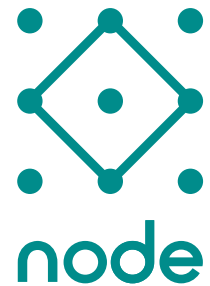


APP/K2420/W/23/3327377.



Town and Country Planning Act

Appeal Ref: **APP/K2420/W/24/3348387**.
LPA Application No: 23/01229/OUT

Hinckley and Bosworth Borough Council

**Proposed planning application for up to 95 dwellings Land East
of Common, Barwell, Leicestershire**

Landscape Statement

Nigel Wakefield BA (Hons) BTP/DIP LA DIP/MA UD MRTPI

January 2025

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Node Urban Design Ltd

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1.0 INTRODUCTION AND SCOPE OF EVIDENCE

Personal Details

- 1.1 My name is Nigel Wakefield BA(Hons), BTP, Dip LA,MA UD, MRTPI. I am managing director of Node Urban Design Ltd, urban design, landscape and heritage practice. I am a qualified planner, landscape architect and urban designer.
- 1.2 I have over 30 years' experience of providing urban design, masterplanning and landscape services on an extensive range of residential and mixed-use developments across the UK. This has included the production of masterplans, design and access statements, design codes, landscape/townscape visual impact assessments, and landscape and public realm design. I own and run an accredited Landscape Institute practice employing landscape architects, urban designers and heritage consultants. I am a Built Environment Expert (BEE) for CABE/Design Council UK and sit on several design review panels. I am an experienced design and landscape witness.
- 1.3 Node acts as a consultant to public and private sector clients including local authorities, developers, house builders, universities, and landowners.

Scope of Statement

- 1.4 Planning permission for up to 95 dwellings was refused by officers at Hinckley and Bosworth Council on 17th June 2024.
- 1.5 Permission was refused for the following four reasons:

Reason 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).

Reason 2

The applicant has failed to demonstrate that the development would not have a severe cumulative impact on the highways network and has not shown that the development would pose no risk to highway safety. The development proposals are contrary to policy DM17 of

the Site Allocations & Development Management Policies Development Plan Document (2016) and the advice contained in the National Planning Policy Framework.

Reason 3

In the absence of a completed legal agreement, the proposed development fails to make adequate provision for affordable housing, contrary to policy 15 of the Core Strategy and section 6 of the National Planning Policy Framework.

Reason 4

In the absence of a completed legal agreement the proposed development fails to provide planning obligations that would mitigate the development's impact on infrastructure contrary to Core Strategy policy 19, policy DM3 of the Site Allocations and Development Management Policies Development Plan Document (2016) and paragraph 55 of the National Planning Policy Framework.

- 1.6 Node were appointed by Hinckley and Bosworth Borough Council in December 2024 to prepare a landscape statement in respect of the appeal hearing against refusal of permission.
- 1.7 My evidence addresses the landscape reason for refusal 1 as set out above.
- 1.8 I am familiar with the site in question, having reviewed all relevant background information and undertaken field surveys In December 2024.
- 1.9 My statement is structured as follows:
 - Chapter 2 – Policy Framework
 - Chapter 3 – The Proposed Site: Local Context and Character
 - Chapter 4 – Planning History and Application
 - Chapter 5 – Landscape Baseline Appraisal
 - Chapter 6 – Appraisal of Landscape Effects
 - Chapter 7 – Appraisal of Visual Effects
 - Chapter 8 – Green Wedge Assessment
 - Chapter 9 – Summary and Conclusions

1.10 Supporting plans, background documents and visual assessments are included in separate appendices, as follows:

- Appendix 1 - Location Plan - Aerial photograph
- Appendix 2 - Historic Plans
- Appendix 3 - Landscape Character Areas
- Appendix 4 - Green Wedge
- Appendix 5 - Illustrative Masterplan Comparison
- Appendix 6 - Viewpoint Location Plan
- Appendix 7 - Visual Assessment
- Appendix 8 - Landscape Assessment Methodology

1.11 The landscape statement which I have prepared and provide for this appeal is true to the best of my knowledge and belief. I confirm that the opinions expressed are my true and professional opinions.

2.0 POLICY FRAMEWORK

The National Planning Policy Framework

- 2.1 Chapter 15 of the National Planning Policy Framework (revised December 2024) is entitled 'Conserving and enhancing the natural environment.'. Paragraph 187 provides (so far as relevant):

Para 187. Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*

Paragraph 135 elaborates (again so far as relevant):

Para 135. Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

Hinckley and Bosworth Site Allocations and Development Management Policies DPD July 2016

Policy DM4: Safeguarding the Countryside and Settlement Separation

- 2.2 Policy DM4 provides:

“To protect its intrinsic value, beauty, open character and landscape character, the countryside will first and foremost be safeguarded from unsustainable development. Development in the countryside will be considered sustainable where:

- a) It is for outdoor sport or recreation purposes (including ancillary buildings) and it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; or*
- b) The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or*
- c) It significantly contributes to economic growth, job creation and/or diversification of rural businesses; or*
- d) It relates to the provision of stand-alone renewable energy developments in line with Policy DM2: Renewable Energy and Low Carbon Development; or*
- e) It relates to the provision of accommodation for a rural worker in line with Policy DM5 - Enabling Rural Worker Accommodation.*

and:

- i) It does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside; and*
- ii) It does not undermine the physical and perceived separation and open character between settlements; and*
- iii) It does not create or exacerbate ribbon development;*
- iv) If within a Green Wedge, it protects its role and function in line with Core Strategy Policies 6 and 9; and*
- v) If within the National Forest, it contributes to the delivery of the National Forest Strategy in line with Core Strategy Policy 21”.*

Policy DM10: Development and Design

2.3 Policy DM10 provides:

‘Developments will be permitted providing that the following requirements are met:

- a) It would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting, air quality (including odour), noise, vibration and visual intrusion;*
- b) The amenity of occupiers of the proposed development would not be adversely affected by activities in the vicinity of the site;*
- c) It complements or enhances the character of the surrounding area with regard to*

- scale, layout, density, mass, design, materials and architectural features;*
- d) The use and application of building materials respects the materials of existing, adjoining/neighbouring buildings and the local area generally;*
 - e) It incorporates a high standard of landscaping where this would add to the quality of the design and siting;*
 - f) It maximises opportunities for the conservation of energy and resources through design, layout, orientation and construction in line with Core Strategy Policy 24;*
 - g) Where parking is to be provided charging points for electric or low emission vehicles are included where feasible;*
 - h) An appropriate Sustainable Drainage Scheme is submitted to and approved by the relevant Authority. Schemes should incorporate wildlife areas, ponds, swales and permeable paving where appropriate;*
 - i) It maximises natural surveillance and incorporates the principles of Secured by Design and has considered the incorporation of fire safety measures.*

In exceptional circumstances where outstanding, innovative design is demonstrated (particularly where high levels of sustainability are an integral feature), applications will be considered favourably, even where this may result in some limited conflict with the above criteria.'

Hinckley and Bosworth Core Strategy (2009)

Policy 6: Hinckley/ Barwell/Earl Shilton/Burbage Green Wedge

2.4 Policy 6 states:

Within the Hinckley/Barwell/Earl Shilton/Burbage Green Wedge uses will be encouraged that provide appropriate recreational facilities within easy reach of urban residents and promote the positive management of land to ensure that the Green Wedge remains or is enhanced as an attractive contribution to the quality of life of nearby urban residents.

The following land uses will be acceptable in the Green Wedge, provided the operational development associated with such uses does not damage the function of the Green Wedge:

- (a) Agriculture, including allotments and horticulture not accompanied by retail development
- (b) Recreation
- (c) Forestry
- (d) Footpaths, bridleways and cycleways

- (e) Burial grounds
- (f) Use for nature conservation

Any land use or associated development in the Green Wedge should:

- (a) Retain the function of the Green Wedge
- (b) Retain and create green networks between the countryside and open spaces within the urban areas
- (c) Retain and enhance public access to the Green Wedge, especially for recreation and
- (d) Should retain the visual appearance of the area

Policy 20: Green Infrastructure

2.5 Policy states inter alia:

The implementation of the Green Infrastructure Network as outlined on the Key Diagram is a key priority of the council. To assist delivery of this plan, the following strategic interventions will be supported:

Hinckley/Barwell/Earl Shilton/Burbage Green Wedge - Maintain the green wedge between Hinckley and Barwell as it plays an important environmental and landscape protection role. Look to develop it into a large-scale recreational asset to service the Sustainable Urban Extensions and residents living in North Hinckley.

Hinckley/ Barwell/ Earl Shilton / Burbage Green Wedge Review (April 2020)

- 2.6 The site is located within the north-eastern area of the Hinckley/Barwell/Earl Shilton/Burbage Green Wedge, directly adjacent to the settlement of Barwell. The Green Wedge covers an area of approximately 444ha and extends from the south of Barwell, stretching across to Earl Shilton.
- 2.7 The Green Wedge Review provides an assessment of the land within it using the following assessment criteria:
 - Preventing the merging of settlement
 - Guiding development form
 - Providing a Green Lung into urban area; and
 - Acting as a recreational resource
- 2.8 The site is located within Assessment Area C: East of The Common and South of Shilton Road. In relation to Area C, in conclusion the assessment states (with reference to paragraphs 7.7 to 7.11, and the Gladman (2017) Appeal):

- 2.9 *'Similar to Area B, topography is an important consideration within this part of the Green Wedge. The topography enables a unique character to the edge of Barwell; there are long distance views from Shilton Road. From this vantage point it is possible to view Burbage, Elmesthorpe and the spire of the church in Stoney Stanton. Paragraph 24 of the Inspector's Planning Appeal Decision for Shilton Road also found this area was particularly sensitive in terms of providing a green lung. The Inspector stated 'I consider the scheme would have a substantial and adverse effect on the third purpose - that of providing a green lung into the urban areas. Attributable in no small part to the elevation of Shilton Road, the existence of the appeal site as undeveloped land ensures the extension of the countryside into the built-up area of Barwell in a particularly attractive manner'. The Landscape Character Assessment (2017) supports this and identifies that a key sensitivity within this area is the 'extensive visibility and long-distance views across open expanses of rolling farmland' and 'any change/development has the potential to be widely visible'.*
- 2.10 *This area helps to guide development form and contributes collaboratively to the prevention of the merging of settlements. It provides access via public rights of way, allotments and horse paddocks, performing the role of a green lung and a recreational resource.*
- 2.11 *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 intra-visibility between a number of the settlements.*
- 2.12 *In the recent Appeal Decision at The Common, Barwell, the Inspector identified that the appeal site would was an integral part of the Green Wedge. He noted that 'the site would significantly erode the function of coalescence, visual appearance and the green lung element afforded by this site. These harms together lead me to conclude that substantial harm arises to the character and appearance of the countryside'. This highlights the importance of this area in the function of the green wedge.*
- 2.13 *There are no suggested boundary amendments for this assessment area."*
- Other Relevant Guidance**
- 2.14 Other relevant guidance relating to design and landscape are:
- Hinckley and Bosworth Landscape character Assessments (2006)
 - Good Design Guide (2020)

3.0 THE PROPOSED SITE: LOCAL CONTEXT AND CHARACTER

Context and Land Use

- 3.1 The application site comprises approximately 10.92 hectares and is made up of nine field parcels, which are used as paddocks, divided by mature native hedgerows and trees and some sections of fencing. The site is accessed at present by field accesses taken from The Common and Dawson's Lane. The site slopes gently upwards towards Dawson's Lane.
- 3.2 The boundaries of the site are predominantly defined by existing hedgerows and sporadic tree planting. The site is bounded to the north by Dawson's Lane, to the west by the rear boundaries of the existing dwellings on The Common and The Enterprise Centre. Open countryside lies beyond the site boundaries to the east and south. The A47, Leicester Road, is located beyond the fields/paddocks located to the south of the site.
- 3.3 The site is located within the Hinckley/Barwell/Earl Shilton/Burbage Green Wedge, a multi-functional designation that provides recreational opportunities; performs an agricultural role; provides opportunities for flora and fauna; and links urban areas with open countryside. Its primary functions are to guide the development form of urban areas in order to maintain settlement identity and prevent coalescence, provide a 'Green Lung' into the urban area and to act as a recreational resource. Policy 6 of the core strategy does not include residential development as a suitable use within Green Wedge designations. It also highlights that any land use associated with the Green Wedge should retain the visual appearance of the area. Which in this case, grassland, pasture, horse paddocks with medium and long-distance views across open countryside.
- 3.4 The site is located in Flood Zone 1 and is at low risk of fluvial flooding. The part of the site that is bounded by the A47 is at high risk of surface water flooding. There are also some areas at low risk of surface water flooding within the site which correspond with the existing settlement edges. There are no heritage assets within the vicinity of the site and the site is not subject to any Tree Preservation Order.
- 3.5 The site composition has undergone some changes, compared to earlier applications, and now excludes the field/paddock to the south that bounds the A47 and in its place includes the paddock located to the west of The Enterprise Centre. It also includes development along the access road adjacent to The Common which the previous application that was refused at appeal excluded. The area of built form footprint is larger than the previous application that was refused at appeal.

Topography

3.6 The topography of the appeal site falls from a high point of 115m A.O.D at Dawsons Lane to the north of the site down to 95 m A.O.D on the southern part of the appeal site. To the north of the site the topography of the village rises to 120-135m and to the south of the site falls 80-90 m A.O.D along the railway line and Burbage Common before rising again to the south and west towards Hinckley and Aston Firs Woodland.

3.7 Public Rights of Way

A number of public rights of way exist within close proximity to the site. (See Node Appendix 1 – Location Plan/ Public Rights of Way). These include:

- The Leicestershire Round Long-Distance footpath.
- A public footpath to the east of the site that links Carrs Hill with Barwell.
- A network of public rights of way to the south and west of the site which link Barwell with Burbage Common and a bridleway which passes through Bridge Farm and Billington Rough to the south of the site.

4.0 PLANNING APPLICATION

4.1 This section considers the application of the site in reference to:

- Relevant Planning History
- Application Submission
- Officer's Report

Relevant Planning History

4.2 The most relevant recent planning history for the site is set out below:

17/00030/PP

- Residential development of up to 185 dwellings (outline - access only)
- Appeal dismissed
- 20.07.2018

17/00507/SCOPE

- Screening opinion for residential development of up to 185 dwellings and associated infrastructure.
- 13.06.2017

17/00531/OUT

- Residential development of up to 185 dwellings (outline - access only)
- Appeal Dismissed
- 29.08.2017

21/01470/OUT

- Residential development of 110 dwellings with associated access, open space and landscaping (outline - access only)
- Appeal dismissed
- 27.3.2023

Application Submission

- 4.3 The current planning application subject to this appeal for up to 95 dwellings at land east of the common Barwell was refused by officers at Hinckley and Bosworth Council on 17th June 2024.

Officer's Committee Report (June 2024)

- 4.4 The Officer's Committee Report sets out the following:
- Description
 - Planning history
 - Publicity and Consultation Responses
 - Policy Framework
 - Appraisal of Key Issues
 - Conclusion
- 4.5 The report recorded that concerns were raised by a member of the public inter alia over the loss of Greenspace / incursion on Green Wedge, traffic issues, additional light pollution and loss of outlook.
- 4.6 Of relevance to the landscape issues are the following comments from the committee report.

Open Countryside Policy

4.7 Para 7.20

'The site lies outside but adjoining the settlement boundary of Barwell in the Countryside as identified in Policy DM4 of the SADMPDPD. New residential development in this location is not acceptable in line with the provisions of the policy and as such the principle of development in the countryside is contrary to policy DM4.'

Green Wedge Policy

4.8 Para 7.23

'Policy 20 of the Core Strategy identifies that the green wedge between Hinckley and Barwell should be maintained as it plays an important environmental and landscape protection role.'

The proposal for residential development is not a form of development supported by Policies 6 and 20 of the Core Strategy and therefore would be in conflict with the development plan.'

Para 7.24

- 4.9 *'Paragraphs 39 to 41 of the previous appeal decision, relating to the same site, set out that development of the site would have an effect on the character and appearance of the area and on the Hinckley/Barwell/Earl Shilton Green Wedge. The current application has reduced the proposed development by 94 units, however, the fact remains that any development on this parcel of land would remain contrary to policy. For the reasons outlined above the principle of residential development on this site is contrary to the spatial policies within the development plan, specifically Policy 6 and 20 of the Core Strategy and PolicyDM4 of the SADMP.'*

Landscape Character

- 4.10 **Para 7.29 – 7.31**
- 4.11 *'The LCA identifies that the sensitivity of this area varies across the diverse urban fringe character area. It is concluded that strategically significant landscapes of high sensitivity are located close to principal urban areas. In the context of the previous application/appeal, the Council's Landscape Consultant found that the impact of the development upon the Landscape Character Area had been downplayed in the LVIA. This appears to be the case once again.'*
- 4.12 *'In the context of the earlier application/appeal the Council was advised that at a district level there would be **Moderate adverse** effects on the landscape character of Area F at year 1 reducing to **Moderate-Minor adverse** in year 15. At a site to local level there would be a **Medium to High** magnitude of change at year 1 reducing to **Medium** in year 15. This would result in a **Moderate adverse** effect in year 1 and **Moderate to Minor adverse** by year 15. There would be some **Major-Moderate adverse** effects on site features including land use which would be partly offset by Moderate neutral and beneficial effects through new planting. Effects on vegetation will arise from the impact on three hedgerows and a section of the boundary along The Common.'*
- 4.13 *'The adverse effects at district and site and local level count against the proposed development giving rise to some significant effects (where moderate and above). There appears to be no reason why an alternative conclusion would be made in the context of the current application, and this weighs heavily against the development proposals.'*

Visual Effects

4.14 Para 7.32

- 4.15 *The Council was advised in the context of the previous application/appeal that Major Adverse to Moderate Adverse effects arise from the development and impact upon public views. These include views from Dawson's Lane looking to the south (**Major adverse and Major to Moderate adverse**); elevated views from Shilton Road looking to the south (**Moderate adverse**); and at the proposed access from The Common (**Moderate adverse**).*

4.16 Para 7.33- 7.34

- 4.17 *'... the Inspector in the context of the earlier appeal considered the potential for additional planting on Dawson's Lane. She noted that "Notwithstanding this [the prospect of reducing the scheme to 95 dwellings and increasing planting along the boundary with Dawsons Lane] the housing of the scale indicated, i.e., with a maximum height of 9m, would be visible above the hedgerow to users of Dawsons Lane.". She added that "it was put to me that landscaping in the form of extensive planting of trees could mitigate these effects. However, landscaping cannot be considered permanent, and all vegetation has a natural life cycle and is susceptible to disease. Furthermore, extensive planting of tree belt would, in any event, alter the existing open character of the site and the rural amenity it currently affords users of Dawsons Lane and the allotments."*
- 4.18 *It is unlikely that the long views from Shilton Road will be improved due to the elevated position. The impact on views from The Common have likely been worsened due to the location of dwellings to the south and south east of 89 The Common, in a configuration that is not characteristic of the site's surroundings and settlement pattern, and the inclusion of housing within an additional field/paddock within the centre of the site. Where moderate and above these visual effects amount to significant effects at a local level to visual receptors and this weighs heavily against the development proposals.'*

Green Wedge

- 4.19 The committee report sets out key issues in relation to Green Wedge review which took place in 2020. Key points made in para 7.33- 7.43 were as follows:
- The Green wedge review recommended that no changes to the Green Wedge boundary should be made in the vicinity of the application site.
 - Due to the sloping topography of the green wedge, development of this site would have a substantial visual impact and bring development closer to the A47, compromising the

integrity of the wedge". It also observes that the Green Wedge in this location provides "green open space in a predominantly urban environment".

- The site is distinctively different in character to the urban form of the village of Barwell and is rural in nature.
- The site enables long distance views from Barwell to Burbage and other village's key vistas.
- The site provides a 'green lung' upon the edge of Barwell and plays an important contribution towards the quality of life for residents within the urban area Barwell *plays an important role in the setting of the settlement. It has a recreational and perceptual value to those using the surrounding footpaths and footways.*

Para 7.41 Inspector's view

- 4.20 *"The Inspector concluded her consideration of Green Wedge matters by observed that "By virtue of the physical loss of Green Wedge and the resulting diminishing of its value and the effects that would have on the quality of life of local residents, I find that the development would not retain the function of the Green Wedge nor would it retain the visual appearance of the area."*

Para 7.41

- 4.21 *"In the context of the previous most recent appeal (3295558) the Inspector made a number of remarks that are still considered to be relevant despite the scheme being reduced. The current application proposes up to 110 dwellings and the Inspector noted that, in the light of the Appellant's offer to reduce the scheme to 95 dwellings "I am not satisfied that such a small reduction in dwellings would overcome my concerns". In making this comment the Inspector would have had regard for the fact that the application was in outline form and that the layout was not fixed. Whilst the inclusion of additional paddocks have allowed for additional landscaping within the housing layout, the development remains dense, particularly on the western side of the site".*

Conclusion to Committee Report

Para 9.4

- 4.22 *"The benefits and adverse impacts are carefully weighed in the planning balance. It is considered that the significant public benefits of the scheme identified above would not*

outweigh the substantial harm apportioned to the countryside and settlement character and pattern, by virtue of the introduction of built form; the significant harm apportioned to the harm to the function of the Green Wedge; the significant and permanent harm to the intrinsic value, beauty and undeveloped rural character of the area; and the significant harm arising from the landscape and visual impacts of the development”.

5.0 LANDSCAPE BASELINE APPRAISAL

5.1 This section considers the site in the context of national, regional, and local landscape character assessments. It will set out the baseline context against which I have reviewed the development design presented in the Appellant's application documents.

National Landscape Character Assessment

5.2 Natural England's National Character Assessment places the site within the southern edge of Natural England's National Character Area (NCA) 94: '*Leicestershire Vales*'. The key characteristics of the NCA (p.7) include (with my underlining added):

- An open landscape of gentle clay ridges and valleys underlain by Mercia Mudstone and Lias groups bedrock but with an extensive cover of superficial deposits occasionally giving rise to moderately steep scarp slopes. There is an overall visual uniformity to the landscape and settlement pattern.
- Land use characterised by a mixture of pasture and arable agriculture that has developed on the neutral clay soils.
- Distinctive river valley of the Soar and Swift, with flat flood plains and gravel terraces together with tributaries including the Sence. Riverside meadows and waterside trees and shrubs are common, along with waterbodies resulting from gravel extraction.
- Woodland character derived largely from spinneys and copses on the ridges and the more undulating land and from waterside and hedgerow trees and hedgerows. The density, height and pattern of hedgerows varies throughout.
- Diverse levels of tranquillity associated with contrasts between busy urban areas and some deeply rural parts. Large settlements dominate the open character of the landscape. Leicester, Lutterworth, Hinckley and Market Harborough and related infrastructure, including major roads, are often visually dominant.
- Frequent small towns and large villages often characterised by red brick buildings and attractive stone buildings in older village centres and eastern towns and villages. Frequent, imposing spired churches are also characteristic, together with fine examples of individual historic buildings.

5.3 However, although NCA94 Leicestershire Vales covers a large area it is relevant to set the wider landscape context and in particular its emphasis of open landscape, land use characterized by mixed agriculture, its woodland character derived largely from spinneys and

copses on the ridges are all relevant to the character and appreciation of the appeal site and its setting.

5.4 The East Midlands Regional Landscape Character Assessment

5.5 The EMRLCA is a strategic regional level assessment. It subdivides the East Midlands Region into 31 Regional Landscape Character Types (LCT).

5.6 The site and study area lies within LCT 5A: Village Farmlands (p.151). Key characteristics are described as follows: (with my underlining added):

- *"Gently undulating lowlands, dissected by stream valleys with localised steep slopes and alluvial floodplains;*
- *Moderately fertile loamy and clayey soils with impeded drainage over extensive till deposits on higher ground and gravel terraces bordering main rivers;*
- *Mixed agricultural regime, with localised variations but with a predominance of either dairy farming on permanent pastures, or arable cropping;*
- *Small and moderately sized broadleaved woodlands and copses, often on sloping land extensive new areas of planting associated with The National Forest;*
- *Hedgerows and frequent oak and ash trees along hedge lines and streams contribute to well treed character of landscape;*
- *Moderately sized well maintained hedged fields across rolling landform create patchwork landscape of contrasting colours and textures;*
- *Extensive ridge and furrow and small historic villages linked by winding lanes contribute to historic and rural character of the landscape; and*
- *Localised influence of large estates*

5.7 The assessment identifies the forces for change in LCTA 5 A as follows:

5.8 Village expansion – *'Development on village margins can damage architectural and historic character, create visual intrusion and extend the urban fringe into the countryside.'*

5.9 In shaping the future landscape, it states

5.10 *'Care should also be taken to prevent coalescence, ensuring separation in maintained between the urban fringe and surrounding settlements.'*

Hinckley and Bosworth Landscape Character Assessment, September 2017

- 5.11 The Hinckley and Bosworth Landscape Character Assessment has been undertaken at a District/Borough level. Consisting of 2 parts, the assessment updates and replaces the previous Hinckley and Bosworth Borough Landscape Character Assessment, published in 2006.
- 5.12 The landscape of the borough has been divided into ten landscape character areas. The site falls within Landscape Character Area F: Burbage Common Rolling Farmland.(p.54) the 'key landscape characteristics ' of LCA F, as follows: (with my underlining added):
- 1) Large scale, gently rolling arable and pasture farmland with local variations in topography influenced by small streams.
 - 2) *Burbage Common and ancient woodland is of national and local importance as an ecological and recreational resource.*
 - 3) Medium to large scale rectilinear field pattern bounded by low hedgerows and post and wire fencing with smaller scale pasture fields around the settlements. Field boundaries and hedgerows generally follow contours.
 - 4) Urban fringe influences as a result of exposed settlement edges of Hinckley and Earl Shilton situated on higher ground and recreational uses around Burbage Common.
 - 5) *Sparse settlement within the area, comprising individual buildings and scattered farm complexes.*
 - 6) *Major transport corridors dissect the landscape and introduce noise and movement.*
 - 7) Open landform and lack of tree cover allows for expansive and distant views to edge of settlement, often situated on the skyline, and punctuated by major infrastructure.
 - 8) Public rights of way including the Leicestershire Round, concentrated around Burbage Common and extending outside the borough into Blaby.
 - 9) Green Wedge providing separation between Hinckley and Barwell and green infrastructure to the cluster of settlements of Burbage, Hinckley, Barwell and Earl Shilton."
- 5.13 **Key sensitives and values of LCA F are as follows:**
- 1) *Burbage Common provides natural and recreational interest, of particular value in close proximity to urban areas, as are nearby sports facilities and public rights of way.*

- 2) *Woodland and mature trees provide biodiversity and visually screen nearby development. Woodland spinneys, streams and small water bodies in and around Lutterworth Road provide naturalistic and recreation interest.*
- 3) *The generally rural character and undeveloped landscape of the Green Wedge which forms an important gap between Hinckley and Barwell and a green infrastructure link to the wider landscape in the north.*
- 4) *Low hedgerows and hedgerow trees surrounding fields reflect the parliamentary enclosure field pattern and form part of the overall ecological network connecting with mature woodland planting, some of which is ancient.*
- 5) *Maintain and enhance the recreational assets including Burbage Common and rights of way.*
- 6) *Create new and conserve existing notable habitats, in particular deciduous woodland and unimproved acid grassland.*
- 7) *Consider a strategic scale woodland planting initiative (e.g., linked to the National Forest) to help screen nearby urban development.*
- 8) *Consider the opportunity for using the historic parkland of the Burbage House estate as a framework for new green infrastructure links across the area and into nearby settlements."*

5.14 Landscape strategies identified include:

- *Respect and enhance the essentially rural character of the landscape. Ensure any new and existing development is integrated into the landscape such as ensuring built form is orientated to provide broken rooflines and integrated with woodland copses.*
- *The Sustainable Urban Extension to the southeast of Earl Shilton should aim to create a distinct new and contemporary identity and character(s) whilst responding to the existing context.*
- *Maintain the gap between Hinckley and Barwell as a multifunctional green corridor incorporating recreation.*
- *Maintain and enhance the recreational assets including Burbage Common and rights of way.*
- *Create new and conserve existing notable habitats, in particular deciduous woodland and unimproved acid grassland.*

5.15 **Hinckley and Bosworth Landscape Character Assessment - Urban and Townscape Character**

5.16 The appeal site is situated adjacent to Urban Character Area (UCA) 9 Barwell (p.121). The key characteristics are as follows: (with my underlining added):

- Ridgetop settlement with views to the open landscape north and south, the settlement appears relatively well-integrated in views from the north;
- *Workers terraces and factory buildings of red brick are a reminder of the industrial heritage of the town from the boot and shoe industry in the 19th and 20th centuries;*
- *Rural setting of the countryside to the south and west which maintains separation between Hinckley and Burbage;*
- *Dense, fine-grained streetscape with the majority of buildings fronting onto the street. Modest scale of predominantly two storey buildings;*
- The Church of St Mary, a landmark feature;
- *Some interesting historic buildings such as the Queens Head pub;*
- *Red brick and simple built form are the typical local vernacular.*
- The rural setting and 'green wedge' to the south of Barwell which provides a sense of separation from Hinckley.
- The views from the south of the settlement and from Shilton Road to the countryside provide a sense of space and sense of place.
- *The legacy left by the boot and shoe industry in the remnant factory buildings which provide a sense of local identity.*
- *The local vernacular of red brick and simple factory buildings.*
- *Interesting buildings and historic features including the Queens Head pub and the church which have local distinctiveness and sense of history.*
- Public footpaths and bridleways connecting the settlement with the surrounding countryside have recreational value and are tied into the local history of the area.
- *Areas such as Barwell Lane in the south and Kirkby Road in the north which have a more rural character and relate strongly to the surrounding countryside are sensitive to change.*
- Public rights of way including the Leicestershire Round which are valued for the recreation opportunities and connection to the countryside they afford.

- *St Mary's Church is valued for its sense of history and the role it plays as a local landmark."*

- 5.17 In conclusion, the combination of considering national, regional and local landscape character area assessments helps to establish a baseline upon which to consider the landscape effects of proposed development on both the site and its surrounding context.
- 5.18 The site and surrounding context are representative of a number of the key characteristics (as highlighted) within national and local character area assessments. This is addressed in Chapter 6 of this statement.

6.0 APPRAISAL OF LANDSCAPE EFFECTS

6.1 This section will consider firstly the overall landscape characteristics of the site and its landscape value, followed by a review of landscape effects as presented in the Appellant's LVIA. I shall set out my own conclusions on landscape effects, and where applicable my disagreement with the Appellant's conclusions in their LVIA.

Overall Landscape Characteristics

6.2 The character of the site itself has many of the typical qualities of the national, regional and local character areas as follows: (with my underlining added)

- An open landscape of gentle clay ridges and valleys underlain by Mercia Mudstone and Lias groups bedrock but with an extensive cover of superficial deposits occasionally giving rise to moderately steep scarp slopes. There is an overall visual uniformity to the landscape and settlement pattern.
- Open landform and lack of tree cover allows for expansive and distant views to edge of settlement, often situated on the skyline, and punctuated by major infrastructure
- Moderately sized well maintained hedged fields across rolling landform create patchwork landscape of contrasting colours and textures;
- Field pattern bounded by low hedgerows and post and wire fencing with smaller scale pasture fields around the settlements. Field boundaries and hedgerows generally follow contours.
- Urban fringe influences as a result of exposed settlement edges of Hinckley, Burbage and Earl Shilton situated on higher ground and recreational uses around Burbage Common.
- Green Wedge providing separation between Hinckley and Barwell and green infrastructure to the cluster of settlements of Burbage, Hinckley, Barwell and Earl Shilton.

6.3 The application site comprises approximately 10.92 hectares and is made up of nine field parcels, which are used as paddocks, divided by mature native hedgerows and trees and some sections of fencing. The site is accessed at present by field accesses taken from The Common and Dawson's Lane. The site slopes gently upwards towards Dawson's Lane.

6.4 The boundaries of the site are predominantly defined by existing hedgerows and sporadic tree planting. The site is bounded to the north by Dawson's Lane, to the west by the rear

boundaries of the existing dwellings on The Common and The Enterprise Centre. Open countryside lies beyond the site boundaries to the east and south. The A47, Leicester Road, is located beyond the fields/paddocks located to the south of the site.

- 6.5 The site is located within the Hinckley/Barwell/Earl Shilton/Burbage Green Wedge, a multi-functional designation that provides recreational opportunities; performs an agricultural role; provides opportunities for flora and fauna; and links urban areas with open countryside. Its primary function amongst other things is to guide development form of urban areas in order to maintain settlement identity and prevent coalescence.
- 6.6 The topography of the appeal site falls from a high point of 115m A.O.D at Dawsons Lane to the north of the site down to 95 m A.O.D on the southern part of the appeal site. To the north of the site the topography of the village rises to 120-135m and to the south of the site falls 80-90 m A.O.D along the railway line and Burbage Common before rising again to the south and west towards Hinckley and Aston Firs Woodland.

Landscape Value

- 6.7 GLVIA identifies that a landscape does not have to be designated nationally or locally to be valued (para 5.26).
- 6.8 GLVIA 3 table 5.1 p.84 identifies a range of factors that can help in the identification of a valued landscape. These are as follows:
- Landscape quality (condition): the intactness of the landscape and condition of individual elements;
 - Scenic quality;
 - Rarity;
 - Representativeness (whether the landscape contains a particular character or feature which are considered as important examples);
 - Conservation interests (specific heritage interests e.g. ecology, archaeological, historical, geological);
 - Recreational value (where landscape is valued for recreational activity with a specific focus on the landscape)
 - Perceptual aspects (notably wildness or tranquillity);
 - Associations (artistic, literary, historical or cultural).

Landscape quality (condition) (the intactness of the landscape and condition of individual elements)

- 6.9 The site is located in open countryside on the edge of Barwell. The site's landscape quality is comprised of a number of elements, which include grassland, mature hedgerow boundaries, hedgerow trees and the topography of the site.
- 6.10 The site is a mix of grassland and paddocks for horse grazing with a distinctive pattern of field boundaries dividing the site into eight fields.
- 6.11 My assessment is that the landscape quality has a clear pattern of characteristic elements as set out above. The site contributes to the rural character of the Green Wedge. I therefore conclude that it has a **good** landscape quality when considering the intactness of individual elements.

Scenic quality

- 6.12 The scenic quality of the landscape is primarily concerned with how the site relates to the senses.
- 6.13 The scenic quality of the site is **good** when looking south from Dawsons Lane (See Node Appendix 6&7- viewpoint 2), Views are of open and extensive across the site and wider landscape beyond. Foreground views are of rural horse paddocks and grassland with medium and long-distance views of tree coverage and agricultural land. The A47 corridor is largely screened by intervening trees and vegetation. The wider landscape quality in close proximity to the site is also good (See Node Appendix 6&7 - viewpoint 6) which has a rural feel with little built development visible.

Rarity

- 6.14 The site does not contain any rare or unusual landscape features. It is a rural landscape on the edge of Barwell of open grassland and horse paddocks on a south facing slope within the Hinckley, Barwell and Earl Shilton Green Wedge.

Representativeness (whether the landscape contains a particular character or feature which are considered as important examples)

- 6.15 The site does not contain anything of particular importance and is characteristic of national, regional and local character assessments.

Conservation Interests (specific heritage interests e.g. ecology, archaeological, historical, geological)

- 6.16 The site is not identified or designated as having ecology, archaeological, historical, or geological value.

Recreational Value (where landscape is valued for recreational activity with a specific focus on the landscape)

- 6.17 The site itself does not have any official public access, but it is clearly being used for recreational activities associated with horse and pony riding. A number of PRow exist within the vicinity as does Dawson Road allotments which overlook the site.

6.18 Perceptual aspects (notably wildness or tranquility)

- 6.19 The site's tranquillity is associated with its rural character and the site having been left to naturally regenerate in parts. It has an unmade road to the north with occasional vehicles using the Dawson Road Allotments. The A47 is some distance from the site itself. In its northern, eastern and central and parts, the site feels quite wild and tranquil.

Associations (artistic, literary, historical or cultural.)

- 6.20 The site itself has not been revealed to have any artistic, literary, historic or cultural associations.

Conclusion

- 6.21 Considering all of the GLVIA factors as set out in Box 5.1, my assessment is that the landscape value at a site-specific level is **good**. This is based on a clear pattern of characteristic elements which recognises a high landscape quality, and a **medium** susceptibility to accept change.

Appraisal of landscape effects in relation to identified receptors

- 6.22 I have considered the appraisal of landscape effects in relation to the following identified receptors:

- The Site
- Wider Area/ Landscape Character Area F: Burbage Common Rolling Farmland

The Site

- 6.23 My assessment of landscape effects on the site is as follows:
- 6.24 I have identified the landscape value and quality of the site as **good** as previously set out. This is based on clear pattern of characteristic elements with minor incongruous elements.

- 6.25 I have assessed the landscape susceptibility to change as **medium**. This is based on a landscape with good structure, medium degree of enclosure and intimacy, some detracting features or evidence of change.
- 6.26 In order to assess landscape sensitivity of the site I have cross referenced a **good** landscape value against a **medium** susceptibility to change which results in **medium / high** sensitivity (see Node Appendix 8 table 8.4)
- 6.27 I have assessed the magnitude of change on the site's landscape characteristics as **medium** as the amount of development will fundamentally change key landscape characteristics of the site.
- 6.28 When cross referencing a **medium / high** sensitivity against a **medium** magnitude of change it relates to a significance of landscape effect which is **moderate / major adverse** on the site itself (see Appendix 8, table 8.10). This is based on the loss of the open grassland landscape. This change will be permanent and irreversible. This takes into consideration the proportion of the site area lost to proposed development and the loss of hedgerow to provide a new access with required visibility splays. Consideration has also been given to mitigation planting which over time may compensate for some of the loss, but the fundamental landscape character of the site will have changed from a rural character to a more urbanised character, with residential development.

Wider Area/ Landscape Character Area F: Burbage Rolling Farmland

- 6.29 My assessment of landscape effects on the Wider Area/ Landscape Character Area F Burbage Rolling Farmland is as follows:
- 6.30 I have identified the landscape value and quality of the wider area and Landscape character area as **good**. This is based on clear pattern of characteristic elements, with minor incongruous elements.
- 6.31 I have assessed the wider landscape susceptibility to change is **medium**. This is based on a landscape with good structure, medium degree of enclosure and intimacy, some detracting features or evidence of change.
- 6.32 In order to assess the landscape sensitivity of the wider landscape, I have cross-referenced a **good** landscape value against a **medium** susceptibility to change which results in **medium /high** sensitivity (see Appendix 8 table 8.4).
- 6.33 I have assessed the magnitude of change on the wider area Landscape Character Area F Burbage Rolling Farmland and landscape characteristics as **medium /low** as this site is

largely screened to medium and long-distance views and so impacts on the wider landscape area and key characteristics of Area F Burbage Rolling Farmland are limited. The main exception to this is from Shilton Road when looking down on the site from higher ground and appreciating the wider landscape character area.

6.34 When cross referencing a **medium / high** sensitivity of change against a **medium/ low** magnitude of change, this produces an assessment of a **moderate adverse** significance of effect on the wider area in particular from Shilton Road (see Appendix 8, table 8.10).

6.35 **Summary and Conclusion**

6.36 The LVIA concludes in para 6.67 that the landscape magnitude of impact is **high**. It goes onto state, taking into account the medium sensitivity of the sites landscape character, that the overall site-specific significance of landscape effects will be **moderate to major adverse** reducing in the long term.

6.37 On the wider landscape character area, the LVIA concludes in para 6.68 the magnitude of impact is considered to be **low to medium**. This is similarly balanced with the design of the outline proposals and its associated inherent landscape mitigation. Assessed alongside the **medium sensitivity**, this will result in a **minor to moderate adverse effect**.

6.38 The LVIA goes onto state in para 6.69 At year 15 after competition, the proposed landscape planting strategy will have established sufficient to help further integrate the proposed development into the surrounding landscape character. The magnitude of impact will reduce to **low** and there will be a **minor adverse effect**.

6.39 I agree with the LVIA that the site-specific landscape effects will be **moderate to major adverse** which is significant. Where I disagree is that these effects will reduce in the long term as the openness of the landscape will be permanently lost as will the grassland and rural character of the site is replaced by residential development.

6.40 I agree with the LVIA that after 15 year of completion the magnitude of impact on the wider landscape will reduce to low and there will be **minor adverse** effect on the wider character area.

7.0 APPRAISAL OF VISUAL EFFECTS

- 7.1 This section considers both the appellant's assessment of visual impacts within the LVIA and is compared with Node's assessment.
- 7.2 Node have independently assessed 15 viewpoints of which 12 correspond with the viewpoints identified with the Pegasus LVIA. Node have identified two new additional viewpoints. Node Viewpoint 1 which is at the northwest corner of the site on Dawson's Lane. Node Viewpoint 10 an additional viewpoint from The Common to the west of the site that shows clear views into the site. Two viewpoints taken by Pegasus viewpoint 6 and 12 have been taken and assessed by Node to show a location closer to the appeal site from the allotment access road Node Viewpoint 4 and Node viewpoint 9 shows a wider context than just the hedge shown in Pegasus viewpoint 6 (See Node appendix 6 and 7 from Node viewpoint locations and panoramas.)
- 7.3 Node agrees with the Pegasus assessment for long distance views – Pegasus viewpoints 5, 7, 8, 9, 13, 14 and 15 and so for these views no comparison is made.
- 7.4 **Comparison Assessment**
- 7.5 To ascertain where similarities and difference lie within the assessment of visual impacts between the submitted LVIA and Node's assessment, each of the viewpoints is compared below but are grouped into different receptor groups as follows:

- 1) **Dawson's Lane/ Allotments**
- 2) **Public Rights of Way to east of site**
- 3) **Views from A47 to south**
- 4) **Views from The Common to the west of the site**
- 5) **Views from Garner Close**
- 6) **Views from Shilton Road**

Dawson Lane / Allotments

Node Viewpoint 1 – View from Dawson's Lane to the north of the site at gate access looking southeast

- 7.6 This viewpoint was chosen as it is the first point you come to on Dawson's Lane where the site is visible, and you start to get open views of the countryside. The appellant's LVIA did not include an assessment of this viewpoint.

- 7.7 My assessment is as follows and takes into consideration construction, year 0 and year 15. The visual sensitivity of this view is high as it relates to pedestrians using this route to undertake circular walks and access the wider PRow network.
- 7.8 The magnitude of change in construction and year 0 is **high** as residential development will be clearly visible and views out to open countryside will be interrupted by development. The significance of visual effects at construction and year 0 would therefore be **major adverse** reducing to **moderate adverse** at year 15 taking into account mitigation planting. The mitigation planting, although helping to screen development, does truncate the medium distance view with hedgerow and tree planting which has a negative impact in relation to appreciating the view.

Node Viewpoint 2 (Pegasus Viewpoint 3) – View from Dawson Lane to north of site looking south east

- 7.9 The appellant's LVIA assesses the visual receptor sensitivity as **high**, the visual magnitude of change at operation **high** and **medium** by year 15. With the effects at operation **major adverse** reducing to **moderate to minor adverse** by year 15.
- 7.10 I would agree that the visual receptor sensitivity is high and that the visual magnitude of change is **high** at operation and **medium** at year 15 and that **major adverse** impacts will occur at operation.
- 7.11 I don't agree that by year 15 the visual effects will be **moderate to minor adverse**. In my view, they will be **major to moderate adverse** which is significant. The reason for this is that rather than appreciating a wide-open view across open countryside the view will no longer exist at all. The view will be of a new hedgerow and mitigation planting with a gap for pedestrians to walk through which will afford views of new residential development rather than open countryside. The mitigation planting will be unlikely to screen complete the residential development behind.

Node Viewpoint 3 (Pegasus Viewpoint 2) – View from Dawson Lane to north of site looking south

- 7.12 The appellant's LVIA assesses the visual receptor sensitivity as **high**, the visual magnitude of change at operation **high/ medium** and **low** by year 15. With the effects at operation **moderate adverse** reducing to **minor adverse** by year 15.
- 7.13 I would agree that the visual receptor sensitivity high and that the visual magnitude of change is **high** at operation.

- 7.14 I don't agree that the visual effects will be moderate adverse at operation and **minor adverse** at year 15.
- 7.15 In my view they will be **major adverse** in construction and operation which is significant and **moderate adverse** by year 15. The reason for this is that during construction and in year 0 new residential will be clearly visible and rather than appreciating a long-distance view across open countryside the view will be of housing. In the longer-term mitigation planting will help to screen the view but again will truncate views and appreciation of open countryside across the Green Wedge which has an adverse impact on the appreciation of the view.
- 7.16 **Node Viewpoint 4 (Pegasus Viewpoint 2) – View from Dawson Lane to north of site looking south**
- 7.17 The appellant's LVIA assesses the visual receptor sensitivity as **high**, the visual magnitude of change at operation as **medium** and **medium/ low** by year 15, with the effects at operation **moderate adverse** reducing to **minor adverse** by year 15.
- 7.18 I would agree that the visual receptor sensitivity high and that the visual magnitude of change is **medium** at operation.
- 7.19 I don't agree that the visual effects will be **moderate adverse** at operation and **minor adverse** at year 15.
- 7.20 in my view they will be **major/ moderate adverse** in construction and operation which is significant and **moderate/ minor adverse** by year 15. The reason for this is that during construction and in year 0 new residential will be clearly visible and from the allotments themselves which are even closer than the access track will clearly see a major moderate impact from the baseline position. In the longer-term mitigation planting will help to screen the view but not totally screen.
- 7.21 In summary my view is that the LVIA underestimates the impacts from Dawson's Lane/ Allotments from all these viewpoints apart from the impacts from Node Viewpoint 2 (Pegasus Viewpoint 3) where we both agree **major adverse** impacts at year 0. I think in the longer term the LVIA has not fully taken into account the loss and appreciation of medium and long-distance views across the green wedge/ open countryside from Node viewpoints 1, 2 and 3. It appears to have focused upon visual impact as being about trying to hide residential development through mitigation planting.
- 7.22 Node Viewpoint 1 needs to be considered as this is the first location on Dawson Lane you have appreciation of the open countryside from the built-up area. in addition, in contrast to the

previous proposal now has residential development in this northwest corner of the site and so is important consider specifically. In addition, factoring in views from residential properties off Dawson's Lane or a rising topography to the north of the site will likely allow views over proposed mitigation planting or truncate views as occurs on Dawson's Lane itself.

Public Rights of Way to east of site

Node Viewpoints 5 and 6 (Pegasus Viewpoints 11) – View from Public Right of Way to east of site

- 7.23 The appellant's LVIA assesses the visual receptor sensitivity as **high**, the visual magnitude of change at operation as **medium/ low** and low by year 15, with the effects at operation **minor adverse** reducing to **minor adverse/ negligible** by year 15. I agree with this assessment.

Node Viewpoints 7(Pegasus Viewpoints 10) – View from Public Right of Way to east of site

- 7.24 The appellant's LVIA assesses the visual receptor sensitivity as **high**, the visual magnitude of change at operation as **medium/ low** and low by year 15, with the effects at operation **minor adverse** reducing to **minor adverse/ negligible** by year 15. I agree with this assessment.

7.25 Views from A47 to south

Node Viewpoints 8 (Pegasus Viewpoints 8) – View from A47 to south

The appellant's LVIA assesses the visual receptor sensitivity as **medium**, the visual magnitude of change at operation as **medium/ low** and low by year 15, with the effects at operation **moderate/minor adverse** reducing to **minor adverse** by year 15. I generally agree with this assessment.

Views from The Common to the west of the site

Node Viewpoints 8 (Pegasus Viewpoints 6) – View from The Common to the west of the site.

- 7.26 The appellant's LVIA assesses the visual receptor sensitivity as **high/medium**, the visual magnitude of change at operation as **high** and **high/ medium** by year 15, with the effects at operation **major/moderate adverse** (occupiers of residential properties) reducing to **moderate adverse** by year 15.
- 7.27 I would agree that the visual receptor sensitivity **high/ medium** and that the visual magnitude of change is **high** at operation and **medium** ay year 15.

- 7.28 I don't agree that the visual effects will be **major/moderate adverse** at operation and **moderate adverse** at year 15.
- 7.29 In my view they will be **major adverse** in construction and operation and **major/moderate adverse** by year 15 which is significant. The reason for this is that during construction and in year 0 new residential development will be clearly visible due to the removal of hedgerow for new access and visibility splays. When you have a high sensitivity of view and a high magnitude of change it leads to **major adverse** effects.

Node Viewpoint 10 – View from The Common to the west of the site.

- 7.30 This viewpoint was chosen as the site is highly visible from this location representing a worst-case scenario for undertaking an assessment. This location is not screened by any hedgerow and the access provides clear open views into the site. (See Node viewpoint 10 in Node Appendix 6 &7) The appellant's LVIA did not include an assessment of this viewpoint.
- 7.31 My assessment is as follows and takes into consideration construction, year 0 and year 15.
- 7.32 The visual sensitivity of this view is **high/ medium** related to pedestrians and vehicles using The Common.
- 7.33 The magnitude of change in construction and year 0 is **high** as residential development will be clearly visible and views out to open countryside will be interrupted by development. The significance of visual effects at construction and year 0 would therefore be **major adverse** reducing to **major/moderate adverse** at year 15 taking into account mitigation planting. The mitigation planting, although helping to screen development, does truncate the medium distance view with hedgerow and tree planting which has a negative impact in relation to appreciating the view.
- 7.34 The contribution of loss of hedgerow due to access and visibility splays, residential development on the access road and a truncated view across open countryside from viewpoint 10 is likely to lead to higher visual impacts from this location.

Views from Garner Close

Node Viewpoints 11 (Pegasus Viewpoints 4a) – View from Garner Close looking North East

- 7.35 The appellant's LVIA assesses the visual receptor sensitivity as **high**, the visual magnitude of change at operation as **high and high/ medium** by year 15, with the effects at operation **major/moderate adverse** reducing to **moderate adverse** by year 15.

- 7.36 I would agree that the visual receptor sensitivity high and that the visual magnitude of change is **high** at operation and **high** at year 15.
- 7.37 I don't agree that the visual effects will be **major/moderate adverse** at operation and **moderate adverse** at year 15.
- 7.38 In my view they will be **major adverse** in construction and operation and **major/moderate adverse** by year 15 which is significant. The reason for this is that during construction and in year 0 new residential development will be clearly visible at the end of the street and from residential properties due to the proximity to the appeal site. When you have a high sensitivity of view and a **high/ medium** magnitude of change it leads to **major** and **major/ moderate adverse** effects.

Node Viewpoints 12 (Pegasus Viewpoints 4b) – View from Garner Close looking South East

- 7.39 The appellant's LVIA assesses the visual receptor sensitivity as **high**, the visual magnitude of change at operation as **high and medium/ low** by year 15, with the effects at operation **moderate adverse** reducing to **moderate/ minor adverse** by year 15.
- 7.40 I would agree that the visual receptor sensitivity high and that the visual magnitude of change is **high** at operation and **medium** at year 15.
- 7.41 I don't agree that the visual effects will be **moderate adverse** at operation and **moderate/ minor adverse** at year 15.
- 7.42 In my view they will be **major adverse** in construction and operation and **major/moderate adverse** by year 15 which is significant. The reason for this is that during construction and in year 0 new residential development will be clearly visible at the end of the street and from residential properties due to the proximity to the appeal site. When you have a high sensitivity of view and a high/ medium magnitude of change it leads to **major and major/ moderate adverse** effects.

Views from Shilton Road

Node Viewpoints 13 (Pegasus Viewpoints 3) – View from Shilton Road looking South

- 7.43 The appellant's LVIA assesses the visual receptor sensitivity as **medium**, the visual magnitude of change at operation as **medium** and **medium/low** by year 15, with the effects at operation **moderate adverse** reducing to **minor adverse** by year 15.
- 7.44 I would agree that the visual receptor sensitivity is **medium** for vehicle users, but this does not take into consideration sensitivity for both pedestrians and residential users which is **high**.

- 7.45 In addition, I don't agree that the visual effects will be **moderate adverse** at operation and **minor adverse** at year 15.
- 7.46 In my view they will be **major/ moderate adverse** in construction and operation and **moderate adverse** by year 15 which is significant. The reason for this is that I assess the sensitivity to be higher, taking into account both pedestrians and residents who experience this wide and long-distance view across the open countryside and Green Wedge. Having a sensitivity receptor of medium rather than high has an impact on the assessment of landscape visual effects to make it seem better than it really is.
- 7.47 The increase in site area for the proposed development in relation to the proposed development in relation to the previous proposal (2021) which was refused at appeal is that the angle of view from Shilton Road has increased from 30-38 degrees (See Node Appendix 5 – Illustrative Masterplan p.15)
- 7.48 The verified view provided demonstrate that both the 2021 and 2023 masterplan will allow views or residential development in this open countryside. It must also be noted that these verified views are only from two specific viewpoints. Views also exist from residential properties along the ridge on Shilton Road which sit approximately 20-25 m higher than the site itself which is likely to allow views into the site from this higher elevation.

Node Viewpoints 14 (Pegasus Viewpoints 1) – View from Shilton Road looking South

- 7.49 The appellant's LVIA assesses the visual receptor sensitivity as **medium**, the visual magnitude of change at operation as **medium** and **medium/low** by year 15, with the effects at operation **moderate adverse** reducing to **minor adverse** by year 15.
- 7.50 I would agree that the visual receptor sensitivity is **medium** for vehicle users, but this does not take into consideration sensitivity for both pedestrians and residential users which is **high**.
- 7.51 In addition, I don't agree that the visual effects will be **moderate adverse** at operation and **minor adverse** at year 15.
- 7.52 In my view they will be **major/ moderate adverse** in construction and operation and **moderate adverse** by year 15 which is significant. The reason for this is that I assess the sensitivity to be higher, taking into account both pedestrians and residents who experience this wide and long-distance view across the open countryside and Green Wedge similar to that of the previous viewpoint.
- 7.53 The verified view provided demonstrate that both the 2021 and 2023 masterplan will allow views or residential development in this open countryside.

Visual Effects Conclusion

- 7.54 Having undertaken a review of the visual effects of proposed development as set out within the appellant's LVIA and undertaking my own independent assessment, I have identified the following findings.

Landscape Visual Areas of agreements

- 7.55 Node agreed with Pegasus assessment for long distance views – Pegasus viewpoints 5, 7, 8, 9, 13, 14 and 15 and so for these views no comparison is made.

Public Rights of Way to east of site Comparison Table

- 7.56 This table provides a summary comparison of visual impacts from public rights of way to east of the site.

Visual receptor	Construction phase Node LVIA – Not Assessed	LVIA Short Term Operation	Node Short Term Year 0	LVIA Long Term Year 15	Node Long Term Year 15
Node Viewpoint 5 and 6 Pegasus Viewpoint 11	Minor Adverse	Minor Adverse	Minor Adverse	Minor Adverse/ Negligible	Minor Adverse/ Negligible
Node Viewpoint 7 Pegasus Viewpoint 10	Minor Adverse	Minor Adverse	Minor Adverse	Minor Adverse/ Negligible	Minor Adverse/ Negligible

- 7.57 In summary both my assessment and LVIA Identifies **minor adverse** and **minor adverse / negligible** impacts.

Views from A47 to south Comparison Table

7.58 This table provides a summary comparison of visual impacts from

Visual receptor	Construction phase Node LVIA – Not Assessed	LVIA Short Term Operation	Node Short Term Year 0	LVIA Long Term Year 15	Node Long Term Year 15
Node Viewpoint 8 Pegasus Viewpoint 8	Moderate/Minor Adverse	Moderate/Minor Adverse	Moderate/Minor Adverse	Minor Adverse	Minor Adverse

7.59 In summary both my assessment and LVIA Identifies **moderate/minor adverse** and **minor adverse** visual impacts.

Landscape Visual - Areas of Disagreement

7.60 The locations where disagreement exists in relation to Landscape Visual impacts are as follows:

- **Dawson's Lane**
- **The Common**
- **Garner Close**
- **Shilton Road**

Dawson Lane / Allotments Comparison Table

7.61 This table provides a summary comparison of visual impacts from Dawson's Lane/ Allotments

Visual receptor	Construction phase Node LVIA – Not Assessed	LVIA Short Term Operation	Node Short Term Year 0	LVIA Long Term Year 15	Node Long Term Year 15

Node Viewpoint 1	Major Adverse	Not Assessed	Major Adverse	Not Assessed	Moderate Adverse
Node Viewpoint 2 Pegasus Viewpoint 3	Major Adverse	Major Adverse	Major Adverse	Moderate/ Minor Adverse	Major/Moderate Adverse
Node viewpoint 3 Pegasus Viewpoint 2	Major Adverse	Moderate Adverse	Major Adverse	Minor Adverse	Moderate Adverse
Node viewpoint 4 Pegasus Viewpoint 12	Major/ Moderate Adverse	Moderate Adverse	Major/ Moderate Adverse	Minor Adverse	Moderate/ Minor Adverse

7.62 In summary my view is that the LVIA underestimates the impacts from Dawson's Lane/ Allotments from all these viewpoints apart from the impacts from Node Viewpoint 2 (Pegasus Viewpoint 3) where we both agree **major adverse** impacts at year 0. I think in the longer term the LVIA has not fully taken into account the loss and appreciation of medium and long-distance views across the green wedge/ open countryside from Node viewpoints 1, 2 and 3. It appears to have focused upon visual impact just being about trying to hide residential development through mitigation planting.

7.63 Node Viewpoint 1 needs to be considered as this is the first location on Dawson Lane you have appreciation of the open countryside from the built-up area. In addition, in contrast to the previous proposal now has residential development in this northwest corner of the site and so is important consider specifically. In addition, factoring in views from residential properties off Dawson's Lane or a rising topography to the north of the site will likely allow views over proposed mitigation planting or truncate views as occurs on Dawson's Lane itself.

Views from The Common to the west of the site comparison table

7.64 This table provides a summary comparison of visual impacts from The Common to the west of the site.

Visual receptor	Construction phase Node LVIA – Not Assessed	LVIA Short Term Operation	Node Short Term Year 0	LVIA Long Term Year 15	Node Long Term Year 15
Node Viewpoint 9 Pegasus Viewpoint 6	Major Adverse	Major/ Moderate Adverse	Major Adverse	Moderate Adverse	Major/ Moderate Adverse
Node Viewpoint 10	Major Adverse	Not Assessed	Major Adverse	Not Assessed	Major/ Moderate Adverse

7.65 In summary my view is that the LVIA underestimates the landscape visual impacts of proposed development from The Common to the west of the site. I think this is because the proposal unlike the previous proposal that was refused (See Node Appendix 5 – Illustrative masterplan) at appeal has residential development on the access road and adjacent to The Common. The LVIA did not take a viewpoint from Node viewpoint 10 which shows a medium distance view across open countryside which will be lost and replaced with a hedge and residential development visible above.

Views from Garner Close Comparison Table

7.66 This table provides a summary comparison of visual impacts from Garner Close.

Visual receptor	Construction phase Node LVIA – Not Assessed	LVIA Short Term Operation	Node Short Term Year 0	LVIA Long Term Year 15	Node Long Term Year 15

Node Viewpoint 11 Pegasus Viewpoint 4a	Major Adverse	Major/ Moderate Adverse	Major Adverse	Moderate Adverse	Major/ Moderate Adverse
Node Viewpoint 12 Pegasus Viewpoint 4b	Major Adverse	Moderate Adverse	Major Adverse	Moderate/ Minor Adverse	Major/ Moderate Adverse

7.67 In summary my view is that the LVIA underestimates the impact on views from Garner Close due to the proximity of residential properties overlooking the development and the development being visible at the end of the street.

Views from Shilton Road Comparison Table

7.68 This table provides a summary comparison of visual impacts from Shilton Road.

Visual receptor	Construction phase Node LVIA – Not Assessed	LVIA Short Term Operation	Node Short Term Year 0	LVIA Long Term Year 15	Node Long Term Year 15
Node Viewpoint 13 Pegasus Viewpoint 3	Major/Moderate Adverse	Moderate Adverse	Major / Moderate Adverse	Minor Adverse	Moderate Adverse
Node Viewpoint 14 Pegasus Viewpoint 1	Major/Moderate Adverse	Moderate Adverse	Major / Moderate Adverse	Minor Adverse	Moderate Adverse

- 7.69 In summary my view is that the LVIA underestimates the impacts from Shilton Road and that the impacts will be **major/ moderate adverse**. The reason for this being that the sensitivity of the receptor is only medium which will impact on eventual overall landscape visual impacts. It does not take into account the high sensitivity receptor from pedestrians using Shilton Road as part of a recreational walk and admiring the view and from the impact of residents living on Shilton Road and the fact that these residential properties are 20-25m higher and look down on the appeal site.

Overall Visual Conclusion

- 7.70 My view is that the LVIA underplays the visual effects of the proposed development as set out above. This is the case particular from Dawson's Lane, The Common, Garner Close and Shilton Road due to the loss of medium and long-distance views, the proximity of residential development overlooking the site, the sensitivity of receptor from Shilton Road, the fact that residential development will still be partially visible and the impact of lighting at night. Lighting will likely be seen from The Common on the access road and from Shilton Road from above within the Green Wedge. I agree generally with the previous inspector that the reduction in scheme from 110 dwellings to 95 dwellings will not overcome the Green Wedge and landscape visual impacts of this proposed scheme nor would it retain the visual appearance of the area.

8.0 GREEN WEDGE ASSESSMENT

- 8.1 This chapter considers the impact of development on the Green Wedge. The extent of the Green Wedge lying in Hinckley and Bosworth Borough covers an area of 444 hectares and a further 3 hectares within Blaby District. The green wedge extends from the south of Barwell and stretches across to Earl Shilton. The green wedge spreads southwards following the boundary to the east and the built form of Hinckley to the west. The southern most boundary abuts Burbage.
- 8.2 The appeal site lies within the Hinckley, Barwell, Earl Shilton, Green Wedge.
- 8.3 In April 2020 a Green Wedge review of the Hinckley, Barwell, Earl Shilton, Green Wedge. The appeal site falls with assessment area C: East of The Common and south of Shilton Road. The recommendations of this review were that the current green wedge boundary did have a strong defensible edge boundary and that an alternative strong defensible boundary did not exist and no changes to the Green Wedge boundary should take place within this location.

The Green Wedge – Policy

- 8.4 Green Wedge policies were introduced in the Leicestershire Structure Plan in 1987. Since their introduction green wedges continued to be identified in subsequent Structure Plans in 1994 and 2005. The East Midlands Regional Plan (2009) did not contain a policy on green wedges; however it did identify four functions of a green wedge which includes preventing the merging of settlements, guiding development form, providing a green lung into urban areas and acting as a recreational resource.
- 8.5 **Hinckley and Bosworth Core Strategy (2009)**
- 8.6 The Core Strategy makes clear that the basis of the green wedge designation is, amongst other things, to provide easy access from the urban areas into green spaces which contribute towards the quality of life for local residents. It proposes that the green wedges will provide an important element of green space infrastructure (recognised through evidence-based studies, Landscape Character Assessment and the Green Infrastructure Strategy) that will provide opportunity for enhancement to local amenity and ecological value of the landscape. The Core Strategy contains policy 6 which relate specifically to the Hinckley/Barwell/Earl Shilton/Burbage Green Wedge This policy set out the purpose of the Green Wedge and what uses will be considered acceptable within them.

Policy 6: Hinckley/ Barwell/Earl Shilton/Burbage Green Wedge

8.7 Policy 6 states:

Within the Hinckley/Barwell/Earl Shilton/Burbage Green Wedge uses will be encouraged that provide appropriate recreational facilities within easy reach of urban residents and promote the positive management of land to ensure that the Green Wedge remains or is enhanced as an attractive contribution to the quality of life of nearby urban residents.

The following land uses will be acceptable in the Green Wedge, provided the operational development associated with such uses does not damage the function of the Green Wedge:

- (a) Agriculture, including allotments and horticulture not accompanied by retail development
- (b) Recreation
- (c) Forestry
- (d) Footpaths, bridleways and cycleways
- (e) Burial grounds
- (f) Use for nature conservation

Any land use or associated development in the Green Wedge should:

- (a) Retain the function of the Green Wedge
- (b) Retain and create green networks between the countryside and open spaces within the urban areas
- (c) Retain and enhance public access to the Green Wedge, especially for recreation and
- (d) Should retain the visual appearance of the area

8.8 Clearly the proposals for residential development on the appeal site within the Green Wedge do not meet with the acceptable land uses with Green Wedge and is therefore contrary to this policy designation.

8.9 Proposals will impact on the function of the Green Wedge, Impact on current recreational uses and change the visual appearance of the area.

The Green Wedge Function

8.10 Consideration is now given to the function of the Green Wedge both in regard to the policy and the functions as set out in the Green Wedge review 2020.

Preventing the merging of settlements

- 8.11 'Green Wedges will safeguard the identity of communities within and around urban areas that face growth pressures. The coalescence of settlements should be considered in terms of both physical separation and the perception of distance between the settlements.' (HBBC Hinckley/Barwell/Earl Shilton/Burbage Green Wedge Review - para 3.4, p.9)

Assessment of proposed development in relation to its function in relation to merging of settlements

- 8.12 My assessment of the proposed development in relation to its function in relation to merging of settlements is as follows:
- 8.13 As can be seen in Node Appendix 4 Green Wedge the red line shows a large area incursion into the Green Wedge designated area reducing the physical gap between Barwell and Earl Shilton. Historically Barwell and Earl Shilton were clearly separate villages (see Node Appendix 2 – Historic Plans) and over time have coalesced to the north of Shilton Road. However, the purpose of the Green Wedge is to keep Barwell and Earl Shilton physically separated to the south of Shilton Road.
- 8.14 The proposed development of approx. 10.92ha / 26.98 acres reduce this separation and the physical gap considerably. The current physical gap is approx. 650m and the proposed development red line is approx..440 m reducing the gap by 210 m. (32% reduction in the gap) The gap between proposed new built form and Earl Shilton will be approximately 515m reducing the gap by 135 m (21% reduction in gap)
- 8.15 Proposed development will be partially visible when looking south from Shilton Road which is a key gap between Barwell and Earl Shilton and so will not only physically have an impact will have an impact on perceived perception of gap between the two settlements from this elevated position.
- 8.16 In addition, as Dawson Lane acts as a pedestrian recreation route to connect to the wider public right network your perception of the gap between settlements is eroded to the south by the loss of open medium and long-distance views across the Green Wedge that will be lost. Mitigation planting will not completely screen proposals and, where it does, it will change the nature and appreciation of the Green Wedge with truncated views. It will bring development closer to the allotments and Earl Shilton.

Guiding Development Form

- 8.17 Green Wedges will guide the form of new developments in urban areas. Consideration will be given to designating new green wedges or amending existing ones where it would help shape the development of new communities' such as potential sustainable urban extensions.

Assessment of proposed development in relation to guiding development form

- 8.18 My assessment of the proposed development in relation to its function of guiding development form is as follows:
- 8.19 The propose Green Wedge review which took place in 2020 clearly stated in its assessment table (p.54) in response to the question 'does the current Green Wedge have a strong defensible boundary' – It answered 'Yes" the Green Wedge does have a strong defensible boundary. When considering the area as a site for new sustainable extensions the review concluded it was not and that the Green Wedge boundaries should remain as they are.
- 8.20 The whole purpose of the Green Wedge policy designation is to guide development such as residential development away from this location. Not only is residential development in this location contrary to policy, if allowed, it would put even more pressure on surrounding land to be developed incrementally overtime.
- 8.21 I would agree with the assessment in the Green Wedge Review that a strong defensible boundary already exists and that the purpose of Green Wedge policy is to direct residential development away from this designation.

Providing a Green Lung into urban areas

- 8.22 Green wedges will provide communities with access to green infrastructure and the countryside beyond. They are distinct from other types of open space in that they provide a continuous link between the open countryside and land which penetrates deep into urban areas. Green wedges could also provide multi-functional uses such as:
- Open space, sport and recreation facilities
 - Flood alleviation measures
 - Improving air quality
 - Protection/improvement of wildlife sites and the links between them
 - Protection/improvement of historic/cultural assets and the links between them
 - Links to green infrastructure at both a strategic and local level
 - Transport corridors

Assessment of proposed development in relation to providing a green lung

- 8.23 My assessment of the proposed development in relation to its function of providing a green lung is as follows:
- 8.24 The site does provide a green lung function into the heart of the urban area as it brings in medium and long distant views over open countryside close to the heart of the urban area providing appreciation of the countryside beyond.
- 8.25 The proposed development reduces the size of this green lung and replaces a large portion of the site with residential development pushing or excluding this view over open countryside. It should be noted that the footprint of the developable area of this proposal for 95 dwellings as part of this appeal is larger than the footprint for the previous proposal of up to 110 dwellings. Despite additional planting and open space, it does cover a wider area of open countryside than the previous proposal. Views of open countryside will be replaced by residential development, mitigation planting from both The Common, and from Dawson's Lane and from Shilton Road.
- 8.26 The development will also likely be visible from properties off both Dawson Lane and Shilton Road which due to the steep rising topography to the north of the site. This results in residential development looking down on the site. Shilton Road sits at 134.9 m AOD where the Green Wedge touches Shilton Road. The properties off Dawson Road are also situated at a higher elevation than Dawsons Lane so also look down on the proposed development site. Dawson Lane itself is at 115m A.O.D with the site itself sloping downwards to 99m A.O.D on its southern boundary. There is a difference of height of approx. 20m from properties on Shilton Road looking down on the site and even more from first floor windows which is likely to allows views of the proposed development over any proposed mitigation planting.

Acting as a recreational resource

- 8.27 Green wedges will provide a recreational resource. This will include informal and formal facilities now and in the future. Public access will be maximised.

Assessment of proposed development in relation to acting as a recreational resource

- 8.28 My assessment of the proposed development in relation to its function of providing a recreational resource is as follows:
- 8.29 Despite the site not currently having public access it does provide multi-functional uses with recreation including paddocks and stables for horse riding. It does allow a distinct type of open space and its medium and long distant views over open countryside provides residents and

recreational users of pedestrian routes and public rights of way access to green infrastructure and appreciation of the countryside beyond.

- 8.30 Although new public access is proposed it will be in the context of new residential development and will not change your appreciation of the view as you travel along Dawson's Lane and the wider public right of way network.

Green Wedge Assessment Conclusion

- 8.31 My conclusion about the impact of development proposals on Green Wedge are as follows:

Residential land use in Green Wedge contrary to policy.

- 8.32 The following land uses will be acceptable in the Green Wedge, provided the operational development associated with such uses does not damage the function of the Green Wedge:
- (a) Agriculture, including allotments and horticulture not accompanied by retail development
 - (b) Recreation
 - (c) Forestry
 - (d) Footpaths, bridleways and cycleways
 - (e) Burial grounds
 - (f) Use for nature conservation
- 8.33 Clearly the proposals for residential development on the appeal site within the Green Wedge do not meet with the acceptable land uses with Green Wedge and is therefore contrary to this policy designation.
- 8.34 The proposal is contrary to guiding development away from areas covered by Green Wedge policies.

Green Wedge Review – Identified no change to Green Wedge boundary in this location

- 8.35 The propose Green Wedge review which took place in 2020 clearly stated in its assessment table (p.54) in response to the question 'does the current Green Wedge have a strong defensible boundary' – It answered 'Yes' the Green Wedge does have a strong defensible boundary. When considering the area as a site for new sustainable extensions the review concluded it was not and that the Green Wedge boundaries should remain as they are.
- 8.36 The Green Review Assessment in 2020 concluded that the Green Wedge boundary in this location should not be changed. And that the existing boundary was a strong and defensible boundary.

The proposed development will reduce the physical gap between Barwell and Earl Shilton.

- 8.37 The proposed development of approx. 10.92ha / 26.98 acres would reduce this separation and the physical gap considerably. The current physical gap is approx. 650m and the proposed development red line is approx. 440 m reducing the gap by 210 m. (32% reduction in the gap) The gap between proposed new built form and Earl Shilton will be approximately 515m reducing the gap by 135 m (21% reduction in gap) (See Node Appendix 4)
- 8.38 Proposed development will be partially visible when looking south from Shilton Road which is a key gap between Barwell and Earl Shilton and so will not only physically have an impact will impact of perceived perception of gap between the two settlements from this elevated position and as you travel along Dawson's Lane.

Impacts on Green Lung function

- 8.39 The site does provide a green lung function into the heart of the urban area as it brings in medium and long distant views over open countryside close to the heart of the urban area providing appreciation of the countryside beyond.
- 8.40 The proposed development reduces the size of this green lung and replaces a large portion of the site with residential development changing medium and long distance views over open countryside and replacing it with either views of residential development or truncating views by mitigation planting. It should be noted that the footprint of the developable area of this proposal for 95 dwellings as part of this appeal is larger than the footprint for the previous proposal of up to 110 dwellings. Despite additional planting and open space, it does cover a wider area of open countryside than the previous proposal. Views of open countryside will be replaced by residential development, mitigation planting from both The Common, and from Dawson's Lane and from Shilton Road.

Impact on current recreational use and visual appreciation of open countryside.

- 8.41 Despite the site not currently having public access it does provide multi-functional uses with recreation including paddocks and stables for horse riding. It does allow a distinct type of open space and its medium and long distant views over open countryside provides residents and recreational users of pedestrian routes and public rights of way access to green infrastructure and appreciation of the countryside beyond.
- 8.42 Although new public access is proposed it will be in the context of new residential development and will not change your appreciation of the view as you travel along Dawson's Lane and the wider public right of way network.

8.43 Previous Inspector's view on impact of proposals on Green Wedge of 95 units

- 8.44 As summarised in para 7.41 of the committee report, the previous inspector's view on the previous appeal for 110 units was that even with a reduction to 95 units the proposals would not retain the function of the Green Wedge nor would it retain the visual appearance of the area.
- 8.45 I appreciate the previous inspector did not have the benefit of seeing this proposed scheme but in light of this scheme having a larger footprint than before, development being more visible from The Common, development now closer northwestern corner of the site, development still being visible and open views of countryside lost due to mitigation. I agree with the previous inspector that this scheme for 95 units would not retain the function of the Green Wedge, nor would it retain the visual appearance of the area.
- 8.46 I disagree with the LVIA that the development will have limited impact on the Green Wedge on the basis of all the reason stated above.

9.0 SUMMARY AND CONCLUSION

9.1 This chapter summarises my conclusions and serves as my summary landscape statement

9.2 Scope of Evidence

9.3 Node was appointed by Hinckley and Bosworth Borough Council in December 2024 to prepare a landscape statement to considering the landscape and visual effects of the proposed development subject to this appeal for up to 95 dwellings on land east of The Common, Barwell to address the landscape and visual effect aspects of the Reason for Refusal below.

9.4 Reason 1

9.5 *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).*

9.6 The Site and Context

9.7 The application site comprises approximately 10.92 hectares and is made up of nine field parcels, which are used as paddocks, divided by mature native hedgerows and trees and some sections of fencing. The site is accessed at present by field accesses taken from The Common and Dawson's Lane. The site slopes gently upwards towards Dawson's Lane.

9.8 The boundaries of the site are predominantly defined by existing hedgerows and sporadic tree planting. The site is bounded to the north by Dawson's Lane to the west by the rear boundaries of the existing dwellings on The Common and The Enterprise Centre. Open countryside lies beyond the site boundaries to the east and south. The A47, Leicester Road, is located beyond the fields/paddocks located to the south of the site.

9.9 The site is located within the Hinckley/Barwell/Earl Shilton/Burbage Green Wedge, a multi-functional designation that provides recreational opportunities; performs an agricultural role; provides opportunities for flora and fauna; and links urban areas with open countryside. Its primary functions are to guide development form of urban areas in order to maintain settlement identity and prevent coalescence, provide a 'Green Lung' into the urban area and to act as a recreational resource. Policy 6 of the core strategy does not include residential development as a suitable use within Green Wedge designations. It also highlights that any land use

associated with the Green Wedge should retain the visual appearance of the area. Which in this case, grassland, pasture, horse paddocks with medium and long-distance views across open countryside.

Landscape effects Conclusion

- 9.10 The LVIA concludes in para 6.67 that the landscape magnitude of impact is **high**. It goes onto state taking into account the medium sensitivity of the site's landscape character, the overall site-specific significance of landscape effects will be **moderate to major adverse** reducing in the long term.
- 9.11 On the wider landscape character area the LVIA concludes in para 6.68 the magnitude of impact is considered to be **low to medium**. This is similarly balanced with the design of the outline proposals and its associated inherent landscape mitigation. Assessed alongside the **medium sensitivity**, this will result in a **minor to moderate adverse effect**.
- 9.12 The LVIA goes onto state in para 6.69 At year 15 after competition, the proposed landscape planting strategy will have established sufficient to help further integrate the proposed development into the surrounding landscape character. The magnitude of impact will reduce to **low** and there will be a **minor adverse effect**.
- 9.13 I agree with the LVIA that the site-specific landscape effects will be **moderate to major adverse** which is significant. Where I disagree is that these effects will reduce in the long term as the openness of the landscape will be permanently lost as will the grassland and rural character of the site is replaced by residential development.
- 9.14 I agree with the LVIA that after 15 year of completion the magnitude of impact on the wider landscape will reduce to low and there will be **minor adverse** effect on the wider character area.

Visual Effects Conclusions

- 9.15 Having undertaken a review of the visual effects of proposed development as set out within the appellant's LVIA and undertaking my own independent assessment, I have identified the following findings.

Landscape Visual Areas of agreements

- 9.16 Node agreed with Pegasus assessment for long distance views – Pegasus viewpoints 5, 7, 8, 9, 13, 14 and 15 and so for these views no comparison is made.

Public Rights of Way to east of site Comparison Table

Visual receptor	Construction phase Node LVIA – Not Assessed	LVIA Short Term Operation	Node Short Term Year 0	LVIA Long Term Year 15	Node Long Term Year 15
Node Viewpoint 5 and 6 Pegasus Viewpoint 11	Minor Adverse	Minor Adverse	Minor Adverse	Minor Adverse/ Negligible	Minor Adverse/ Negligible
Node Viewpoint 7 Pegasus Viewpoint 10	Minor Adverse	Minor Adverse	Minor Adverse	Minor Adverse/ Negligible	Minor Adverse/ Negligible

- 9.17 In summary both my assessment and LVIA Identifies **minor adverse** and **minor adverse / negligible** impacts.

Views from A47 to south Comparison Table

- 9.18 This table provides a summary comparison of visual impacts from A47 to south

Visual receptor	Construction phase Node LVIA – Not Assessed	LVIA Short Term Operation	Node Short Term Year 0	LVIA Long Term Year 15	Node Long Term Year 15
Node Viewpoint 8 Pegasus Viewpoint 8	Moderate/ Minor Adverse	Moderate/Minor Adverse	Moderate/ Minor Adverse	Minor Adverse	Minor Adverse

- 9.19 In summary both my assessment and LVIA Identifies **moderate/minor adverse** and **minor adverse** visual impacts.

Landscape Visual - Areas of Disagreement

- 9.20 The locations where disagreement exists in relation to Landscape Visual impacts are as follows:

- **Dawson's Lane**
- **The Common**
- **Garner Close**
- **Shilton Road**

Dawson Lane / Allotments Comparison Table

- 9.21 This table provides a summary comparison of visual impacts from Dawson's Lane/ Allotments

Visual receptor	Construction phase Node LVIA – Not Assessed	LVIA Short Term Operation	Node Short Term Year 0	LVIA Long Term Year 15	Node Long Term Year 15
Node Viewpoint 1	Major Adverse	Not Assessed	Major Adverse	Not Assessed	Moderate Adverse
Node Viewpoint 2 Pegasus Viewpoint 3	Major Adverse	Major Adverse	Major Adverse	Moderate/ Minor Adverse	Major/Moderate Adverse
Node viewpoint 3 Pegasus Viewpoint 2	Major Adverse	Moderate Adverse	Major Adverse	Minor Adverse	Moderate Adverse
Node viewpoint 4 Pegasus Viewpoint 12	Major/ Moderate Adverse	Moderate Adverse	Major/ Moderate Adverse	Minor Adverse	Moderate/ Minor Adverse

- 9.22 In summary my view is that the LVIA underestimates the impacts from Dawson's Lane/ Allotments from all these viewpoints apart from the impacts from Node Viewpoint 2 (Pegasus Viewpoint 3) where we both agree **major adverse** impacts at year 0. I think in the longer term the LVIA has not fully taken into account the loss and appreciation of medium and long-distance views across the green wedge/ open countryside from Node viewpoints 1, 2 and 3. It appears to have focused visual impact just being about trying to hide residential development through mitigation planting.
- 9.23 Node Viewpoint 1 needs to be considered as this is the first location on Dawson Lane you have appreciation of the open countryside from the built-up area. In addition, in contrast to the previous proposal now has residential development in this northwest corner of the site and so is important consider specifically. In addition, factoring in views from residential properties off Dawson's Lane or a rising topography to the north of the site will likely allow views over proposed mitigation planting or truncate views as occurs on Dawson's Lane itself.

Views from The Common to the west of the site comparison table

- 9.24 This table provides a summary comparison of visual impacts from The Common to the west of the site.

Visual receptor	Construction phase Node LVIA – Not Assessed	LVIA Short Term Operation	Node Short Term Year 0	LVIA Long Term Year 15	Node Long Term Year 15
Node Viewpoint 9 Pegasus Viewpoint 6	Major Adverse	Major/ Moderate Adverse	Major Adverse	Moderate Adverse	Major/ Moderate Adverse
Node Viewpoint 10	Major Adverse	Not Assessed	Major Adverse	Not Assessed	Major/ Moderate Adverse

- 9.25 In summary my view is that the LVIA underestimates the landscape visual impacts of proposed development from The Common to the west of the site. I think this is because the proposal

unlike the previous proposal that was refused (See Node Appendix 5 – Illustrative masterplan) at appeal has residential development on the access road and adjacent to The Common. The LVIA did not take a viewpoint from Node viewpoint 10 which shows a medium distance view across open countryside which will be lost and replaced with a hedge and residential development visible above.

Views from Garner Close Comparison Table

9.26 This table provides a summary comparison of visual impacts from Garner Close.

Visual receptor	Construction phase Node LVIA – Not Assessed	LVIA Short Term Operation	Node Short Term Year 0	LVIA Long Term Year 15	Node Long Term Year 15
Node Viewpoint 11 Pegasus Viewpoint 4a	Major Adverse	Major/ Moderate Adverse	Major Adverse	Moderate Adverse	Major/ Moderate Adverse
Node Viewpoint 12 Pegasus Viewpoint 4b	Major Adverse	Moderate Adverse	Major Adverse	Moderate/ Minor Adverse	Major/ Moderate Adverse

9.27 In summary my view is that the LVIA underestimates the impact on views from Garner Close due to the proximity of residential properties overlooking the development and the development being visible at the end of the street.

Views from Shilton Road Comparison Table

9.28 This table provides a summary comparison of visual impacts from Shilton Road.

Visual receptor	Construction phase Node LVIA – Not Assessed	LVIA Short Term Operation	Node Short Term Year 0	LVIA Long Term Year 15	Node Long Term Year 15
Node Viewpoint 13 Pegasus Viewpoint 3	Major/Moderate Adverse	Moderate Adverse	Major / Moderate Adverse	Minor Adverse	Moderate Adverse
Node Viewpoint 14 Pegasus Viewpoint 1	Major/Moderate Adverse	Moderate Adverse	Major / Moderate Adverse	Minor Adverse	Moderate Adverse

9.29 In summary my view is that the LVIA underestimates the impacts from Shilton Road and that the impacts will be **major/ moderate adverse**. The reason for this being that the sensitivity of the receptor is only medium which will impact on eventual overall landscape visual impacts. It does not take into account the high sensitivity receptor from pedestrians using Shilton Road as part of a recreational walk and admiring the view and from the impact of residents living on Shilton Road and the fact that these residential properties are 20-25m higher and look down on the appeal site.

9.30 My view is that the LVIA underplays the visual effects of the proposed development as set out above. This is the case particular from Dawson's Lane, The Common, Garner Close and Shilton Road due to the loss of medium and long-distance views, the proximity of residential development overlooking the site, the sensitivity of receptor from Shilton Road, the fact that residential development will still be partially visible and the impact of lighting at night. Lighting will likely be seen from The Common on the access road and from Shilton Road from above within the Green Wedge. I agree generally with the previous inspector that the reduction in

scheme from 110 dwellings to 95 dwellings will not overcome the Green Wedge and landscape visual impacts of this proposed scheme nor would it retain the visual appearance of the area.

Green Wedge Conclusions

9.31 My conclusion about the impact of development proposals on Green Wedge are as follows:

Residential land use in Green Wedge contrary to policy.

9.32 The following land uses will be acceptable in the Green Wedge, provided the operational development associated with such uses does not damage the function of the Green Wedge:

- (a) Agriculture, including allotments and horticulture not accompanied by retail development
- (b) Recreation
- (c) Forestry
- (d) Footpaths, bridleways and cycleways
- (e) Burial grounds
- (f) Use for nature conservation

9.33 Clearly the proposals for residential development on the appeal site within the Green Wedge do not meet with the acceptable land uses with Green Wedge and is therefore contrary to this policy designation.

9.34 The proposal is contrary to guiding development away from areas covered by Green Wedge policies.

Green Wedge Review – Identified no change to Green Wedge boundary in this location

9.35 The propose Green Wedge review which took place in 2020 clearly stated in its assessment table (p.54) in response to the question ‘does the current Green Wedge have a strong defensible boundary’ – It answered ‘Yes” the Green Wedge does have a strong defensible boundary. When considering the area as a site for new sustainable extensions the review concluded it was not and that the Green Wedge boundaries should remain as they are.

9.36 Green Review Assessment in 2020 concluded that the Green Wedge boundary in this location should not be changed. And that the existing boundary was a strong defensible boundary.

The proposed development will reduce the physical gap between Barwell and Earl Shilton.

9.37 The proposed development of approx. 10.94ha / 26.98 acres reduce this separation and the physical gap considerably. The current physical gap is approx. 650m and the proposed development red line is approx. 440 m reducing the gap by 210 m. (32% reduction in the gap)

The gap between proposed new built form and Earl Shilton will be approximately 515m reducing the gap by 135 m (21% reduction in gap) (See Node Appendix 4 – Green Wedge)

- 9.38 The proposed development will be partially visible when looking south from Shilton Road which is a key gap between Barwell and Earl Shilton and so will not only physically have an impact will impact of perceived perception of gap between the two settlements from this elevated position and as you travel along Dawson's Lane.

Impacts on Green Lung function

- 9.39 The site does provide a green lung function into the heart of the urban area as it brings in medium and long distant views over open countryside close to the heart of the urban area providing appreciation of the countryside beyond.
- 8.47 The proposed development reduces the size of this green lung and replaces a large portion of the site with residential development pushing or excluding this view over open countryside. It should be noted that the footprint of the developable area of this proposal for 95 dwellings as part of this appeal is larger than the footprint for the previous proposal of up to 110 dwellings. Despite additional planting and open space, it does cover a wider area of open countryside than the previous proposal. Views of open countryside will be replaced by residential development, mitigation planting from both The Common, and from Dawson's Lane and from Shilton Road.

Impact on current recreational use and visual appreciation of open countryside.

- 9.40 Despite the site not currently having public access it does provide multi-functional uses with recreation including paddocks and stables for horse riding. It does allow a distinct type of open space and its medium and long distant views over open countryside provides residents and recreational users of pedestrian routes and public rights of way access to green infrastructure and appreciation of the countryside beyond.
- 9.41 Although new public access is proposed it will be in the context of new residential development and will not change your appreciation of the view as you travel along Dawson's Lane and the wider public right of way network.
- 9.42 **Previous Inspector's view on impact of proposals on Green Wedge of 95 units**
- 9.43 As summarised in para 7.41 of the committee report, the previous inspector's view on the previous appeal for 110 units was that even with a reduction to 95 units the proposals would not retain the function of the Green Wedge, nor would it retain the visual appearance of the area.

- 9.44 I appreciate the previous inspector did not have the benefit of seeing this proposed scheme but in light of this scheme having a larger footprint than before, development being more visible from The Common, development now closer northwestern corner of the site, development still being visible and open views of countryside lost due to mitigation. I agree with the previous inspector that this scheme for 95 units would not retain the function of the Green Wedge nor would it retain the visual appearance of the area.
- 9.45 The inspector also emphasised that planting cannot be considered permanent, and that extensive tree planting would alter the existing open character of the site.
- 9.46 *'... the Inspector in the context of the earlier appeal considered the potential for additional planting on Dawson's Lane. She noted that "Notwithstanding this [the prospect of reducing the scheme to 95 dwellings and increasing planting along the boundary with Dawsons Lane] the housing of the scale indicated, i.e., with a maximum height of 9m, would be visible above the hedgerow to users of Dawsons Lane.". She added that "it was put to me that landscaping in the form of extensive planting of trees could mitigate these effects. However, landscaping cannot be considered permanent, and all vegetation has a natural life cycle and is susceptible to disease. Furthermore, extensive planting of tree belt would, in any event, alter the existing open character of the site and the rural amenity it currently affords users of Dawsons Lane and the allotments."*
- 9.47 I disagree with the LVIA that the development will have limited impact on the Green Wedge based on all the reason stated above.

Conclusion

- 9.48 I agree with Hinckley and Bosworth Council's planning officers that there will be a significant level of harm/adverse effect arising from the development in landscape and visual terms and on the Green Wedge designation contrary to Core Strategy Policy 6 – Hinckley/ Barwell/ Earl Shilton/ Burbage Green Wedge.
- 9.49 The proposed development would also be contrary to DM4 Safeguarding the countryside and settlement separation due to residential use in open countryside contrary to policy and its impact on the intrinsic, beauty and open countryside and for all the reasons sets out in this landscape statement.