

Hearing Statement: Landscape and Visual Matters

Land east of The Common, Barwell

On behalf of Redrow Homes Ltd (Harrow Estates Division)

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1. Introduction

Qualifications and experience

- 1.1. My name is Jeremy Peachey. I have a master's degree in Landscape Design from The University of Manchester, and a Bachelor of Science Degree in Town and Country Planning from University College London. I am a Chartered Member of The Landscape Institute (1994). I hold the position of Chairman of The Pegasus Group and am an Executive Director (Landscape Design and Planning) in the Birmingham (Lichfield) Office. The Company undertakes all aspects of planning, urban and landscape design, masterplanning and environmental planning. I am involved in all these areas of work and have specific expertise in landscape and visual impact assessment, and design.
- 1.2. I have over 30 years full professional experience both in the UK and overseas, including that gained whilst working for Lovejoy Landscape Architects (1991–2005), in the position of Director in the Birmingham Office between 2003–2005. I have given evidence on Landscape and Visual matters at Planning Appeals (Inquiries, Hearings etc.) since 1998, for major sports facilities; mixed use developments; care home developments; residential developments; and crematoria, often in the context of sensitive rural and historic landscapes, as well as urban edge locations. This has often involved matters such as Green Belt, Green Wedge, and Separation/Gap policies of various different kinds.
- 1.3. Recent appeals work includes successful outcomes in relation to high rise, town centre located residential development at Richmond Gardens, Bournemouth; urban edge residential development at Holmewood (Derbyshire); and crematoria development in Green Belt locations around Birmingham and London. Milestone projects include: a new hospital in Coleraine, Northern Ireland; a new Corporate HQ for Pfizer Pharmaceuticals in the Surrey Hills AONB and Metropolitan Green Belt; new Academies in Gloucester and Worcester; and the Gloucester Services MSA on the M5 adjacent to The Cotswolds AONB.
- 1.4. I am currently involved in the preparation and implementation of a variety of mixed use and residential masterplans, of varying scales between single and 1000's of units, in urban, urban fringe and rural environments, often involving matters of Green Belt, AONB, historic landscapes, conservation areas, listed buildings, and various Gap/Separation policies.
- 1.5. I am also a member of the Landscape Institute's Professional Review Group (PRG) for The School of Landscape Architecture at Birmingham City University, a role that involves close liaison with The School throughout the academic year, together with some informal tutoring and mentoring of the students. I carry forward such a mentoring responsibility with the younger staff within The Pegasus Group.

Terms of reference

- 1.6. Pegasus Group has been instructed by Redrow Homes Ltd (Harrow Estates Division), 'Harrow', to prepare a Hearing Statement dealing with landscape and visual, and Green Wedge matters, in relation to the proposed residential development on Land east of The Common, Barwell.

- 1.7. The outline application was submitted with a Landscape and Visual Impact Assessment (LVIA –**Appendix A**) addressing the proposed development, prepared by Pegasus Group (December 2023).
- 1.8. The application was refused on 17th June 2024, with the decision notice citing four reasons for refusal (refer to main Appeal Statement, APP/K2420/W/24/3348387).
- 1.9. Pegasus Group have been commissioned to consider the proposed development and the reasons for refusal set out in the decision notice, relevant to landscape and visual, and Green Wedge matters. Where relevant, this Statement refers to the content and findings of the Pegasus Group LVIA, supplemented by additional professional judgement as necessary.

Scope of evidence

- 1.10. This Statement is structured into the following five sections, including this introduction (section 1).
- 1.11. At section 2, a brief review of the background to this appeal is provided, with reference to the Delegated Report; the relevant reason for refusal; and the relevant planning policy.
- 1.12. At section 3, an overview of the site masterplanning history.
- 1.13. At section 4, a consideration of the current masterplan (LPA ref 23/O1229), setting out the differences between it and the previous masterplan (LPA ref 21/O1470).
- 1.14. At section 5, a summary of the landscape and visual effects.
- 1.15. At section 6, consideration of the appeal site's location within a Green Wedge policy area.
- 1.16. At section 7, a response to policy is set out, specifically with reference to Policy 6 of the Core Strategy and Policies DM4 and DM10 of the DPD (2016).
- 1.17. At section 8, is a summary and an overall conclusion.
- 1.18. Principles and good practice for undertaking, and/or applying the principles of LVIA are set out in the Landscape Institute (LI) and the Institute of Environmental Management (IEMA) Guidelines for Landscape and Visual Impact Assessment, Third Edition (2013) (GLVIA3). The concepts and procedures set out in this guidance have been adopted where appropriate.
- 1.19. The professional judgements which are presented in this Statement for this appeal have been prepared in accordance with the guidance of my professional institution. I confirm that the opinions expressed are my true and professional opinions.

2. Reasons for Refusal and Policy Context

Background to the appeal

- 2.1. A planning application for outline permission for up to 95 residential dwellings and associated access, open space and landscaping following demolition of all buildings on site, was submitted to Hinckley and Bosworth Borough Council (HBBC) in December 2023 (23/01229/OUT).
- 2.2. The outline application was submitted with a Landscape and Visual Impact Assessment (LVIA, **Appendix A**), prepared by Pegasus Group (December 2023).

Delegated Report

- 2.3. The Delegated Report refers to landscape and visual matters under subheading “*Design and impact upon the character of the area*”. The commentary on these matters is set out between paras. 7.25 – 7.41 and concludes at para. 7.42 that: “*There is no reason why different conclusions would be made in the context of the current application.*”
- 2.4. In effect, the commentary here is preoccupied with the previous refused outline application/dismissed appeal and making its judgements using that as a starting point i.e. a previous scheme. It does not make judgements based on the merits of the revised application proposals and the subject of this appeal, and the differences it presents in comparison to the previous scheme.

Reasons for Refusal

- 2.5. A Refusal of Planning Permission issued under delegated powers was received by the appellant on 17th June 2024. The reasons for refusal that is relevant to landscape and visual, and Green Wedge matters is the first reason for refusal as follows:
- 2.6. “*1. The proposed development would result in an unsustainable residential development in the designated countryside outside the settlement boundary of Barwell and located within the Hinckley/Barwell/Earl Shilton/Burbage Green Wedge. From the development would arise harmful impacts upon the intrinsic value, beauty and undeveloped rural character of the area; landscape character; public views; the function of the Green Wedge; and harm to the existing settlement character and pattern. The development proposals are contrary to Policy 6 of the Core Strategy, Policies DM4 and DM10 of the Site Allocations & Development Management Policies Development Plan Document (2016).*”
- 2.7. In terms of the reason for refusal for the previous application (LPA ref 21/01470), this reads identically to that issued in 2021, an inference being, again, that it is not clear the extent to which this application has been considered on its own merits.

Landscape policy framework

- 2.8. A full summary of the relevant landscape planning policy framework is set out in detail in the submitted LVIA (December 2023). Policies relevant to landscape and visual matters will be addressed in later sections of this Statement and include reference to the National Planning Policy Framework, Planning Practice Guidance Documents, and the relevant



policies of the adopted Hinckley and Bosworth Core Strategy and Site Allocations & Development Management Policies Development Plan Document (specifically those referenced in the reasons for refusal).

3. Site Masterplanning History

Introduction

- 3.1. This section of the Hearing Statement sets out a summary description of the appeal site's masterplanning history, with reference to the three relevant masterplans (see **Appendix B: Site Masterplanning History**). For ease of reference, these are presented below at **Plates 1-3**.

Gladman Scheme (2017)

- 3.2. The Gladman Developments Ltd. proposal was for up to 185 new dwellings and included development extending south beyond the alignment of the existing building line along The Common, and across a paddock in the central southern section of the appeal site. This scheme retained the southernmost paddock free of development, as well as those paddocks furthest east. See **Plate 1**.
- 3.3. Following refusal of an Outline Application in August 2017 (17/00531/OUT) on the appeal site, for (up to) 185 no. dwellings, Gladman Developments Ltd. appealed this decision, which was heard via inquiry in 2018. That appeal was dismissed.



Plate 1: Gladman Proposal

Harlow Estates Scheme 1 (2021)

- 3.4. The first Harlow Estates proposal was for up to 110 new dwellings and in comparison, to the Gladman scheme, effectively retracted development such that it did not extend south of The Common and did not utilise the central section of the appeal site. See **Plate 2**.
- 3.5. This was in response to several concerns identified by the Inspector in their report (APP/K2420/W/17/3188948, 20th July 2018), including limiting the development envelope such that the proposals would not extend south towards the A47 (paragraph 18) and to reduce the landscape and visual impact so as to not fundamentally alter the experience of the landscape (paragraph 23).
- 3.6. In 2023, the application remained undetermined by HBBC and Harlow Estates lodged an appeal, which was heard via inquiry in 2023. That appeal was also dismissed.



Plate 2: Harlow Estates Scheme 1

Harlow Estates Scheme 2 (2023)

- 3.7. The second (revised) Harlow Estates proposal (and the scheme subject to this appeal) is for up to 95 new dwellings. The development envelope for the proposal illustrates a number of differences in comparison to the dismissed 2021 proposals, which reflect a further

iteration on the basis of a different approach to design, and design development generally, together with some changes in respect of land under the applicant's control. See **Plate 3**.

- 3.8. The differences between Harrow Estates Schemes 1 and 2 are set out in more detail in the next section of this Hearing Statement.



Plate 3: Harrow Estates Scheme 2

4. Harrow Estates Scheme 2: The Differences

Introduction

- 4.1. The following section of this Hearing Statement provides a summary of the key differences between the Harrow Estates Scheme 1 and Harrow Estates Scheme 2.
- 4.2. In general terms, the principles of the design response of the Harrow Estates Scheme 1 have been retained as part of the Harrow Estates Scheme 2 (the revised masterplan). Those principles include the following:
- Access at the same location from The Common;
 - Use of generally the same area of land directly adjacent to the existing settlement edge;
 - An articulation of the eastern edge of the development envelope to reflect the history of development of this part of the settlement edge;
 - Retention of existing vegetation; and
 - Public Open Spaces to the east.
- 4.3. However, as part of this retention of design principles, there are some very important and material differences between the Harrow Estates 1 and Harrow Estates 2 schemes, that are highlighted below.

The Development Envelope

- 4.4. The proposed development is similar in terms of scale to the previous one, however the development envelope has been meaningfully “re-crafted”. **Plate 4 (Appendix C)** illustrates how this re-crafting works.
- 4.5. In more detail, this includes the following, all of which are beneficial in landscape, visual and Green Wedge terms:
1. Use of the paddock at the north-western corner of the site (previously left vacant), rationalising the use of land on this specific part of the urban edge, and displacing a paddock directly adjacent to the existing settlement edge that is currently in very poor condition.
 2. Greater set-back from Dawsons Lane at the northern end of the development envelope, to accommodate space for a greater extent of native planting along this boundary.
 3. Introduction of a small area of development on the northern side of the proposed access road, to generate a greater sense of site entrance;
 4. a/b. A more varied articulation of the eastern edge of the development envelope, in response to further experimentation with 3D visually verified wireline montage work,

with particular respect to views from Shilton Road, and to provide a more transitional countryside edge.



Plate 4: Comparison of Harrow Scheme 1 and Harrow Scheme 2 highlighting the “re-crafting” differences

- 4.6. In terms of the north-western corner of the development envelope, the inclusion of the paddock directly adjacent to the existing settlement edge, has rationalised the masterplanning approach here, effectively making good use of what would previously have been a small area of isolated (intensively grazed) horse paddock. This effectively completes the comprehensive connection between existing and proposed development. See **Plate 5**.



Plate 5: Paddock at the north-western corner of the appeal site, now included within the red line

- 4.7 Along Dawsons Lane, behind the existing hedgerow there is now a large set-back between the southern side of the Lane and the northern edge of the proposed development. This directly addresses the previous Inspector's concerns over visual impact in this area, and also assists in terms of the "user experience" of walking along this part of Dawsons Lane, on the edge of the settlement in the context of the Green Wedge (see section 6 of this Statement).
- 4.8 Adjacent to the site entrance, a small area of proposed development is now positioned directly north of the access road into the site. This is to address any previous concern that the appearance of an access road in "isolation" crossing a field would appear, in design terms, unusual with no visibility of proposed built form. As such, it is seen as a better design solution, and the arrangement of the proposed built form here still aligns with that of the southernmost existing built form on the western side of The Common. An example of how a high quality landscape treatment might work at the site entrance is shown on **Plate 6**.



Plate 6: Site entrance landscape: Harborough Depot, Bishop's Itchington, Warwickshire

4.9

The eastern edge of the development envelope is more articulated than it was previously. The rationale for this has been driven by an experimentation with a 3D wireline model, specifically when considering the proposed development from viewpoints 1a (Shilton Road) and 12 (Dawsons Lane) in the LVIA. With specific regard to viewpoint 1a, the subtle adjustments relate to a superimposition of the previous and current proposal, to seek a further reduction on the visibility of proposed built from Shilton Road. There is a clear opportunity here to introduce well-considered landscape planting/treatments that serve to soften the transition between the appeal proposals and the wider landscape to the east, as well as provide greater access. An example of which is shown at **Plate 7**.



Plate 7: Articulated transitional Countryside Edge: Luke Lane, Brailsford, Derbyshire

Density, Permeability, Vegetation and Landscape Design

- 4.10 Within this re-crafted envelope, there are significantly reduced unit numbers (up to 95 as opposed to up to 110 on the previous Harrow Scheme). This has allowed a different design approach to be adopted in direct response to the concerns raised by the Inspector at the dismissed 2023 appeal.
- 4.11 In relation to proposed density, with regard to the character of the proposed development, the reduction in overall net density of built form will enable the design to accommodate a greater degree of soft landscape features such as trees, hedgerows, shrub and ground cover material, and associated lawns and grassed areas. As such, the overall appearance of the development is likely to benefit from a more verdant landscape setting that will mature over time to allow the soft landscape, existing and proposed, to take greater overall effect.
- 4.12 The revised masterplan also allows for increased permeability, which will further the opportunities provided for public access across the development and into the adjacent local landscape (and across the Green Wedge).
- 4.13 As a result of the reduced density of the proposed development and the increase in permeability, the revised masterplan effectively has more “room to breathe”. This means that the proposed green infrastructure strategy will be strengthened and enhanced. This includes native woodland belt and woodland copse planting (ref. Dawsons Lane); semi-mature tree planting; semi-ornamental landscape planting associated with the development parcels; open space incorporating an equipped play area with open access; and retained grassland enclosures managed for ecological purposes.
- 4.14 In addition, all existing vegetation can be comfortably retained. It is proposed to retain the very vast majority of the existing vegetation, notably the mature hedgerow framework (and its associated trees) across the appeal site and use it to guide both the extent and internal divisions of the development envelope and enclose areas of open space.
- 4.15 The hedgerow network will be subject to an appropriate management regime, and additional planting where required to fill in gaps etc. This approach will ensure the influence of the hedgerow framework in the local landscape is retained.
- 4.16 There will, as previously, be some modifications to the hedgerow at the site access point. The proposed access road into the site is 5.5 metres wide with footpaths either side, together with a footpath link extending northwards along the eastern side of The Common. A much shorter southerly link then extends across the road to the western side of The Common.
- 4.17 The Blackthorn thicket that sits behind the existing hedgerow to the south of the proposed site access point is of sufficient depth and density such that a robust existing landscape feature will remain in that location behind the visibility splay.
- 4.18 There will be a replanting of new native hedgerow infrastructure behind the visibility splays, together with additional planting behind the new hedgerow to both sides of the site access, including tree planting. These combined groups of old and new vegetation will over time establish to enclose either side of the site access point.

- 4.19 Road frontage trees would provide a setting for the residential units, and this entire site entrance setting will sit in front of the retained mature hedgerow infrastructure to the south and east. Overall, the revised entrance arrangement is a positive change and will remain in alignment with the existing building line along the settlement edge.
- 4.20 This information is described in more detail in the DAS (CD-B-7), they are also considered further in the Design Code (CD-B-8).
- 4.21 These changes robustly address the comments made by the Inspector in her 2023 decision regarding density of development and space for landscaping (paragraphs 13–15, APP/K2420/W/22/3295558, 27th March 2023).

Summary

- 4.22 As was the case with the Harrow Estates Scheme 1, which looked in detail at what the Inspector said when dismissing it at appeal, and responded accordingly; this revised proposal has done the same, with a particular focus on re-crafting of the development envelope, unit number and density, and delivery of Green Infrastructure and elements of landscape design.
- 4.23 As a consequence, the revised Harrow Estates Scheme 2, presents meaningful and tangible differences to the previous scheme, and the fact that both are similar in overall scale is not a reason to dismiss this revised proposal out of hand.
- 4.24 There was no such commentary in the Officer's Delegated Report that provided evidence that this revised design approach had been acknowledged, understood and thereafter commented upon.

5 Summary of Landscape and Visual Effects

Overview

- 5.7 A description of the appeal site and its immediate context is presented in the LVIA (**Appendix A**). This sets out a comprehensive description of the physical landscape resources which make up the appeal site and its landscape context, along with a review of published guidance that defines landscape character. This description has not been contested by HBBC Officers or their landscape consultants, and as such is considered to be accurate.
- 5.8 The LVIA that accompanied the application was written in accordance with the Guidelines for Landscape and Visual Impact Assessment (GLVIA3) 3rd Edition (2013). The content and scope of this was also never questioned by the HBBC Officers or their landscape consultants at any point during the course of the application.
- 5.9 The site is not a 'valued landscape' for the purposes of Paragraph 180 (a) of the NPPF, and this is undisputed.
- 5.10 The LVIA work to date has fully tested the scheme and demonstrates that the appeal proposals are consistent with the existing character and appearance of the landscape in this part of Barwell and that, whilst some landscape and visual impact can be expected at a local level, these are limited to the site and its immediate context.
- 5.11 The appeal proposals recognise the character of the local landscape context through the approach to design and mitigation, as set out in the LVIA (Section 5). Furthermore, the appeal proposal's comprehensive and robust landscape strategy will provide successful mitigation to any potential adverse landscape and visual effects and, more will successfully assimilate the proposed development into the landscape, whilst providing a high-quality, functional environment.

Landscape effects

- 5.12 The submitted LVIA identifies the likely landscape effects that may arise from the appeal proposals.
- 5.13 The assessment of impacts on landscape character has determined that the significance of effect on Landscape Character Area F: Burbage Common Rolling Farmland within the study area will be negligible to minor adverse. At year 15 after completion, the magnitude of the impact of the proposed development will reduce, resulting in a negligible adverse effect.
- 5.14 In order to consider impacts on landscape character at a more detailed level, the LVIA also considered the character of the appeal site and its local landscape context. This level the assessment concludes that the proposed development will result in a minor to moderate adverse effect. At year 15 after completion, the magnitude of the impact of the proposed development will reduce, resulting in a minor adverse effect.
- 5.15 In both instances, it is clear that the effects are limited and localised.

- 5.16 These overall conclusions on landscape character are consistent with those found for the previous proposal (Harrow Estates Scheme 1).
- 5.17 However, as a direct consequence of the revised development and design approach to the appeal site, the reduced unit numbers and associated density offers greater benefits in terms of the delivery of landscape features both across the development envelope and to its perimeter.
- 5.18 This includes the retained existing vegetation infrastructure and its future management, and more generally the greater influence of existing and proposed landscape inherent in the design approach itself. The result of this is firstly an improved appearance of the proposed development in overall terms; and secondly a series of greater benefits in terms of landscape features than was previously the case.
- 5.19 It is also worth noting that the appeal proposals represent a significantly scaled back form of development in comparison to the 2017 Gladman appeal proposals. With regard to landscape character, the appeal proposals are likely to generate reduced effects in respect of landscape character, on a receiving local landscape that is undoubtedly influenced by the urban fringe in terms of land use and appearance. Evidence of this is particularly evident across the northern and central sections of the site, and its western periphery where the landscape condition is particularly poor, see **Plate 8**.



Plate 8: Existing landscape condition of the northern part of the appeal site

- 5.20 In conclusion, whilst the appeal proposals will have some effects on landscape character – all developments of this scale and type do on a greenfield site – they do not amount to significant effects, as the LVIA concludes. This is a consequence of the scale, nature and character of the proposals in their local and wider landscape, and how they have been

conceived. It cannot be the case that the appeal proposals would result in unduly harmful impacts upon the intrinsic value, beauty and undeveloped rural character of the area.

- 5.21 Overall, it is clear that the appeal site represents a very good opportunity for residential development in landscape character (and feature) terms, to the scale and character of that illustrated.

Visual effects

- 5.22 In terms of visual effects, a range of receptors has been considered from a variety of locations around the appeal site, in both the local and wider landscape.
- 5.23 Views across the site and its immediate context are generally limited by the various interactions of topography, vegetation and built form. As such the majority of views of the appeal site are from positions on its boundaries, or in close proximity. Where there are views, they are typically filtered by the 'layering' of field boundary vegetation across the area, which is regular and forms effective screening, even during the winter months, see **Plates 9 and 10**.



Plate 9: “Layering” of existing vegetation patterns looking south towards the site from Shilton Road (ref. LVIA Viewpoints 1a, 1b and 1c, Appendix A)



Plate 10: “Layering” of existing vegetation patterns looking west towards the site from the end of Dawsons Lane (ref. LVIA Viewpoint 12, Appendix A)

- 5.24 A detailed analysis has been completed for a range of representative viewpoints (informed by the previous LVIA work and discussion at the 2023 appeal), including reference to the sensitivity of the visual receptors and the nature and degree of the likely changes to the view.
- 5.25 Views from the PRoW network are generally gained from the south where the rising landform along which the settlements of Barwell and Earl Shilton are located, allows distant views towards the appeal site. There are also limited, filtered views towards the appeal site from the public right of way that extends from the eastern end of Dawson's Lane, connecting with Carrs Lane to the east.
- 5.26 In overall terms, the greater degree of visual impact will be from those areas in close proximity, such as receptors looking south from Shilton Road (where interactions of topography and vegetation allow), and from the boundaries of the appeal site, which is to be expected for receptors on the boundary of any development site in a greenfield location. Where the proposed development is seen from more distant locations, it will appear set within a strong framework of existing vegetation, in the context of the existing settlement of Barwell.
- 5.27 In respect of the 2017 Gladman scheme, with regard to visual amenity, the contraction of the appeal proposals in comparison are evident. In relation to the views from Shilton Road, less development will be visible, with the overall existing visual composition being retained; from The Common, where no built form is proposed south of the existing settlement, the settlement edge here would stay where it currently is; and from the eastern end of

Dawson's Lane, the visual context and mitigation proposals will ensure long term retention of the overall existing visual composition.

- 5.28 On a "view by view" basis, the conclusions in respect of likely visual effects are, generally, consistent with those found for the previous proposal (Harrow Estates Scheme 1).
- 5.29 However, again as a direct consequence of the revised development and design approach to the appeal site, it is likely that the elevated views from Shilton Road will have a reduced adverse effect in the longer term on the basis of the increased tree planting across the development envelope; and views from Dawsons Lane will similarly have a reduced adverse impact in the longer term on the basis of the greater setback of the development envelope and the increased planting along that boundary.
- 5.30 Overall, it is clear that visual effects are limited and localised and as a result the appeal site represents a very good opportunity for residential development in visual amenity terms, to the scale and character of that illustrated.

Summary

- 5.31 A range of landscape and visual receptors have been tested and impacts have been identified for both landscape character and for visual receptors. This includes an iterative process whereby potential impacts have informed the landscape strategy for the appeal site and mitigation has become embedded in the proposed development.
- 5.32 This allows the proposed development to respond to the context of the setting of the local landscape and the policy context of the Green Wedge, together with its identified functions. A detailed consideration of the appeal site's context within the Green Wedge is set out in Section 6 of this Hearing Statement.
- 5.33 Overall, the proposed development will result in limited impacts at a localised level. The scale and form of proposed development is likely to result in impacts which are limited to the appeal site area and its immediate context. Furthermore, the proposals for open space and green infrastructure will deliver enhancements in terms of the physical landscape resource.
- 5.34 The revised development and design approach in comparison to the previous Harrow Estates Scheme 1 proposal also results in a series of reduced adverse effects from specific visual receptors, with greater benefits in terms of landscape features and the overall appearance and setting of the proposed development
- 5.35 It remains clear that the appeal site, in landscape and visual terms, is a very good one for residential development of this scale and character. The relative landscape sensitivity of the site (the condition of which in many places is extremely poor); its relationship with the existing settlement; its visual containment; and the ability to comprehensively mitigate the proposals, are evidence of this.

6 Green Wedge

Overview

- 6.1 The reason for refusal sets out that the proposed development would have harmful effects on the function of the Green Wedge in this location.
- 6.2 The appeal site is located within the north-eastern area of the Hinckley/Barwell/Earl Shilton/Burbage Green Wedge, directly adjacent to the settlement of Barwell, see **Plate 11 (Appendix D)**.
- 6.3 HBBC's Green Wedge Review divides it into several 'Assessment Areas' and the appeal site, and its local landscape area are located in Assessment Area C: East of The Common and south of Shilton Road.

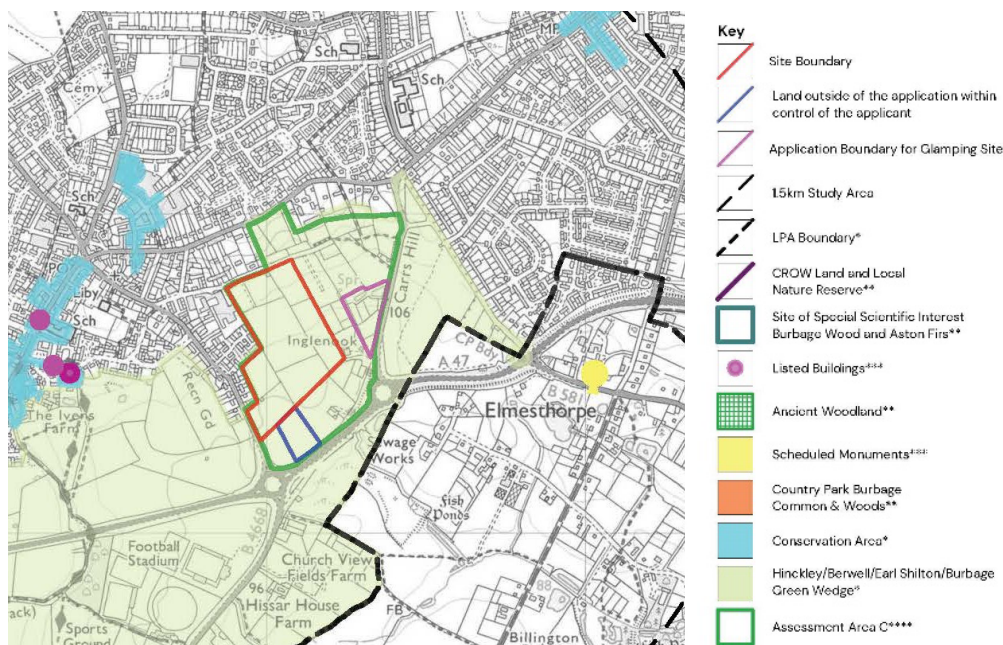


Plate 11: Extract from Pegasus LVIA Figure 2: Planning Designations showing extent of Green Wedge.

- 6.4 Assessment Area C is described as follows:
- 6.5 "This area helps to guide development form and contributes collaboratively to the prevention of merging settlements. It provides access via public rights of way, allotments and horse paddocks, performing the role of a green lung and a recreational resource.

The area is particularly sensitive to coalescence, providing a green lung and acting as recreational resource. It also plays an important role in connecting Barwell to Earl Shilton and provides intravisibility [sic] between a number of settlements."

Green Wedge Functions

- 6.6 The LVIA provides a specific appraisal of the appeal site's contribution towards the functions of the Green Wedge in this location, in respect of landscape and visual matters, and the likely effects of the proposed development on those functions.
- 6.7 **Plate 12 (Appendix E)** illustrates an analysis of this part of the Green Wedge in its local context. The distance across it extends from ca. 520 metres to the north; extending to ca. 830 metres to the south. It supports some passive recreational uses, and Areas C and D differ in local character, being paddocks and young woodland planting respectively.



Plate 12: Existing Green Wedge Analysis (ref. Figure JEP, Landscape and Visual Proof of Evidence Appeal ref. APP/K2420/W/22/3295558)

- 6.8 In relation to preventing the merging of settlements, whilst the site is located between the settlements of Barwell and Earl Shilton (which have already joined further to the north), it is located contiguously with the southern settlement edge of Barwell and lies between ca. 445 and ca. 465m west of Earl Shilton (taken from the eastern site boundary to Elmesthorpe Lane to the east). It forms a small part of the separation functionality of this part of the Green Wedge.
- 6.9 In relation to guiding development form, the appeal site is not protected for any particular quality or amenity value in landscape and visual terms. A combination of the existing settlement edge and other 'urban fringe' land uses such as the storage/salvage yard and horsiculture serves to cast an urbanising influence across it. This influences the capacity of the appeal site to accommodate development.
- 6.10 In relation to providing a green lung into urban areas, the appeal site forms part of the Green Wedge that extends physically and visually up the slope towards Shilton Road, offering panoramic elevated views southwards across the wider landscape, and more distant views northwards where the "funnel" of Green Wedge is evident.

- 6.11 In relation to acting as a recreational resource, notwithstanding that a large part of it is in use for keeping horses, the appeal site is not publicly accessible.

Perception of the Green Wedge

- 6.12 To understand the level of potential impact on the Green Wedge, it is also very important to understand how it is perceived in term of the 'experience' of travelling through, adjacent to or across the gap between the two settlements.

Dawson's Lane

- 6.13 With regard to users of Dawson's Lane, travelling west from Barwell, the experience changes at a first "threshold" approximately at the corner of the commercial development (see Viewpoint 3, LVIA, **Appendix A**). Whilst residential development remains on the northern side of Dawson's Lane, views open out to the south-east across the appeal site (in part) and the adjacent paddock, with glimpses of the settlement edge of Earl Shilton (Elmesthorpe Lane) in the distance. This experience will change in the context of the proposals.
- 6.14 Travelling further east, Dawson's Lane is generally well enclosed by hedgerow vegetation, channelling views along its axis as opposed to offering extensive views southwards, with the exception of those across gated access points.
- 6.15 There is a second "threshold" adjacent to the last dwelling ("The Pines") along Dawson's Lane, coincidental with a series of equine units on the appeal site itself adjacent to a gated access (see Viewpoint 2, LVIA, **Appendix A**). This is the north-eastern corner of the proposed development envelope. Up to this point, the experience is one of walking along a settlement edge, as opposed to having left a settlement.
- 6.16 Beyond this the land is undeveloped either side of Dawson's Lane, and there is a greater sense of having left the settlement, passing the allotments and heading towards the public footpath itself, where there is a third "threshold", and thereafter a very clear sense of being between settlements (i.e. heading across the eastern part of sub-area C and towards sub-area D of the Green Wedge). From this point, travelling along the public footpath to Carrs Hill, the experience is of a countryside walk.
- 6.17 Consequently, travelling west to east from Barwell to Earl Shilton, the experience of leaving one settlement, going through undeveloped land, then entering another, is a transitional one, based on crossing a series of thresholds.
- 6.18 The appeal proposals do not extend further than the second threshold, thereby limiting any effect on that part of the experience that offers any perceived value in terms of experiencing the separation between settlements.
- 6.19 Travelling from east to west, that experiences is reversed. The countryside walk is experienced first through area D of the Green Wedge, with very limited views of the settlement edge of Barwell, or the Appeal Site (see Viewpoints 10 and 11, LVIA, **Appendix A**). Then the threshold is crossed at the end of Dawson's Lane, and the edge of Barwell comes into view (see Viewpoint 12, LVIA, **Appendix A**), as will the proposed development. However, by that point, the expectation and presence of an approach to a settlement edge is established. By the time the next threshold is reached, existing development already exists

on the northern side of Dawson's Lane. This is also presented at viewpoint 12 LVIA **Appendix A**, where the wireline of the proposals is indicated, in the context of there being clear existing views of Barwell at this point.

6.20 In essence, whilst the appeal proposals will have an effect on the overall experience here, travelling east or west, they will be appreciated in the context of the existing settlement edge and thresholds, as opposed to creating a completely new experiential dynamic. This analysis here also aligns with comments in the HBBC Green Wedge Review 2020, that identified sub-area D as being particularly sensitive to development in the context preventing the merging of settlements (para. 6.3).

6.21 It is evident that it is the combination of the eastern part of sub-area C and sub-area D offer the greatest perception (or sense) of separation, and this is very clear to understand out in the field, see **Plate 13**. Importantly, these areas are not affected by the appeal proposals.



Plate 13: View along the public footpath that crosses "Area D" of this part of the Green Wedge

The Common

6.22 From The Common, the only real experience of separation between the settlements is likely to be gleaned visually looking east from the road, or from residential units. From the road, views are limited (see Viewpoints 6a and 6b, LVIA, **Appendix A**), and from residential units, the experience is dependent on what the current view comprises of, specifically if the settlement edge of Earl Shilton is visible.

6.23 As a result, the function of the Green Wedge will not be affected by the appeal proposals in this location.

Leicester Road/A47

- 6.24 In relation to the A47/Leicester Road, views of the appeal site, and the appreciation of the separation of settlements from the section of the A47 between its junctions with The Common and Carrs Hill, are very limited (see Viewpoints 7 and 8, LVIA, **Appendix A**), and the proposed development does not feature as such.
- 6.25 As a result, the function of the Green Wedge will not be affected by the appeal proposals in this location.

Shilton Road Views

- 6.26 Viewpoint 1a (LVIA, **Appendix A**) is taken from Shilton Road. At Year 1, the appeal proposals will be visible in the middle distance, in the central part of the view. The extent to which it is visible is limited by the vegetation patterns prevalent on and around the appeal site, such that it is only roofscapes and upper elements of elevations likely to be visible.
- 6.27 Over time, mitigation planting will come into effect, such that (reduced) elements of roofscape are seen nestling amongst the vegetation patterns, as presented at viewpoint 1a, LVIA **Appendix A** where in particular the eastern extent of the proposed development envelope will retract in comparison to the previous scheme.
- 6.28 The overall composition of these existing views will not change; they will remain intact. The extent of proposed development visible in the long term is limited and is consistent with that already visible in the view on the edge of Barwell and beyond. The overall verdant and visually linked combinations of open pasture in the foreground, vegetated sloping topography in the mid distance, and countryside beyond to great distance will be retained.
- 6.29 As a result, the perception of the Green Wedge from this location, will also be retained.

Summary

- 6.30 Overall, with regard to the function of “Preventing the Merging of Settlements”, this part of the Green Wedge contributes to that function as it provides the separation of Barwell to the west and Earl Shilton to the east. In the context of the appeal site proposals, there will be some physical reductions across parts of the Green Wedge.
- 6.31 However, physical distance is only one part of the merging/separation analysis; consideration of visual separation and experiential separation are all part of an integrated approach to understanding likely effects on this function of the Green Wedge. Both visually and experientially, the likely effects on this function of the Green Wedge, will be limited.
- 6.32 With regard to the function of “Guiding Development Form”, such is the character of the local landscape, in combination with the history of development of the settlement edge of Barwell, that in the context of the appeal site, the Green Wedge is still able to guide development form in terms of scale, form and character of the appeal proposals. As such the likely effects on this function of the Green Wedge, will be very limited.
- 6.33 With regard to the function of “Providing a Green Lung into Urban Areas”, sub-area C does contribute here, in respect of the physical and visual connectivity of the wider countryside to the south, extending up to and between Barwell and Earl Shilton. In addition, it provides

some (private) multi-functional land uses. Given the scale of the appeal proposals however, the physical and visual connectivity across this part of the Green Wedge will generally be retained, and the variety of land uses increased. As such the likely effects on this function of the Green Wedge, will be limited.

- 6.34 With regard to the function of “Acting as a Recreational Resource”, sub- area C currently is limited in terms of public access and associated active and passive recreational activities – there is a single footpath and an area of allotments. In the context of the appeal proposals, both access and recreational opportunities will be increased. As such the likely effects on this function of the Green Wedge, will be beneficial.
- 6.35 Overall, it is considered that in landscape and visual terms, the site does not perform a significant role in respect of any of the Green Wedge functions identified. The proposed development is likely to result in a limited impact on these functions, as well as providing some benefits.
- 6.36 Furthermore, when considering the limited and localised landscape and visual effects found by the LVIA (**Appendix A**) in relation to the appeal proposals, as landscape and visual matters and Green Wedge matters are inherently linked, it follows that Green Wedge harm must be similarly limited.

7 Response to Policy

- 7.1 In the context of the analysis set out in this Statement, and with reference to the impacts identified in the LVIA (**Appendix A**), this section of the Statement address these in the context of the landscape policy framework.

NPPF and PPG

- 7.2 The NPPF sets out three dimensions to achieving sustainable development that include economic, social and environmental considerations. It places an onus on the planning system to perform a role in relation to the environment that *'contributes to the protection and enhancement of our natural, built and historic environment...'* going on to note that sustainable solutions should take account of local circumstances and reflect the character of each area. This underpins the strategic guidance set out in the NPPF in relation to landscape and visual matters.
- 7.3 In relation to landscape and visual matters, achieving well-designed places (Section 12) aims to ensure that developments are *'visually attractive'*, are sympathetic to local character (including the surrounding built environment and landscape setting) and to establish and maintain a strong sense of place.
- 7.4 Section 15 of the NPPF addresses on *'conserving and enhancing the natural environment'* stating that policies and decisions should contribute to this by *'protecting and enhancing valued landscapes'* (noting that this should be commensurate with a statutory status or identified quality identified in a development plan) and also recognising the *'intrinsic character and beauty of the countryside'*.
- 7.5 To satisfactorily address policy at a national level, it is necessary to undertake an appraisal of landscape character making reference to published guidance, but also looking more specifically at the local landscape character where published guidance is not prepared in sufficient detail. This establishes a detailed baseline position for the landscape character of a site or area in question.
- 7.6 The submitted LVIA has been undertaken using a methodology which accords with current best practice guidance for landscape and visual impact assessment (Guidelines for Landscape and Visual Impact Assessment, Third Edition) (GLVIA3). The LVIA makes reference to published landscape character assessment prepared at a national and district level and also addresses local character by reference to the key characteristics of the appeal site and its immediate context. Therefore, the LVIA responds fully to the requirement of the NPPF and PPG.
- 7.7 The proposed development has recognised and considered the intrinsic character of the countryside, with respect to its scale, the disposition of the development envelope, and provision of open space and integral green infrastructure. It is a site capable of being successfully mitigated and read consistently with the existing settlement pattern.

HBBC LDF Core Strategy (2009)

- 7.8 Policy 6 of the Core Strategy states that the function of the Green Wedge is to protect the separation of settlements and provide access from the urban areas into green spaces. It is

not a restrictive policy, seeking to prevent development – the aim is to ensure that as the urban area grows, open space is incorporated to provide a recreational resource, having regard to coalescence and acting as a green lung. It is accepted that residential development may be necessary in the Green Wedge to fulfil future development requirements, as recent Appeal Decisions illustrate.

7.9 The policy states that any land use or associated development in the Green Wedge should:

(a) Retain the function of the Green Wedge

7.10 Response: In the context of the appeal site, the four functions of the Green Wedge will remain intact. There are likely to be only limited effects on the prevention of merging of settlements; very limited effects on guiding development form; and limited effects on the provision of a green lung. There are likely to be beneficial effects in respect of the recreational function.

(b) Retain and create green networks between the countryside and open spaces within the urban areas

7.11 Response: The appeal site proposals will retain existing green networks, both visually and physically, from the open countryside right up to Shilton Road. In addition, new green networks will be created with enhanced biodiversity across large parts of the proposed open spaces, together with pedestrian links between smaller open spaces within the residential element on the appeal site and the wider Green Wedge.

(c) Retain and enhance public access to the Green Wedge, especially for recreation;

7.12 Response: The appeal site currently has no public access. The proposals will include a new public footpath linking Dawson's Lane to the A47, and also opportunities (on a managed basis) to use wider parts of the proposed open space, thereby opening up large areas of Area C of the Green Wedge, for both active and passive recreation.

(d) Should retain the visual appearance of the area;

7.13 Response: The appeal proposals represent a demonstrable scaled back approach when compared to the Gladman proposals; and a carefully considered "re-crafting" of the previous Harrow Scheme 1 proposals, which together with inherent changes to the design approach to mitigate and reduce potential impacts as a response to the latest Inspector's decision (2023). Consequently, likely landscape and visual effects will reduce, and are capable of being comprehensively mitigated. As such, the visual appearance of this part of the Green Wedge will be retained in respect of both its character and functionality.

Hinckley and Bosworth Borough Site Allocations and Development Management Policies DPD

7.14 The first reason for refusal sets out that the proposed development will be contrary to Policy DM4: Safeguarding the Countryside and Settlement Separation, of the Hinckley and Bosworth Site Allocations and Development Management Policies DPD.

7.15 Policy DM4 of the SADMP (CD 10) concerns the safeguarding of the countryside and settlement separation. Looking specifically at criterion (i) to (v):

(i) It (the development) does not have a significant adverse effects on the intrinsic value, beauty, open character and landscape character of the countryside.

7.16 Response: The appeal proposals will have some effects on landscape character – all developments of this scale and type do – but they do not amount to significant effects, as the LVIA concludes. This is a consequence of the scale, nature and character of the proposals in their local and wider landscape, and how they have been conceived.

(ii) It does not undermine the physical and perceived separation and open character between settlements.

7.17 Response: Again, there are likely to be some effects of the proposed development on the separation of settlements, as my evidence and the LVIA concludes, however, such effects are limited and the integrity of the undeveloped countryside between Barwell to the west and Earl Shilton to the east, where gap/separation/prevention of merging of settlements etc. are concerned, will be retained.

(iii) It does not exacerbate ribbon development.

7.18 Response: The Appeal Site proposals neither constitute nor exacerbate ribbon development.

(iv) If within a Green Wedge, it protects its role and function in line with Core Strategy Policies 6 and 9;

7.19 Response: The Appeal Site lies within sub-area C of the Green Wedge, and the four functions of this part of the Green Wedge have been analysed together with the role the Appeal Site plays in those functions. Any such effects range from limited to beneficial on those functions.

(v) If within the National Forest & etc.

7.20 Response: The Appeal Site does not lie within the National Forest

7.21 Policy DM10 concerns development and design. The majority of the criteria set out to ensure the proposed development is of a land use compatible with adjacent existing ones, and that the detail design and its delivery will meet certain standards.

7.22 With specific respect to criterion (e), there would be a high standard of landscape design delivered, not least of all in respect of matters such as retained vegetation, green links and management of open spaces.

8 Summary and Conclusion

Reasons for Refusal and Policy Context

- 8.1 The reason for refusal where landscape, visual and Green Wedge matters are concerned, is the same as that set out in respect of the previous reasons for refusal to the previous Harrow Scheme 1 proposal. The policy context remains the same.
- 8.2 This raises concerns as to the extent to which the proposal now the subject of this appeal, which is tangibly different to the previous application/appeal, has been properly acknowledged, recognised and considered as such on its own merits.

Site Masterplanning History

- 8.3 The masterplanning process on this site has evolved across the lifespan of three separate applications, and two appeals. In doing so, it has evidently made the effort to respond positively to the Inspector's concerns in dismissing the Gladman scheme, and thereafter the Harrow Scheme 1.
- 8.4 As such, this site has been tested, in masterplanning and landscape and visual terms (amongst others) three times now; and with regard to the scheme the subject of this appeal, represents a thoroughly considered masterplan option that has been genuinely landscape, visually and Green Wedge led.

Harrow Estates Scheme 2

- 8.5 There are material differences between this proposal and the previous Harrow Estates 1 scheme. The fact that the overall scale, form and character of each proposal appears to be similar, does not automatically imply that the two are one and the same. They are not, and for good reason.
- 8.6 The reason they are different is in response to both the Inspector's concerns at the previous appeal; the ability now to use an element of land that was not previously available; and a wholesale review of the design approach.
- 8.7 This has resulted in material changes to the overall development envelope in response to Inspectors concerns and consequent review by the Appellants Consultant team; and internally within that development envelope, material changes associated with a reduction in overall unit numbers and density; and the consequential beneficial effects that have come from that in terms of the quality of the overall design.

Landscape and Visual Effects

- 8.8 In overall term, the landscape and visual effects of this revised proposal will either align with the previous proposal or reduce in part.
- 8.9 The relative sensitivity of the site and its natural disposition in a contained part of the existing settlement edge, ensure that this is a very good prospect in landscape and visual

terms where residential development of the type and scale illustrated is concerned, from day 1. Much of the mitigation is already in place for these reasons.

- 8.10 Additional mitigation has been carefully conceived and developed through the use of 3D testing to identify an acceptable form of development with regard to both its horizontal and vertical (height) parameters, with an integral landscape and visual mitigation scheme that will embed itself into the existing Green Infrastructure on the site.
- 8.11 The level of potential impact has been reduced as a result of genuinely landscape and visually (and Green Wedge) led approach to development, on a site that offers substantial opportunity regardless.

Green Wedge

- 8.12 The functionality of this part of the Green Wedge within which the site lies, has been considered in great detail. The level to which those functions prevail within this part of the Green Wedge are known and understood and have been influential in the consideration of the scale, and form of the proposals. Such functionality will remain intact in the context of these development proposal.
- 8.13 Notwithstanding the above, the site does not lie in that part of (this area of) the Green Wedge that offers the greatest levels of functionality, and as such the user experience (perception – one of the best ways of “testing” Green Wedge functionality) of travelling though this part of the Green Wedge, will not be compromised.

Policy

- 8.14 The proposals will not offend relevant national or Local Plan Policy.

Final Conclusion

- 8.15 This is a very good site for residential development, as demonstrated by its current character, disposition and context. The development proposals have been landscape and visually, and Green Wedge led; and are materially different to their predecessor for the reasons explained in this Statement.
- 8.16 In final conclusion the appeal proposals are wholly acceptable in landscape and visual, and Green Wedge terms.

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