

The Town & Country Planning  
(Inquiries Procedure) (England) Rules 2000

Appeal by David Wilson Homes – East Midlands  
against refusal of planning application by  
Charnwood Borough Council

Proposal:

Outline application for up to 150 dwellings,  
together with new open space, landscaping,  
and drainage infrastructure, with all matters  
reserved except for access  
(as amended to include proposed junction  
improvement works at barkby road cross roads,  
received 20/05/2022)

At:

Barkby Road, Queniborough, Leicestershire

Rebuttal of Andrew Cook's evidence  
by Simon James Neesam

On behalf of:

Charnwood Borough Council

2<sup>nd</sup> June 2023

Planning Inspectorate Reference:

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## **1 Introduction**

### **1.1 Overview**

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- 1.1.1 The following rebuttal has been prepared by Simon James Neesam in response to evidence submitted by Andrew Cook, on behalf of David Wilson Homes (East Midlands), to The Town & Country Planning (Inquiries Procedure) (England) Rules 2000 Appeal by David Wilson Homes (East Midlands) against refusal of planning permission by Charnwood Borough Council of Outline application for up to 150 dwellings, together with new open space, landscaping, and drainage infrastructure, with all matters reserved except for access (as amended to include proposed junction improvement works at Barkby Road cross roads, received 20/05/2022).
- 1.1.2 My rebuttal relates specifically to Mr Cook's Landscape Architectural Proof of Evidence dated 22<sup>nd</sup> May 2023, reference P23-0196, and accompanying appendices.

### **1.2 Appeal Scheme landscape proposals**

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- 1.2.1 In my evidence, I assessed the landscape and visual effects of the appeal scheme proposed within P/20/2380/2 and as set out in the Appellant's Statement of Case for APP/X2410/W/23/3316574; i.e. as illustrated on the Conceptual Plan [CD1.03], which I refer to here as the Appeal Scheme.
- 1.2.2 I note that Mr Cook's evidence considers the effects of a revised scheme submitted after the Statement of Case and illustrated on Pegasus Group Dwg No. P23-0196\_EN\_10: Detailed Landscape Planting Plan Rev A, which I refer to here as the Revised Scheme.

- 1.2.3 The key difference between the two landscape schemes is the addition of a 10m wide native woodland belt with shrub understorey beyond the entire southern boundary of the appeal site, save for a gap to allow access along public footpath 184. As a result, a cross section through the resulting landscape buffer would comprise 5m of existing planting, infilled with native trees and shrubs, within the appeal site and 10m of native woodland planting beyond the site, to give a total planted buffer of 15m wide. It should be noted that the existing hedge is accommodated within the 15m.
- 1.2.4 At §3.5, Mr Cook describes the woodland belt as a "substantial landscape feature" that would "*significantly frame the proposed scheme in landscape and visual terms*" and which would "*in due course provide a substantial landscape framework to Queniborough, further emphasising the separation which is retained by the intervening countryside*".
- 1.2.5 Notwithstanding this, Mr Cooke, at §3.8, acknowledges the landscape proposals are illustrative. As such, they cannot be relied upon as necessarily conveying a fixed final scheme and this should be borne in mind when considering the findings of all the landscape-related assessments.
- 1.2.6 Regarding justification for the woodland belt, Mr Cook notes (§2.38) that Charnwood Borough Council's own consultants LUC "*... recommended further planting along the southern boundary to provide a greater degree of physical and visual containment to assist in maintaining separation between settlements.*"
- 1.2.7 I believe Mr Cook is referring here to the Landscape Sensitivity Assessment of SHLAA Sites for Charnwood Borough, March 2019 [CD5.09].



- 1.2.8 The 2019 SHLAA study cites "*Opportunities for mitigation or landscape enhancement*". "*Guidance and opportunities to consider for any future development within area*", in this case sites on the north-western and southern edges of Queniborough and to the immediate north of Syston (west of Melton Road) include: "*Increase tree cover at the settlement edges to enhance the well wooded character of Queniborough village and self-contained character of the Wreake Valley.*" It is my view that the recommendation for additional tree cover was to enhance the character of Queniborough; there is no mention of it being to help maintain separation.
- 1.2.9 Importantly, I can find no reference in the 2019 SHLAA study recommending further planting, specifically, "*along the southern boundary*" of PSH316, as noted by Mr Cook at §2.38.
- 1.2.10 These recommendations are not necessarily relevant to SHLAA site PSH316 (which occupies a similar footprint to the appeal site) at all, since the assessment represents the findings of an amalgam of sites in the vicinity of Queniborough. I acknowledge that SHLAA site PSH316 is one of the sites on the settlement edge.
- 1.2.11 The appeal site has limited relationship with the Wreake Valley and the part of Queniborough in which it is located has a limited woodland cover and no reference to other woodland belts. It could be that the reference in the SHLAA study was made in relation to Sites PSH42, PSH446 and PSH287, whose western portions have more relationship with the valley and the relatively well vegetated landscape within.

1.2.12 Mr Cook summarises his judgements regarding the effects of the Appeal Scheme and the Revised scheme at §2.38, noting that: *"The proposed layout as amended and illustrated at appendix 13 shows how the proposed scheme could accommodate a further 10m wide tree belt to provide a greater level of containment. I note that the application scheme with landscape proposed along the southern boundary within the red line would achieve physical and visual containment in design terms and I consider is acceptable. However, an additional 10m width would enhance what is already considered to be an acceptable scheme in landscape and visual terms."*

1.2.13 I summarise my views regarding the effects of the Revised Scheme at Section 3.

### **1.3 Landscape and visual assessments**

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1.3.1 Mr Cook notes at §2.11 of his evidence that part of his instruction was a detailed review of the LVA submitted with the planning application, and that *"I understand and agree with 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."* However, he continues *"Consequently, I have come to slightly different professional conclusions which is not unusual as rehearsed in GLVIA3. I consider that the proposal would result in effects ranging from adverse to beneficial where relevant and as stated."*

1.3.2 It is my view that Mr Cook's findings vary in places considerably with those of the Golby & Luck LVA [CD1.06] submitted with the planning application and the Appellant's Statement of Case. To avoid confusion with other assessments, I refer to Mr Cook's LVA as the Pegasus LVA.

- 1.3.3 The G&L LVA was aligned with my own assessment on many aspects, generally differing only in regard to the effectiveness of the mitigation measures proposed. To aid clarity and enable comparison between the findings of the different professionals, I have updated my Appendices SJN 02 and SJN 03 (which present the findings of my own summary LVIA in relation to the Appeal Scheme and the findings of the Golby & Luck LVA) to include the findings of the Pegasus LVA. See my Appendices SJN 05 and SJN 06.
- 1.3.4 My Appendices SJN 05 and SJN 06 also include the findings of my assessment of the landscape and visual effects of the Revised Scheme.

## **2 Rebuttal of points within Andrew Cook's Landscape Proof of Evidence, on behalf of David Wilson Homes (East Midlands), dated 22<sup>nd</sup> May 2023**

### **2.1 Comment 1: effects on site features**

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- 2.1.1 Regarding the effects of the appeal proposals on site features, Mr Cook (§4.3) considers the scheme would deliver a "*major 'net gain' of hedgerows*" and so be of Major beneficial significance. It is my view that such a judgement is very optimistic since the boundary hedges already form part of the baseline and some sections would be removed. Any net gain would arise from the 241m of hedges proposed within the open spaces.
- 2.1.2 Mr Cook's assessment of a Major beneficial effect on trees and tree cover (§4.10) "*in terms of tree resource associated with the proposal*" includes the additional 10m woodland belt, even though this feature is beyond the appeal site bounds.

- 2.1.3 When assessing the effects on land cover at the site (§4.11), Mr Cook considers that the loss of arable land to accommodate the development area would result in a Moderate adverse degree of effect to the site itself, but that such effect *"needs to be balanced against the fact that a significant proportion of the proposal would introduce wildflower meadow areas"*. It is my view that the wildflower areas illustrated on the detailed planting plan accompanying the Revised Scheme could not be considered to extend across a significant proportion of the site and that, given their small size and the pressures likely to be placed on the areas proposed as open space within a residential development, their long-term retention is unlikely to be assured.
- 2.1.4 Similarly, Mr Cook's judgement of Major beneficial change through the proposed green infrastructure (§4.15) is overstated and does not take account of the change in aspect that would be experienced by users of public footpath I84.
- 2.1.5 Mr Cook's judgements regarding the effects of the appeal development on the character of the site are not clearly presented. At §4.19 he notes that the scheme would create a high-quality built environment that would not be at odds with its setting *"However, adopting a precautionary approach the proposals would result in an overall adverse effect in landscape character terms. The proposal would accommodate significant new green infrastructure which would replace two arable fields and again change this character of the site to be more representative of the local landscape character area and therefore would result in some beneficial effects at the site level."* Notwithstanding that one field is in arable use and the other is grazed, it is

not clear how a change from agricultural use to recreational use can be considered representative of the local landscape character.

2.1.6 At §4.22, Mr Cook concludes: "*At the site level, with a low susceptibility (given its urban fringe character), value and sensitivity combined with a high magnitude of change would result in an overall moderate (neutral) effect in landscape element/ character terms.*"

2.1.7 Mr Cook's judgement regarding effects on the landscape of the site itself is contrary to the G&L LVA, which concluded "*This change in landscape terms will be of significance to the planning decision making process.*" with which I concurred. It is my view that the additional woodland belt proposed within the Revised Scheme would not vary the G&L LVA conclusion regarding changes to landscape character at the appeal site when considered alone.

## **2.2 Comment 2: effects on landscape character**

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2.2.1 At Section 5 of his evidence, Mr Cook considers the effect of the appeal proposals on landscape character beyond the site. The way in which the chapter is structured means that his findings are not clearly set out and appear to be open to interpretation.

2.2.2 Mr Cook starts by considering the findings of the National Character Area profiles and then the Borough of Charnwood Landscape Character Assessment.

2.2.3 He then reports the findings of his own baseline sensitivity assessment of landscape value, using the factors set out under Box 5.1 of the GLVIA. Mr Cook does not define his study area, but it would appear to accord with that

used in the G&L LVA and my own study, e.g. the land between Queniborough and Syston. A judgement of Low landscape value is concluded.

2.2.4 Had Mr Cook used the more recent guidance in Landscape Institute Technical Guidance Note 02/21, he would also have considered factors such as *Distinctiveness* (I consider the corridor of farmland between two settlement is a recognisable feature with its own sense of identity, distinct from the urban areas that abut it) and *Functional* (the arable land within the study area contributes to food production and other parts of the study area provide equestrian facilities that could only be accommodated in the countryside; it also provides an agricultural landscape setting to Syston and Queniborough, separates the two settlements and helps to maintain their individual identity).

2.2.5 As I note in my main evidence, it is my view that the landscape has a Medium landscape sensitivity value.

2.2.6 Mr Cook judges this landscape to have a Low susceptibility to change but does not provide commentary as to how this judgement is made (§5.28), to give an overall sensitivity of Low.

2.2.7 As I explain in my evidence, I consider a susceptibility judgement of Medium to be more appropriate, giving an overall sensitivity judgement of Medium, which accords with the G&L LVA.

2.2.8 Mr Cook's evidence does not clearly state what he considers the effects on landscape character would be.

2.2.9 Regarding changes to character, at §5.32 Mr Cook notes "... *I acknowledge that the site would see some considerable change from two arable fields.*

*However, the baseline that needs to be taken into account here is that the proposed scheme is framed by housing and industry and roads on three of its existing sides. 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."*

2.2.10 I do not consider such a judgement can be made unless it can be demonstrated that there is no intervisibility or intravisibility between the appeal site and the wider landscape, e.g. the changes at the appeal site do not exert an influence on the character of the landscape beyond. Mr Cook's own visual assessment (which I discuss at Section 2.3) confirms that the appeal proposals would be visible from Barkby Road and public footpath I84, where effects of Major adverse significance are recorded. It is my view that there would be experiential effects beyond the appeal site for both the Appeal Scheme and the Revised Scheme, albeit that the extent of such influence would be limited.

2.2.11 Mr Cook appears to contradict himself at §5.33, "*... 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."*

2.2.12 Mr Cook appears not to provide an overall judgement as to the magnitude of change to landscape character likely to be experienced, or its significance.

- 2.2.13 The text in the summary is clearer and acknowledges the nature of effect. Para §9.7 notes: *"...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 moderate (adverse) degree of effect, as it relates to the site itself and would be limited and highly localised."*
- 2.2.14 However, it is not clear whether such judgement takes account of the proposed site-wide landscape strategy (including the woodland belt proposed in the Revised Scheme), since §9.8 notes: *"Much of the site would form substantial green infrastructure, which would bring about a degree of change in character terms from the arable fields. The whole green infrastructure would be more in keeping with the area with its new grassland areas together with tree-belts, pond and improved recreational opportunities. Such change to the character of the site would bring about a degree of change and enhancement, which would be beneficial in nature"*.
- 2.2.15 The nearest thing to an overall judgement on effects on landscape character is in the introduction to Mr Cook's evidence (§2.21), where he notes [my emphasis]: *"It is my professional judgement that the scheme would be in keeping with the character and appearance of the general area, and that the proposed green infrastructure would be beneficial in landscape terms though the housing element I would regard as being adverse in terms of nature of effect. In terms of the scheme as a whole, therefore, adopting a precautionary approach, I consider that the effects would be adverse in overall terms with regard to the nature of effect concerning landscape character and visual amenity (views) unless I state otherwise, as these have a bearing upon the Area of Local Separation."*



2.2.16 I discuss my views as to the effects of the Revised Scheme on landscape character at Section 3.1.

### **2.3 Comment 3: effects on visual amenity**

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2.3.1 Visual receptors are not specifically considered in the main body of Mr Cook's evidence but are addressed in the summary.

2.3.2 Regarding nature of effect, Mr Cook adopts a precautionary approach and assumes this would be adverse in overall terms. Notwithstanding that he considers the "*landscape design itself would be attractive and beneficial*".

2.3.3 Mr Cook sets out the findings of his visual assessment at his Appendix 9. His summary only includes year 1 judgements so it is not clear what mitigation the proposed landscape scheme, including the 10m woodland belt, might afford.

2.3.4 The Pegasus LVA records effects of Major adverse significance from Viewpoint 1 (the section of Barkby Road to the immediate east of the site), from Viewpoints 3 and 4 (Chestnut Close), and from Viewpoint 5 and 6 (points on public footpath I84).

2.3.5 Mr Cook provides several sets of photographs within his appendices. I note that many of the photographs presented at Appendix 3: *Context photographs regarding ALS* are incorrectly located on the accompanying Appendix 2: *Context photoview*.

2.3.6 I have set out a comparison of the findings of the three LVIA/LVA assessments in relation to visual receptors at Appendix SJN 06 of this rebuttal.

2.3.7 I discuss my views as to the effects of the Revised Scheme on visual amenity at Section 3.2.

## **2.4 Comment 4: effects on the Area of Local Separation**

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2.4.1 Mr Cook notes at §2.7: "*My proof sets out my analysis and professional judgement with regard to this matter noting that in overall terms, the proposal would not cause physical coalescence because there would remain a substantial area of undeveloped countryside between the two settlements.*" AC considers the appeal proposals would not result in coalescence and this is common ground between us. However, I do not concur that the remaining area of undeveloped countryside could be described as "*substantial*".

2.4.2 For ease of reading, my following comments are broadly structured using Mr Cook's sub-headings.

### ***Extent of the ALS***

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2.4.3 At §6.3, Mr Cook refers to the site's boundary hedges foreshortening the view across the ALS. I agree that at a number of points within the ALS, the build-up of hedges has the effect of fore-shortening the view, but in my opinion this merely reinforces the importance of the ALS in maintaining the separate identities of the adjacent settlements.

2.4.4 Mr Cook devotes a number of paragraphs to the effects of the appeal proposals on the ALS as experienced from Melton Road. It is common ground between us that the appeal development would have minimal effect on the ALS as experienced from Melton Road since there would be little intervisibility or intravisibility between the appeal site and this section of road.

2.4.5 I agree that ALS is at its narrowest at Melton Road. I understand that the built edges of Queniborough and Syston at Melton Road predate the ALS, i.e. the designation was retro-fitted. One might assume that the gap here might have been wider had the existing land uses at the time allowed.

2.4.6 Notwithstanding this, as I explain in my main proof of evidence, it is not the width of the ALS that is the most important factor for the ALS to achieve its function but rather the qualities of the land within.

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

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2.4.7 Mr Cook notes at §6.6: "*There is a public right of way which crosses the site, which provides views both north and southwards and provides an appreciation of the actual and perceived separation between the settlements. In reality it is users of this PROW who will experience the greatest degree of change.*" I concur with this.

2.4.8 I do not agree with the following text: "*However when walkers of this PROW presently enter the appeal site, whilst they will enter an undeveloped field – importantly it is a field which is perceived as having built development on three sides and it is only at the southern point of the appeal site that there is any real sense of leaving Queniborough and entering the countryside between settlements.*" This is to over emphasise the appreciation of containment provided by the existing settlement edges and to not recognise the main focus of users travelling south on the footpath, which is to the countryside to the south.

- 2.4.9 Contrary to Mr Cook's assessment, I also believe there is currently a strong sense of leaving Queniborough as pedestrians emerge from the alleyway onto the northern edge of the site.
- 2.4.10 The text continues: "*That sense is emphasised further by the fact that the southern edge of the industrial estate is actually closer to Syston than the southern edge of the appeal site; and furthermore on Barkby Road the entry sign to Queniborough is even further south.*" I do not follow this reasoning, since the southern-most edge of the portion of the industrial estate that is visible from the appeal site is c.275m from the northern edge of Syston, whereas the southern boundary of the appeal site is c.235m distance from Syston.
- 2.4.11 It is my opinion that the Queniborough entry sign has no bearing on the perception of separation as experienced from the appeal site.
- 2.4.12 At §6.7, Mr Cook notes: "*The existing agricultural fields between the southern boundary of the site and Syston would still provide a meaningful gap both in terms of actual and perceived separation and would therefore maintain separation with no coalescence. This will be emphasised further by the proposed planting to the south of the appeal site described above.*"
- 2.4.13 It is my view that the remaining agricultural fields would not provide a meaningful gap. While the planting proposed as part of the Revised Scheme would provide assistance in defining the separation of the two settlements, it would in itself reduce the extent of visually open land between.

2.4.14 Mr Cook suggests at §6.8 that road markings, etc. on Barkby Road are such that for road users, the proposed scheme would not change Queniborough's arrival/departure point. As I explain in my main evidence, I consider this section of Barkby Road has a sense of following a line along the edge of the village, and that the appeal site is part of the landscape beyond the settlement.

2.4.15 Regarding the appreciation of the appeal development from Barkby Road, Mr Cook makes no reference to the change to views afforded by the introduction of properties up to 2.5 storeys high in place of agricultural fields, nor to the experience of pedestrians using the footway along the road. Notwithstanding this, at his Appendix 9 Mr Cook refers to visual effects experienced by road users and pedestrians using this section of Barkby Road (at least in the early years of the development) to be of Major adverse significance.

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

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2.4.16 I generally concur with Mr Cook's comments.

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

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2.4.17 Again, I generally concur with Mr Cook's comments.

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

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2.4.18 At §6.12, Mr Cook describes how the site and appeal development would be appreciated from the northern edge of Syston. "*From these locations,*

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*generally what is observed is the mature hedgerow forming the southern boundary of the site in the far distance behind which existing residential properties can be seen, which appear to lie immediately behind the hedge due to perspective and foreshortening". See my comment below regarding foreshortening, which reinforces the importance of the ALS.*

- 2.4.19 The text continues: "*With the proposed scheme in place, the proposed dwellings would be seen in the same location behind the same hedgerow and in the same plane in the landscape.*" Whilst I concur that due to the build-up of hedges and the lack of a visible ground plane it can be difficult to perceive a sense of depth in this landscape, this statement does not acknowledge that Queniborough's existing development is a relatively low 2 storeys, while the proposed development would be up to 2.5 storeys, and c.290m closer to the viewer. Perspective dictates the new housing would be experienced at a greater scale, be more visible and exert a much greater visual presence than the existing dwellings. I do not believe it is correct to say the proposed development would be perceived to be in the same location as the existing properties.

### ***Public Highways passing through the ALS***

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- 2.4.20 Mr Cook, at §6.16, considers Queniborough's arrival/departure point to be the sports ground and that the perception of this would not change with the scheme in place. I have already noted above why I do not agree with this assessment.
- 2.4.21 Mr Cook continues: "*the southern boundary hedge can be seen, again with Queniborough housing set behind this hedge as perceived due to*

*foreshortening in the view. As such, the proposed residential scheme would be seen in the same viewing context behind this hedge. The fields in the middle distance and foreground would continue to remain and the overall perception of the gap would not materially change with the proposed scheme in place, as appreciated from this highway.*" My arguments above regarding the contrasting scales of Queniborough's settlement edge (a maximum of 2 storeys, generally with relatively low-pitched roofs) vs the proposed development of up to 2.5 storeys, and perspective (the proposed development would be experienced much closer to Barkby Road) remain.

### ***Public Rights of Way passing through the ALS***

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- 2.4.22 At §6.18, Mr Cook notes that from the southern edge of the appeal site, *"views southward extend across open countryside with fields in the foreground and middle distance and with Syston residential area seen in the far distance"*. It is my opinion that the fields are in the foreground (not middle distance) and Syston is at best in the middle distance, not far distance.
- 2.4.23 Mr Cook continues: *"There would still be a strong sense of perceived separation between the settlements from this location."* Mr Cook provides no further justification or analysis. I disagree the perception of separation is strong.
- 2.4.24 At §6.19, Mr Cooke notes *"From this footpath on the northern boundary of Syston, looking north towards Queniborough, the housing of Queniborough can be clearly seen located behind the site's southern boundary hedge"*. If this is the case, given my comments above regarding the increased height of

the proposed development and the laws of perspective, then the appeal development must be even more clearly seen.

2.4.25 Mr Cook continues: "*With the proposed scheme in place, the new housing would be seen in the same location.*" Again, I disagree with this, there might be a sense of foreshortening and a lack of perception of depth, but perspective would ensure that the new development would not occupy the same portion of the view, and so would be perceived as in the foreground of the existing edge.

2.4.26 The text continues: "*From Syston's northern boundary the foreground and middle distance would remain countryside with the proposal in place and would cause no coalescence*" It is common ground that there would be no physical coalescence, but this statement gives no acknowledgement of the perceived change in character of the remaining land.

### ***Summary of Actual and Perceived Coalescence***

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2.4.27 At §6.20, Mr Cook notes: "*The proposed housing would be located in the northern part of the ALS adjacent to Queniborough. 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.*" I do not agree that the part of the ALS in which the appeal site is located performs a limited role regarding separation (it maintains a meaningful tract of land with a predominantly open and undeveloped character between two settlements) nor that perceived sense of separation would materially change with the Appeal Scheme in place (a substantial reduction in the width of the gap and the ever-present influence



of Syston's settlement edge and at least filtered views of Queniborough exerting an influence on the character of the gap).

2.4.28 Mr Cook introduces further evidence regarding separation in his summary and conclusions, and I consider this below.

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

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2.4.29 At §9.13, Mr Cook notes the Appeal site encroaches into the ALS and considers that what is important is how the various parcels of land within the ALS are actually performing in their role to maintain separation. *"I would use the grades strong, moderate and limited as a three point scale. The site area, which would accommodate the proposed housing dwellings I consider has only a 'limited' role in realising the function of the separation 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"*. Mr Cook offers no definitions as to what the criteria relate to, e.g. what does "Strong" mean. But, *limited* would appear to under play the site's current character and its contribution to maintaining the predominantly open and undeveloped character of the land between Syston and Queniborough and the perceived separation, since it is clearly more than an incidental or minimal role.

#### ***Actual gap of open undeveloped land between villages***

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2.4.30 At §9.15, Mr Cook notes: *"The actual gap of open undeveloped land is shown on the plan, and it is clear in this diagram as well as on the ground that the actual gap at its narrowest point is formed by the southernmost point of Queniborough and the northernmost point of Syston and that this is most*

*readily appreciated by travelling along the Melton Road, either as a pedestrian or road user. 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 which would appear as open undeveloped land."*

2.4.31 It is not clear whether, in the final sentence, Mr Cook is repeating his argument about the Melton Road gap, or the ALS as a whole. If the later, the introduction of the appeal development would have a substantial effect on the width of the actual distance between Queniborough and Syston where the site forms part of the ALS.

***Perceived gap of open undeveloped land between villages***

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2.4.32 Mr Cook notes, §9.16. "*... Having examined the gap from the local public highways and rights of way and other public locations, 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 Queniborough and Syston and as such, would not materially change the perceived sense of separation between these two settlements.*" I do not agree with this assessment. See my previous comments regarding the effects the appeal development would have on the perception of the gap, including my references to Mr Cook's visual appraisal that found the appeal development would have effects of Major adverse significance, at least in the early years of the Revised Scheme.

2.4.33 At §9.17 Mr Cook refers to the ALS immediately either side of Melton Road playing a more important role than the appeal site in maintaining separation.

This might be so but it does not diminish the importance of the appeal site to 'limited'.

- 2.4.34 Similarly, at §9.19, the fact that the appeal proposals are located in one of the widest parts of ALS does not diminish the importance of the appeal site to maintaining separation.

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

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- 2.4.35 At §9.22, Mr Cook describes the character of Queniborough: "*...The housing is primarily composed of terraced units, semi-detached and detached properties. There are also some single storey and 1 ½ storey dwellings whilst most are 2 storey. ...*" i.e. there is no reference to the 2.5 storeys promoted in the Design and Access Statement.
- 2.4.36 Likewise, at §9.23, for Syston: "*...The houses are predominantly two storeys reflecting red brick and painted render for much of the properties which face onto a combination of residential roads and green urban spaces.*" i.e. no reference to 2.5 storeys.
- 2.4.37 At §9.24. Mr Cook notes: "*The actual physical minimum distances that separates the two villages would remain and both settlements would continue to be framed within the context of a rural landscape. I consider there would be no change to the separate identities of the villages.*" The distance between the two villages at the appeal site would decrease substantially, even if it would still not be the shortest distance within the ALS.

### ***Prevent Coalescence of merging of villages***

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2.4.38 At §9.25, Mr Cook notes: "*Countryside separates Queniborough from Syston and as such, prevents any coalescence and the merging of the two villages. The perceived and actual gap between the two villages would not materially change with the proposed scheme in place. Furthermore, the proposal would not bring about any physical coalescence of the villages and would maintain the purpose and integrity of the gap.*" As I have argued above, the actual gap must materially change since there would be a substantial reduction in its width, and the perceived gap would be materially changed if visual effects of up to Major adverse significance are recorded between the settlements.

## **3 Revised scheme**

### **3.1 Effects on landscape character**

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3.1.1 As set out in my main proof of evidence, my own LVIA concluded the Appeal Scheme would result in residual effects of Moderate adverse significance at year 15 on the landscape character of the appeal site and its setting, which equated to the countryside between Queniborough and Syston, between Melton Road and Barkby Road.

3.1.2 When considering the effects the Revised Scheme on landscape character, I concluded that there would be a residual effect of Moderate-Minor adverse significance. In making this judgement, I was mindful of the following factors, in addition to the reasonings I set out in my main proof that would remain (e.g. extension of Queniborough southwards into countryside, loss of agricultural land, loss of sections of hedge, etc.):

- That the changes to the landscape arising from the appeal proposals would extend further southward into the countryside, thereby resulting in additional disturbance.
- That woodland planting belts are not a particular feature of this landscape, although I acknowledge they are referenced in 2019 SHLAA study; I discuss this matter in more detail at Section 1.2.
- The reduction in the visual openness and views across agricultural fields as a result of the addition of the woodland belt, including a further reduction in the ability to view the spire of Queniborough church.
- The increased sense of containment that the woodland belt would afford to the appeal site. Albeit that when in considering this factor, I was also mindful that it should not be necessary to screen good development from view but rather create a positive and robust relationship between urban areas and countryside.
- The opportunity a landscape belt would bring to create a new green edge to Queniborough, whereby the existing settlement edge was better assimilated into the landscape than it is currently the case; albeit that such edge would extend out into the countryside.
- The potential to create a more robust entrance and sense of arrival to Queniborough from Barkby Road, rather than the views across fields to a disparate urban edge.

## **3.2 Effects on visual amenity**

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- 3.2.1 My assessment of the Appeal Scheme found that residual effects of Major-Moderate adverse significance would be experienced from points on public

footpath I84 that cross the appeal site and in the vicinity of Chestnut Close, and of Moderate adverse significance from points on the section of Barkby Road closest to the appeal site.

3.2.2 When undertaking my assessment of the Revised Scheme on visual receptors, I concluded that the addition of the 10m wide woodland belt would, when established, reduce the visual effects experienced by pedestrians traveling on public footpath I84 to the south of the appeal site to Moderate significance (Viewpoint 5) and Moderate-Minor significance (Viewpoint 6).

3.2.3 There would also be some, limited, mitigation for those travelling northward on the section of Barkby Road south of the appeal site.

3.2.4 Due to its geographical location, the woodland belt would have minimal influence on the view experienced by other visual receptors.

### **3.3 Effects of the Revised Scheme on the Area of Local Separation and the identity of Queniborough and Syston**

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3.3.1 It is my view that implementation of the Revised Scheme would have the following implications regarding the ALS and the separate identity of Queniborough and Syston.

- An area of c.5.8ha of undeveloped agricultural land, which accords with Policy CS11's aim to protect predominantly open and undeveloped land would be removed from the ALS and used for residential development. This would also be the case for the Appeal Scheme.
- Implementation of the Revised Scheme would result in a substantial reduction in the width of the predominantly open and undeveloped gap

between Queniborough and Syston. This would also be the case for the Appeal Scheme.

- The key means by which the character of the ALS can be appreciated is public footpath I84. Even assuming that the area of the woodland belt continued to form part of the undeveloped land, there would be a 45% reduction in the length of the footpath from which the predominantly open and undeveloped character could be experienced. This would also be the case for the Appeal Scheme.
- The landscape buffer associated with the Revised Scheme would create a new green settlement edge for Queniborough that would have less influence on the open character of the remaining adjacent countryside than does the existing. This attribute would not be delivered by the Appeal Scheme. However, such benefits would not outweigh the loss of the currently undeveloped appeal site from the ALS. The additional planting associated with the Revised Scheme would also better assimilate the proposed development into its landscape setting than would the Appeal Scheme.
- The additional 10m of landscape buffer delivered with the Revised Scheme would mean the disturbance of the appeal development would extend further into undeveloped countryside than would the Appeal Scheme alone.
- The planting belt on the southern boundary would, in time, minimise the visual presence of the Revised Scheme's settlement edge, as compared to the Appeal Scheme, so reducing its influence on the undeveloped character of the remaining section of the ALS.

- While the planting proposed as part of the Revised Scheme would provide assistance in defining the separation of the two settlements, as compared to the Appeal Scheme, it would in itself be a feature that blocked views, thereby reducing the extent of visually open land between them.
- The woodland planting belt would, in time, reinforce the perceived separation between Queniborough and Syston, as compared to the Appeal Scheme, by reducing the visual influence of Queniborough on the character of the remaining ALS. However, the main means by which the separation is currently perceived is the public footpath and the planting would not mitigate the reduced distance over which this separation is experienced.

***Summary of the effects of the Revised Scheme on the individual and separate identities of Queniborough and Syston***

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3.3.2 Having regard to the findings of my assessments of the appreciation of separation, I conclude that the Revised Scheme would compromise the separation and influence the separate identity of Queniborough and Syston. The proposed development would change the appeal site from agricultural farmland to an urbanised development; reduce the physical distance between Queniborough and Syston; and shorten the length of routes between the settlements from where the predominantly open and undeveloped character of the remaining portion of the ALS could be best experienced, so undermining the perceived separation between the two settlements, particularly as experienced from the popular and well used public footpath I84.