character and links to the Burleigh Farmhouse.

- 1.6.3 As noted in the RPS Archaeology report (**CD 2.26**), para 4.36, that since being shown on 1884 OS map, *“the site remains largely unchanged to the present day”*.
- 1.6.4 Therefore, it stands to reason that the character of the Appeal Site must still be considered special, even if Policy EV/18 has not been saved.
- 1.6.5 In terms of links to the farmhouse, for completeness I have included within this rebuttal a 360 degree panoramic photograph ‘Viewpoint BF1’ towards the southern edge of the Appeal Site near to the rear façade of the Burleigh Farmhouse (Refer to Drawings CBC-LEC-PI-004 and CBC-LEC-PI-005).
- 1.6.6 This shows a low wall marking the Appeal Site boundary adjacent to Burleigh Farmhouse. As noted in paragraph 4.1.2 of my Proof of Evidence, Burleigh Farmhouse has a direct view onto the Appeal Site from its northern facade. There is a clear landscape connection between the designated Heritage Asset, the Ancient Woodland and the grassland field.
- 1.6.7 It is also clear to me that the adjoining built form on the edge of Loughborough is not apparent from this location at the rear of the farmhouse and as such could not be described as being heavily influenced by the settlement edge, or within the settlement limits.
- 1.6.8 The Appeal Site is not ‘simply a pleasant piece of land’ as the Appellants Proof of Evidence suggests, it is an important buffer to these valued landscape elements (designated Heritage Asset and Ancient Woodland). The Appeal Site is a small grassland field which is susceptible to change. Individually, these elements are characteristic of the Charnwood Forest mosaic of farmland and woodland, with the natural transition from grassland to woodland reinforcing this strong landscape character association.

1.7 Viewpoint Location Plan for Inspector’s Site Visit

- 1.7.1 The Appellant has included a Viewpoint Location Plan for the Inspector’s Site Visit.
- 1.7.2 Unfortunately, this omits the representative viewpoints 7 and 8 from within Burleigh Wood, as previously identified by G+L LVIA, which I consider to be sensitive to the proposed development and will be adversely affected (with loss of long-distance views and undeveloped skyline).
- 1.7.3 I would also recommend that the Inspector visits my viewpoints 8i by the interpretation

board within Burleigh Wood and my viewpoint 8ii at the memorial bench within Burleigh Wood, to appreciate the wider context and change in character associated with the proximity of housing development to the woodland edge, in contrast to the area nearer to the Appeal Site.

- 1.7.4 I would also consider it important that the Inspector walks around the Appeal Site, along the route of the proposed Public Right of Way and to appreciate the links between and the boundary with Burleigh Farmhouse (my viewpoint BF1) and the Ancient Woodland (my viewpoint 7i), as well as the rolling, elevated topography and long-distance views. This will support an appreciation of the intrinsic character and beauty of the Appeal Site.
- 1.7.5 As noted in paragraph 5.19 of my proof, the published description of Charnwood Forest in the Council's Core Strategy under paragraph 7.18 describes how "*Charnwood Forest is an important landscape for the region. It is an area of particular beauty, characterised by extensive woodlands set in a hilly and open landscape*".



Heaton s

Planning Environment Design

Heaton s

The Arc, 6 Mallard Way, Pride Park, Derby. DE24 8GX

tel: 01332 949656 email: d web: www.heatonplanning.co.uk

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