

Land East of Posbrook Lane, Titchfield, Fareham

Landscape Proof of Evidence

Ben Croot BSc (Hons), MSc, CMLI

Of LDA Design Consulting

On behalf of

Fareham Borough Council

08.11.21

LPA Ref. P/19/1193/OA

App Ref. APP/A1720/W/20/3254389

^A Worton Rectory Park

Oxford

OX29 4SX

United Kingdom

^T 01865 887 050

^W www lda-design.co.uk

L D Å D E S I G N

Contents

1.0 Qualifications and Experience	1
2.0 Introduction.....	3
3.0 The Value of the Meon Valley.....	6
4.0 The Influence of the Existing Settlement Edge	14
5.0 Landscape Sensitivity and the Magnitude of Change from the Proposed Development	16
6.0 The Impacts of the Proposed Development.....	24
7.0 Landscape and Visual Policy Summary	32
8.0 Summary and Conclusions.....	36
Figures.....	38
Appendices.....	39

L D A D E S I G N

7306_PoE

Version: 1.5

Version date: 08.11.21

Comment Final

This document has been prepared and checked in accordance with ISO 9001:2015.

1.0 Qualifications and Experience

1.1.1. My name is Ben Croot. I qualified with a degree in Geography from the University of Sheffield in 2003 and a MSc in Environmental Impact Assessment from Oxford Brooks University in 2008.

1.1.2. I am a Chartered Member of the Landscape Institute ('CMLI') with 15 years' experience as a landscape professional in multi-disciplinary environmental consultancy including 9 years at LDA Design Consulting Ltd ('LDA Design') where I am an Associate.

1.1.3. My specialist areas of expertise include Landscape Character Assessment ('LCA'), Landscape and Visual Impact Assessment ('LVIA'), Townscape and Visual Impact Assessment ('TVIA') and the landscape planning of development, with a particular emphasis on the planning and design of residential development and Green Infrastructure ('GI'). Examples of my work are included with the Guidelines for Landscape and Visual Impact Assessment (3rd Edition) ('GLVIA3') and I was a contributing author to the Landscape Institute's Technical Information note on Townscape Assessment ('TIN 05/2017').

1.1.4. I have visited the Appeal Site and I am familiar with it and its wider landscape context. I was not personally involved in the previous Appeal for the Site, but LDA Design did provide landscape evidence on behalf of Fareham Borough Council ('FBC'). It also provided pre-determination landscape advice for the Proposed Development regarding the LVIA submitted for the application now subject to this appeal [Core Document CDB.8]. Furthermore, LDA Design has a long record of working with FBC across the Borough, including having prepared the Landscape Character Assessment for the Borough in 2017 [Core Document CDG.2]. In

preparing this Proof of Evidence ('Proof') I have consulted, and sought the opinion of, relevant colleagues who were involved in these commissions.

1.1.5. The evidence which I have prepared and provide for this appeal in this Proof is true and is given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions.

2.0 Introduction

2.1. Scope of Evidence

2.1.1. My evidence has been prepared on behalf of FBC in relation to the appeal by Foreman Homes ('the Appellant') against the non-determination of planning application reference P/19/1193/OA for outline planning permission (with all matters reserved apart from access) for the erection of up to 57 dwellings, together with associated parking, landscaping and access from Posbrook Lane ('the Proposed Development') at land east of Posbrook Lane, Titchfield ('the Appeal Site').

2.1.2. My evidence addresses putative Reason for Refusal (b) which states:

"b) The application site lies outside of the defined urban settlement boundary on land which is considered to form part of a valued landscape. As a result the proposed development would result in a range of significant adverse landscape and visual effects, harmful to the landscape character, appearance and function of the countryside and failing to respect or respond positively to the key characteristics of the surrounding area."

2.1.3. Heritage, planning and ecology matters are addressed by other members of my client's team.

2.1.4. I am cognisant of the previous appeal in April 2019 for a larger area and development proposal which included the Appeal Site (PINS reference APP/A1720/W/18/3199119) [**Core Document CDJ.2**] and the conclusions drawn by the Inspector in dismissing that appeal. I understand that the previous Inspector's findings are not binding, but that there is a principle of consistency in planning which means that before disagreeing with the previous Inspector, the current Inspector should have regard to the importance of consistency and give

reasons for any departures from the previous decision (*North Wiltshire District Council v Secretary of State for the Environment* (1993) 65 P. & C.R. 137 at 145 [**Core Document CDK.30**]).

2.1.5. The previous Inspector's conclusions have informed the Landscape Statement of Common Ground ('LSoCG') [**Core Document CDD.3**] drafted in collaboration with the Appellant's Landscape Architect (Mr Jeremy Smith) and I do not intend to revisit these topics again in detail, the principal points of agreement being:

- Paragraphs 11 to 14: The Appeal Site is not located within a statutory or non-statutory landscape designation. However, it forms part of a valued landscape, (in the sense of paragraph 174 (a) of the NPPF), which extends from the edge of Bellfield and includes the Lower Meon Valley. It is also included within the Meon Valley Area of Special Landscape Quality under Policy DS3 of the emerging Fareham Local Plan [**Core Document CDF.5**].
- Paragraph 17: The Appeal Site is within the Lower Meon Valley Character Area as identified within the Fareham Landscape Assessment (2017) [**Core Document CDG.2**].
- Paragraph 18: The Fareham Landscape Character Assessment also identifies the Appeal Site within the landscape type of the 'Open Coastal Plan: Fringe Character' at a more detailed level. However, it was concluded by the Inspector at the previous appeal this was based on historical data from the 1996 Fareham Landscape Character Assessment and the previous appeal site (which includes the Appeal Site) is more reflective of the Open Valley Side landscape type.
- Paragraph 23: The Proposed Development would have no significant nor material effects upon the functionality and integrity of the Meon Strategic Gap.

2.1.6. In light of the above, my Proof of Evidence focusses on the main areas of disagreement which I consider to be:

- The influence of the settlement edge on the Appeal Site.

- The value, susceptibility, and consequently, the sensitivity of the Appeal Site.
- The impact of the Proposed Development on the character and visual amenity of the Lower Meon Valley.

2.2. Structure of this Proof

2.2.1. The remainder of this Proof is structured as follows:

- Section 3: provides a summary of the Meon Valley and its value.
- Section 4: considers the influence of the existing settlement edge.
- Section 5: addresses the value, susceptibility and sensitivity of the Meon Valley and the magnitude of change from the Proposed Development.
- Section 6: considers the impacts of the Proposed Development.
- Section 7: provides a landscape and visual policy summary.
- Section 8: provides a summary and conclusion.

2.2.2. Supporting Figures and Appendices are included at the end of my Proof of Evidence.

3.0 The Value of the Meon Valley

3.1. Introduction

3.1.1. It is common ground that the Appeal Site forms part of a valued landscape (under paragraph 174 (a) of the NPPF) which extends from the edge of Bellfield and includes the Lower Meon Valley (LSoCG paragraph 13). It is therefore unnecessary to go through the range of factors that can help in the identification of valued landscapes as set out in Box 5.1 of GLVIA 3 [**Core Document CDH.40**] in this Proof. However, before I address the landscape matters of disagreement between the Appellant and FBC, it is worth reminding oneself what is meant by the Meon Valley and the qualities it possesses, a summary of which I set out below.

3.2. The Meon Valley

3.2.1. The River Meon rises near East Meon (at the highest chalk stream source in the UK) within the South Downs National Park, some 26 kms upstream of Titchfield. It flows principally southwards along a relatively narrow channel but through a major river valley, which is divided into upper, middle and lower reaches associated with changing geology and landform of the downs, lowland clay and coastal plain respectively. It finally meets the Solent at Titchfield Haven and Hill Head, some 34 kms from source to mouth. It is, therefore, a significant and distinct landscape feature within South Hampshire, passing through two Boroughs (Winchester and Fareham), linking the South Downs to the coast and embracing a variety of landscapes along its course.

3.2.2. At the County level, the Hampshire Integrated Character Assessment ('HICA') [**Core Document CDG.3**] recognises the Meon Valley as a distinct landscape character area (3e), forming one of the major valley landscapes within the County that runs through the Hampshire Basin to the Solent. In the vicinity of Titchfield,

the valley unit is defined by a boundary drawn along Whiteley Lane, Cartwright Drive, St Margaret's Lane and Posbrook Lane to the west, and the urban edge of Fareham and Titchfield Road to the east. The HICA map and detailed description of the landscape of Landscape Character Area (LCA) 3e is included as **Core Document CDG.3**.

3.2.3. Under the heading Key Qualities and Effects of Forces the HICA states that: "*The valley landscape has largely resisted expansion from adjoining urban areas and has remained relatively unchanged in recent times. As a result there is a strong sense of ruralness, seclusion, and intimate landscape character and lack of development where the valley cuts through the south Hampshire clay lowlands. ... Threats: Development creeping up the valley side and tall structures on the skyline. The valley crests are particularly vulnerable to development either side of the Meon Gap.*" (Page 10) (own emphasis added)

3.2.4. Landscape character assessments at the district level for Winchester and Fareham also recognise the Meon Valley as a distinct landscape feature and define Landscape Character Areas based upon the valley landscape unit. The relevant maps and accompanying descriptions of character for the Fareham Landscape Assessment (2017) are included as **Core Document CDG.2**. The boundaries of these LCAs are broadly consistent with those defined within the Hampshire assessment and follow a close approximation of the top of the valley sides or the approximate 'visual envelope' of the valley. As can be seen on page 111 Part Two of the Fareham Landscape Assessment 2017 [**Core Document CDG.2**], and Figure PLR-3B of the Appellant's LVIA [**Core Document CDA.14**] the Appeal Site lies within the 3e: Meon Valley LCA with Posbrook Lane marking its western boundary, and the B3334 Titchfield Road marking its eastern boundary on the opposite side of the valley.

- 3.2.5. In addition to the detailed description of the Meon Valley LCA, the Fareham Landscape Assessment 2017 emphasises the role of the Meon Valley as one of the defining, structural landscape features of the Borough:

"At the 'macro' level, the basic structure of Fareham's remaining countryside can be distilled down to a few key components: the open, rolling chalk downland of Portsdown Hill and heavily wooded farmland of the clay lowlands and Forest of Bere to the north; the flat, coastal plain framed by estuarine/marine landscapes to the south; and the Hamble and Meon Valleys, and other river valleys that cut through the Borough from north to south, connecting the rural hinterland with the coast. This basic landscape structure represents the 'essence' of Fareham's landscape and provides a framework for the Borough's settlements, shaping their form and their character." (Fareham Landscape Assessment 2017 Part One, page 32) [Core Document CDG.2]. (own emphasis added)

- 3.2.6. It also describes how the outward spread and coalescence of settlements and urban infrastructure across the Borough has already masked some natural features (e.g. minor river valleys) and begun to erode the legibility of the underlying landscape structure and the distinctive character of surrounding landscapes. A key priority identified in the assessment is to ensure that the essential character and local identity of the Borough's diverse landscape and settlements is protected and reinforced, so that it remains legible and distinct at both the large-scale (macro) and more complex, local (micro) levels. (Fareham Landscape Assessment 2017 Part One, page 32) [Core Document CDG.2].

3.3. Designations and Value

- 3.3.1. In respect of its intrinsic value as a landscape resource, the Fareham Landscape Assessment 2017 concludes the qualities that led to the area's previous designation as a locally important landscape are still evident in the Meon Valley Landscape

Character Area and the area is, therefore, judged to be of high value as part of the Borough's landscape resource, stating:

"The area as a whole is not covered by any current national or local landscape designation (although forms part of a Strategic Gap) but it was formerly designated as part of the Meon Valley Area of Special Landscape Character in the former Fareham Local Plan (not replaced within the current Adopted Plan but indicative of local value). The valley (including the northern section, LLCA [Local Landscape Character Area] 6.2) was designated on the basis that it is generally of high scenic quality, 'particularly in the lower reaches', with a pleasing combination of wetland and woodland habitats and small-scale floodplain pasture; it has a coherent sense of place along its length, which is 'strongest to the south of Titchfield'; it has a predominantly unspoilt character and strong natural qualities, 'particularly in the lower reaches'; it is of Boroughwide importance as the only example of an open river valley landscape within the Borough, which is in a fragile condition and would be very vulnerable to urban expansion and other forms of development pressure; it contains notable conservation interests in the form of ecologically important wetland, woodland and grassland habitats; and there is probably a local consensus as to its importance as a wildlife, landscape and historical resource within the Borough. These qualities are still evident in this part of the LCA and so the area is judged to be of high value as part of the Borough's landscape resource." (Fareham Landscape Assessment 2017 Part Two, page 113)

[Core Document CDG.2]. (own emphasis added)

3.3.2. And:

"This area is generally of high sensitivity as one of the most distinctive and important landscape resources within the Borough. It contains a range of highly valued landscape, ecological and heritage assets across a large proportion of the area, and its natural and unspoilt qualities and the sensitivity of those valued assets, mean that it would be highly susceptible to the intrusion of built development. The potential for development to be

accommodated within this area is consequently very low." (Fareham Landscape Assessment 2017 Part Two, page 122) [Core Document CDG.2]. (own emphasis added.)

3.3.3. In light of the above, although the Meon Valley is not a statutorily designated landscape, the Appellant and Council rightly agree that it is a valued landscape. Given the abundance of the highest level of ecological designations (SPA, Ramsar, SSSI, NNR, LNR), along with its scenic quality, distinctiveness (and rarity), intact and unspoilt condition, abundance of cultural heritage and recreational assets, and its important functional role hydrologically as a flood plain, it is my view that it is at the higher end of the undesignated valued landscape category. It is clearly of Borough importance, and I am in agreement with the Appellant that a value of 'Local Authority' is applied. However, I do not agree that its value, susceptibility and consequently sensitivity should be artificially reduced as the Appellant has done within the LVIA as a result of the influence of the settlement edge, which I address in more detail in **Section 4.0**.

3.4. Protecting the Meon Valley and the Value of High-Quality Local Greenspace

3.4.1. The importance of local natural green space - and even more so high-quality natural green space - on the doorstep has been brought into sharp focus during the Covid-19 pandemic. It is accessible, high quality, natural environments such as the Meon Valley that are cherished and critical to the health and well-being of local communities and visitors alike.

3.4.2. Such communities include The Meon Ramblers who object to the Proposed Development noting "*The open land between Warsash and the Meon Valley is very heavily used for recreational walking and cycling*" and consider the Proposed

Development “will reduce this opportunity for other residents to take advantage of the important green lung provided by the Meon Valley and environs...Visually it will reduce the amenity value of this land for these users.” **[Core Document CDB.2]**

3.4.3. The Fareham Society **[Core Document CDB.3]** “welcomed that the Council has long held protection of the Meon Valley landscape to be of the greatest importance” stating “so strong are the concerns of the Proposed Development on the Meon Valley landscape that these alone firmly indicate that permission should be refused.” The Titchfield Village Trust **[Core Document CDB.4]** “object in the strongest possible terms” to the Proposed Development.

3.4.4. This is clearly a development that local communities do not want and fear it would result in unacceptable, permanent harm to the unspoilt natural environment of the Lower Meon Valley they so fondly cherish. As I set out in this Proof, I consider such fears to be warranted.

3.4.5. It is of note that FBC and Inspectors have a consistent history of rightly defending the Lower Meon Valley from incremental, harmful development. The Applicant’s previous appeal for a larger area encompassing the Appeal Site was dismissed in April 2019 **[Core Document CDJ.2]** as was a proposal for up to 150 residential dwellings at ‘Land West of Old Street, Stubbington’ **[Core Document CDJ.3]** further south within the Meon Valley. Both Inspectors of those appeals recognised the importance of the Meon Valley as a valued landscape, its role and importance as a significant strategic, natural resource and the harm that is caused by chipping away of the wider asset by incremental development.

3.4.6. It is the intention of FBC to strengthen the protection of the Meon Valley by designating it as an ‘Area of Special Landscape Quality’, including the Appeal site, under Policy DS3 in the emerging Local Plan **[Core Document CDF.5]**, which was submitted to the Planning Inspectorate for independent examination on 30th

September 2021. FBC has produced an extract from the emerging Local Plan policies map which is included in the Addendum Statement of Common Ground and which clearly indicates the intention of FBC to draw a tight line for the Area of Special Landscape Quality to the settlement edges of the Lower Meon Valley to resist the incremental, speculative development proposals from which these areas are particularly at threat.

3.4.7. The 'Technical Review of Areas of Special Landscape Quality and Strategic Gaps' (2020) produced by Hampshire County Council provides the evidence base in relation to the new Local Plan underpinning the designation of Areas of Special Landscape Quality within the Borough [**Core Document CDG.4**]. The document undertakes an assessment based primarily on the criteria identified in Box 5.1 of GLVIA 3 [**Core Document CDH.40**] and identifies the Meon Valley in ASLQ4 and the Appeal Site within subarea 06.1b. The technical assessment records in Figure 3.3 (page 53) that subarea 061.b makes a 'High Match' to all eight of the Box 5.1 criteria as identified within GLVIA3 [**Core Document CDH.40**] when considering valued landscape. The following observations on ASLQ4 are included on page 66 of the technical review document:

"The area has high scenic quality and topographic and visual unity, particularly in the lower reaches where the valley is at its widest, with open floodplain pasture and gently sloping sides. It is in good condition and has a generally unspoilt rural character with a coherent and intact valley landform. The historic village of Titchfield lies within the valley on the west side of the river. At the southern end there are good open views from the PRoW network, and views into the valley from Cliff Road. Further upstream, the valley is more wooded and enclosed, and views are restricted." (own emphasis added)

"The river valley landscape has clearly demonstrable physical attributes and this part of it is an integral part of the wider 'valued landscape' of the Meon Valley, extending outside the

Borough. It is a very distinctive area and can be considered 'out of the ordinary'. (own emphasis added)

"No detracting influences are noted in the lower reaches. There are some fringe features in areas 6.1a and c [The Appeal Site is located in subarea 6.1b] but these are well contained by woodland. Major road and rail corridors pass through the upper section, but much of the area retains a sense of seclusion. The lower reaches have a high tranquillity rating." (own emphasis added)

4.0 The Influence of the Existing Settlement Edge

4.1.1. The Appellant, as in the previous appeal, has made much of the influence of the existing settlement edge on the Appeal Site. To understand the settlement edge in more detail **Figure 1** provides a zoomed aerial image in plan form.

Photoviewpoints 1 (PLR-6 and PLR-7), 2 (PLR-8 and PLR-9) and 3 (PLR-10) of the Appellant's LVIA [**Core Document CDA.14**] are also of relevance in this regard, albeit they were taken in 2019 and vegetation has continued to mature since this time. **Figure 2** of my Proof therefore includes illustrative views from photoviewpoints 2 and 3 of the LVIA taken on 29th September 2021 using a fixed 50mm camera lens. Within these views, the existing established boundary vegetation comprising scrubby hedgerow and mature trees can be seen, along with the soft natural space of Bellfield play area, communal amenity grassed areas (with low level communal garages) and vegetated private residential gardens, as well as the wider views to and across the Meon Valley.

4.1.2. In terms of the settlement / site boundary itself, it is approximately 299m in length along the southern edge of Bellfield. Of this, approximately 35m is rear residential garden fencing or gates; and 264m is scrubby hedgerow or hedgerow with trees. Buildings are typically set back from the boundary by approximately 8m in the south to up to 50m in the north. At no point along this boundary does built form front directly onto the Appeal Site nor create a hard urban edge to it. Given its vegetated linear characteristics, I consider it to be a 'soft' definitive edge to Bellfield, providing a clear demarcation between urban settlement and the natural environment of the Meon Valley.

4.1.3. I recognise the Inspector at the previous appeal [**Core Document CDJ.2**] made the following comments on this particular matter at paragraphs 21 and 23:

"To the north, the appeal site abuts the settlement edge of Titchfield at an estate called Bellfield. The urban edge is open and harsh with little by way of softening landscaping..."

"... Finally, in the context of the urban settlement edge influence it is undeniable that it is there. There is a lack of screening and there is a harsh and readily visible urban edge. This however is a distinct break with the open rural field which then flows to the open agricultural fields beyond the farmstead cluster and the lower valley floor below. In my view in the wider context the urban influence is given too much weight in the appellant's assessment and in association with the subdivision of the site into smaller fields adds to the reduced weight given to the effect of the proposed development." (own emphasis added)

4.1.4. It is worth noting that in coming to these conclusions the Inspector held his site visit in November 2018, approximately 3 years ago, over which time the boundary vegetation has grown, providing further softening and visual screening of the existing built form. FBC's heritage witness Ms Markham, who represented FBC in the previous appeal, has included photographs from 2018 and 2021 within **Appendix 1** of her proof of evidence that are helpful in this regard.

4.1.5. It would appear to me the Appellant has again overemphasised the influence of the existing settlement edge. The analysis presented in this section and in **Figures 1 and 2**, indicates there is an established and largely continuous vegetative boundary to the settlement edge, with existing built form set back beyond Bellfield play area, communal amenity grassed area and / or private residential gardens. It provides a 'soft' yet distinct boundary between existing settlement and the Meon Valley. With utmost respect to the previous Inspector, I do not believe it to now be "*harsh and readily visible*", which it may very well have been back in 2018. In my view, built form is visible, but it has little influence over the Appeal Site, a view with which the previous Inspector also concurred.

5.0 Landscape Sensitivity and the Magnitude of Change from the Proposed Development

5.1. The Value of the Appeal Site

5.1.1. The Appellant has rightly acknowledged that the Appeal Site is a valued landscape under paragraph 174 (a) of the NPPF. This places the Appeal Site ‘out of the ordinary beyond mere countryside’ in terms of the value it holds. As I have set out in **Section 3.0**, given the abundance of statutory and non-statutory, ecological and heritage designations, the high scenic quality and intactness of the landscape, and the network of public rights of way and recreational resources within the Meon Valley, it is my opinion that it sits at the higher end of the non-designated valued landscape spectrum.

5.1.2. I therefore agree with the Appellant that the Appeal Site is assessed as ‘Local Authority’ value as part of the Appellant’s LVIA (Table B2) [**Core Document CDA.14**]. However, the Appellant has, erroneously in my view, reduced the value of the northern edge of the Appeal Site to ‘Community Value’ on the basis of the influence of the settlement edge. As set out in **Section 4.0**, it is my view that this influence has been overstated by the Appellant (as the Inspector found the Appellant had done in the previous appeal – see paragraph 23 of his decision) [**Core Document CDJ.2**] and it is the whole of the Appeal Site, as a recognised valued landscape, that should be assessed as ‘Local Authority’ value.

5.1.3. The approach taken by the Appellant was much debated at the previous appeal with appeal decisions and a High Court Judgment (see below) presented by FBC as evidence this was not the correct approach, a view which the previous Inspector accepted.

5.1.4. FBC relied on the Appeal decision for land north of Aylesbury Road, Wendover (APP/J0405/W/16/3158833) [**Core Document CDJ.19**] in October 2017 in which the Inspector stated:

“...The small site itself may not exhibit any of the demonstrable physical features but as long as it forms an integral part of a wider ‘valued landscape’ I consider that it would deserve protection under the auspices of paragraph 109 of the [2012] Framework...When assessing what constitutes a valued landscape I consider it more important to examine the bigger picture in terms of the value of the site and its surroundings. That is not to borrow the features of the adjoining land but to assess the site in situ as an integral part of the surrounding land rather than divorcing it from its surroundings and then to conduct an examination of its value.” (Paragraphs 65-66)

5.1.5. In a subsequent High Court judgment concerning this case (*CEG Land Promotions II Ltd v Secretary of State for Communities and Local Government and Aylesbury Vale District Council* [2018] EWHC 1799 (Admin)) [**Core Document CDK.32**] Mr Justice Ouseley supported the Inspector’s approach in this matter, saying:

“...the site’s definition by the red line on the application form took the form it did in order to incorporate landscape mitigation measures and footpath provision. It would be bizarre if the way in which the red line was drawn, defining the site on whatever basis was appropriate, and which need have nothing to do with landscape issues, crucially affected landscape evaluation. It would be equally bizarre to adopt a wholly artificial approach to landscape evaluation where, in most cases, a development site is but part of a wider landscape. In my judgment, the Inspector, in the case before me now, has analysed the issue very well and come to the entirely correct conclusion.” (Paragraph 59)

5.1.6. FBC also relied on the Appeal decision for Land east of Park Road, Didcot in June 2018 (APP/Q3115/W/17/ 3188474) [**Core Document CDJ.20**], where the Inspector concluded that:

“..Determining whether a landscape should be considered to be valued is likely to be based on a consideration as to whether the wider landscape of which the appeal site forms part is valued rather than whether the appeal site of itself merits such a notation.”

5.1.7. Furthermore, the Landscape Institute’s Technical Advice Note regarding assessing landscape value [**Core Document CDH.42**], and which the Appellant’s Landscape Witness was joint author of, explicitly states at bullet 1 on page 12:

“When assessing landscape value of a site as part of a planning application or appeal it is important to consider not only the site itself and its features/elements/characteristics/qualities, but also their relationship with, and the role they play within, the site’s context. Value is best appreciated at the scale at which a landscape is perceived – rarely is this on a field-by-field basis.” (own emphasis added)

5.1.8. I acknowledge that when looking at a tract of land such as the Lower Meon Valley there will be variation across it; however it is clear to me that the value attributed to a valued landscape as a whole entity is the common denominator and is **not** artificially further divisible in terms of the value it is ascribed for the purposes of assessment.

5.2. The Susceptibility of the Appeal Site

5.2.1. The Appellant takes a similar approach for susceptibility, reducing it from ‘High’ to ‘Medium’ for the ‘north of the application site’, again on account of the settlement edge. Whilst I accept that susceptibility can in principle be considered in relation to smaller parcels of land within larger areas, including valued landscapes, where there are logical and justifiable reasons for doing so, I do not believe given the physical circumstances here that it is justified.

5.2.2. It is my view that the influence of the settlement edge does not warrant a reduction in susceptibility of the ‘north’ part the Appeal Site for the reasons as set out in **Section 4.0**. Furthermore, the way the ‘low’ susceptible area has been identified (which the Appellant has not attempted to spatially map) has no justified rationale in my view - there is no physical on the ground boundary, be it a distinct change of slope, change of land use or vegetative boundary, for it to follow and consequently it is a notional, arbitrary area adjacent to the settlement edge.

5.2.3. For those reasons, the susceptibility of the whole Appeal Site, including the northern part, is in my view ‘High’ - as the Appellant has assessed for the Lower Meon Valley Open Valley Side character type.

5.3. The Sensitivity of the Appeal Site

5.3.1. For the reasons set out above, I consider the Appellant has been wrong to downplay both the value and susceptibility for the northern part of the Appeal Site. Moreover, in so doing, the Appellant has, in effect ‘double counted’ for the alleged influence of the settlement edge, reducing both the value of part of the Appeal Site (from ‘Local Authority’ to ‘Community’) **and** the susceptibility (from ‘High’ to ‘Medium’) to produce an artificially reduced sensitivity of ‘Medium’ (as opposed to ‘High / Medium’) as assessed for the majority of the Lower Meon Valley: Open Valley Side Character Area. Consequently, this has implications in the assessment of impacts that I explore in more detail in **Section 6.0**.

5.4. The Magnitude of Change

5.4.1. In addition to the underestimation of the sensitivity of the Appeal Site, it is my view that the Appellant has also underestimated the potential Magnitude of Change both landscape and visual receptors would experience as a result of the

Proposed Development. This underestimation appears to be founded on two components:

- The underestimation of the visibility of the Proposed Development; and
- The underestimation of the numbers of visual receptors affected by the Proposed Development.

5.4.2. Turning to the first of these, **Figure 3** of my Proof illustrates the Zone of Theoretical Visibility (ZTV) of the Proposed Development based on the illustrative site plan layout (dwg ref. 16.092.02 Rev A) [**Core Document CDA.8**] with two storey buildings 8.5m high without mitigation screening, essentially representing the theoretical visibility on completion of construction. The ZTV is based on OS 2m LIDAR data in contrast to the Appellant's ZTV (Plan PL2) which uses a 10m grid (Appendix A page 45 of the Appellant's Landscape Statement of Case (SLR Sept 2020). The ZTV demonstrates that the Proposed Development would be visible over a wide area of the Lower Meon Valley, including within its immediate vicinity on the western valley side, within the valley floor, across to the eastern valley side, and also south within the Valley. This is a substantially larger area than that indicated in the ZTV (Plan PL-2) presented in the Appellant's Landscape Statement of Case and assessed as only a 'Negligible' geographical extent in Table B3 of the Appellant's LVIA [**Core Document CDA.14**].

5.4.3. Whilst I acknowledge that the Appellant's ZTV does include mitigation planting at 8m, which would reduce the ZTV, this does not represent a 'worst case' assessment scenario as advocated by GLVIA3 [**Core Document CDH.40**] which states:

"Within the defined parameters the level of detail of the proposals must be such as to enable proper assessment of the likely environmental effects and consideration of the necessary mitigation. It may be appropriate to consider a range of possibilities, including a reasonable

scenario of maximum effects, sometimes referred to as the 'worst case' situation. Mitigation proposals will need to be adequate to cope with the likely effects of this worst case."
(GLVIA paragraph 4.3)

5.4.4. Given the sensitivities of the receiving landscape, it is my view that a 'worst case' assessment is appropriate in this situation. Furthermore, it will take at least 15 years (possibly more) for the mitigation planting to achieve the levels of screening required to arrive at the visibility as indicated in the Appellant's ZTV and photomontages (albeit I return to this point in **Section 6.0** in terms of planting within sewer easements). I note there is only a 'permanent' duration recorded in Table B3 for landscape character effects and no difference in ratings assessed for 'Magnitude of Change (After Construction)' and 'Magnitude of Change (Year 15)' for visual effects as set out in Table C2 of the Appellant's LVIA. This is translated through into the assessment of visual effects in Table C3 of the Appellant's LVIA which are the same for both 'After Construction' and 'Year 15'.

5.4.5. Comparison between the Appellant's ZTV (Plan PL-2) in the Landscape Statement of Case (SLR Sept 2020) and my ZTV (**Figure 2**) clearly indicates a larger area of the Meon Valley would be affected by the Proposed Development in the period before mitigation planting has reached 8m (assumed to be Year 15) leaving me to conclude the Appellant has therefore failed to assess adequately when the Proposed Development would be at its most harmful to the landscape and visual amenity of the area.

5.4.6. Turning to the second of these points - the underestimation of the numbers of visual receptors affected by the Proposed Development - as set out in **Section 3.0** it is apparent that the Lower Meon Valley is a popular recreational destination for the local community and visitors further afield who come for the internationally designated fauna within this unspoilt, natural landscape. As well as a network of

hides and walks, the NNR also has a café, shop and parking area (**Appendix 1**). Visitor numbers recorded by Hampshire County Council Countryside Services to the NNR have been measured to be approximately 10,000 per annum and estimated to be approximately 50,000 per annum to the café. The walk along the Titchfield Canal from Tichfield Haven to Titchfield Village is a promoted route on the NNR's website and noted as a popular route by the Reserve.

5.4.7. Table A13 of the Appellant's LVIA [**Core Document CDA.14**] provides the following definitions to assign a rating to 'geographical extent' where number of visual receptors is factored into the assessment:

- "*Medium extent of visual change - The proposed development is seen by the group of receptors from a medium number of locations across the Study Area or from a medium part of a linear route and/or by a medium number of viewers; or the effect on the specific view is moderately extensive*". (own emphasis added)
- "*Small extent of visual change - The proposed development is seen by the group of receptors at a small number of locations across the Study Area or from only limited sections of a linear route and/or by a small number of viewers; or the effect on a specific view is small.*"

5.4.8. Using the Appellant's definitions as set out above, the higher levels of visitor numbers within the Meon Valley would, in my view, warrant a 'Medium' category grading for the geographical extent rating for viewpoint 10 and viewpoint 13 (which is within Titchfield Haven NNR) as opposed to the 'Small' they have been assigned.

5.4.9. In light of the above, I am led to conclude that the Appellant has erroneously assessed a number of important components when undertaking the LVIA. These include:

- The underestimation of the value, susceptibility and sensitivity of the Appeal Site;

L D A D E S I G N

- The underestimation of the visibility of the Proposed Development and the number of visual receptors within the Meon Valley that would be affected;
- The underestimation of the magnitude of change for ‘under construction’ landscape and visual effects; and
- Subsequently, a failure to undertake a ‘worst case’ assessment as advocated by GLVIA 3.

5.4.10. I consider the implications of these errors in terms of landscape and visual impacts in **Section 6.0**.

6.0 The Impacts of the Proposed Development

- 6.1.1. As GLVIA 3 observes “*Even with qualified and experienced professionals there can be differences in the judgements made*” (paragraph 2.25) and that judgements, whether they are positive or negative, can be “*particularly challenging*” (paragraph 2.15). In this case, I am of the view that, as a result of the matters detailed in **Section 5.0**, the Appellant’s LVIA assessment has underestimated the likely landscape and visual impacts the Proposed Development will have.
- 6.1.2. The result of reducing the sensitivity of part of the Appeal Site is that impacts to landscape character of the Lower Meon Valley: Open Valley Side as identified in the Fareham Landscape Assessment 2017 [**Core Document CDG.2**] are understated in Table B4 of the Appellant’s LVIA [**Core Document CDA.14**], which concludes effects of Moderate, Negative significance in the short term. As detailed in **Section 5.2 and 5.3**, it is my view that a more accurate assessment would be that they are **Major / Moderate, Negative** significance in the short-term. Whilst the Proposed Development is a non-EIA development and therefore significant effects are not required to be identified within the LVIA for compliance with the EIA Regulations, the Appellant’s LVIA states at Section 1.1 effects of ‘Substantial’ or ‘Substantial/Medium’ [i.e. ‘Major’ or Major/Moderate] “*can be considered to have additional weight in the planning balance*”.
- 6.1.3. The underestimation of impacts is further compounded in my view by the underestimation of the magnitude of change both landscape and visual receptors would experience as a result of the Proposed Development for the reasons I set out in **Section 5.4**.
- 6.1.4. **Tables 1 and 2** below summarise the difference in assessment outcomes between the Appellant’s judgements and my judgements using the Appellant’s

methodology and terminology, but correcting for the matters addressed in **Section 5.0** above (own emphasis added in Tables below).

Table 1: Comparison of Appellant's Landscape Assessment with My Own

	Appellant's LVIA Assessment (Table B2, B3 and B4)	My Assessment
Lower Meon Valley, Open Valley Side Character (application site and its context)		
Value	<i>"Community at the northern end of the application site, Local Authority to the south and east"</i>	Local Authority
Susceptibility	<i>"Medium at the north of the application site, high to the south and east"</i>	High
Sensitivity	<i>"Medium at the north of the Application site (in the Proposed development area), high/ medium to south and east."</i>	High / Medium
Magnitude	<i>"Medium on the proposed development site, Slight to the south and east."</i>	Medium / Substantial
Impact	<i>"Moderate on the proposed development site, remaining moderate to the south and east of this in the short term. Effects outside of the proposed new housing would reduce once planting has established.</i>	Major / Moderate
Nature	<i>Negative, becoming positive outside of the new housing</i>	Negative, remaining negative
Lower Meon Valley: Open Valley Side (in the wider Meon Valley)		
Value	<i>"Local Authority"</i>	Local Authority
Susceptibility	<i>"High"</i>	High
Sensitivity	<i>"High/Medium"</i>	High/Medium
Magnitude	<i>"Negligible"</i>	Medium
Impact	<i>"Minor"</i>	Moderate
Nature	<i>"Negative, becoming positive"</i>	Negative, remaining negative
Lower Meon Valley: Open Floodland Farmland		
Value	<i>"Local Authority"</i>	Local Authority
Susceptibility	<i>"High"</i>	High
Sensitivity	<i>"High/Medium"</i>	High/Medium

Magnitude	<i>Negligible"</i>	Small
Impact	<i>"Minor"</i>	Moderate / Minor
Nature	<i>"Negative becoming positive"</i>	Negative, remaining negative
Lower Meon Valley Character Area as a Whole		
Value	<i>"Local Authority"</i>	Local Authority
Susceptibility	<i>"High"</i>	High
Sensitivity	<i>"High/Medium"</i>	High/Medium
Magnitude	<i>"Negligible"</i>	Medium
Impact	<i>"Minor"</i>	Moderate
Nature	<i>"Negative, becoming positive"</i>	Negative, remaining negative

Table 2: Comparison of Appellant's Visual Assessment with My Own

	Appellant's LVIA Assessment (Table C3)	My Assessment
Viewpoint 3: Posbrook Lane and Junction with Footpath 39		
Sensitivity	<i>"Medium/High"</i>	Medium/High
Magnitude of Change (After construction/year 15)	<i>"Medium"</i> <i>"Medium"</i>	Substantial Medium
Visual Effects (After Construction/Year 15)	<i>"Moderate"</i>	Major/Moderate Moderate
Nature of Effect	<i>"Negative becoming positive"</i>	Negative remaining negative
Viewpoint 10: Footpath 48, east of the Site		
Sensitivity	<i>"Medium/High"</i>	Medium/High
Magnitude of Change (After construction/year 15)	<i>"Slight"</i> <i>"Slight"</i>	Medium/Slight Slight
Visual Effects (After Construction/Year 15)	<i>"Moderate/Minor"</i> <i>"Moderate/Minor"</i>	Moderate Moderate/Minor
Nature of Effect	<i>"Negative becoming positive"</i>	Negative remaining negative
Viewpoint 12: Footpath North of Newgate Lane Estate		
Sensitivity	<i>Medium/High"</i>	High/Medium
Magnitude of Change (After construction/year 15)	<i>"Slight/Negligible"</i> <i>"Slight/Negligible"</i>	Medium/Slight Slight
Visual Effects (After Construction/Year 15)	<i>"Minor"</i> <i>"Minor"</i>	Moderate Moderate/Minor
Nature of Effect	<i>"Negative"</i>	Negative remaining negative

Viewpoint 13: Footpath Crossing River Meon Within National Nature Reserve		
Sensitivity	"Medium/High"	Medium/High
Magnitude of Change (After construction/year 15)	"Slight/Negligible" "Slight/Negligible"	Medium/Slight Slight/Negligible
Visual Effects (After Construction/Year 15)	"Minor" "Minor"	Moderate Minor
Nature of Effect	"Negative becoming positive"	Negative remaining negative

6.1.5. In terms of impacts, the Appellant makes much of the reduction in size of the Proposed Development built form development area, which has been reduced in footprint from 4.23ha of the original area to 1.61ha as identified within paragraph 8 of the Landscape Statement of Common Ground [**Core Document CDD.3**]. Whilst I accept the reduction in size would reduce the physical land take the Proposed Development would have, it is important to note the relationship between development size and resultant landscape and visual impacts does not follow a linear negative correlation. For any development proposal there will be certain thresholds, dependent on a number of factors, where impacts will decrease in a series of stepped, potentially unequal, stages.

6.1.6. One such threshold relates to the physical location of a Site. LDA's work for Oxford City Council in support of the tall building development policy of the now adopted Local Plan allowed many lessons to be learnt in this regard which can equally be applied to any form of development. A key learning point from that work was the importance of understanding 'skylining' where development sits on or near to a ridgeline and would break the horizon, a feature the eye is naturally drawn toward and along.

6.1.7. The importance of 'natural lines' is also recognised in the Landscape Institute's Technical Note regarding the assessment of valued landscapes [**Core Document CDH.42**] which notes in Table 1 at page 14 the role of the "*presence of natural lines in the landscape (e.g. natural ridgelines, woodland edges, river corridors, coastal edges)*" in

contributing to the ‘perceptual (scenic)’ factors of a valued landscape. I would contend the importance of the ridgelines that form and allow an appreciation of the valley sides is especially important in valley landforms as identified in the Fareham Landscape Character Assessment (2001) [**Core Document CDG.2**], even more so for those that are valued.

6.1.8. Given the Proposed Development’s location on the crest of the valley side it would ‘skyline’ and break the horizon, even with mitigation planting. Looking up from the valley floor or across from the eastern valley side, the prominence and awareness of new development breaking the horizon, extending built silhouette and intruding into undeveloped valued countryside would be more apparent in my view than development that was situated away from the sensitive Meon Valley sides and did not result in skylining.

6.1.9. Posbrooke Lane, which follows the natural ridgeline running south from Bellfield currently has a rural character with open views over the Appeal Site to the Meon Valley. The Proposed Development would increase the sense of urbanisation and enclosure along Posbrooke Lane, extending the built form, which would be visible behind the proposed planting, 105.2m along the lane. The effect of this in heritage terms and the impact to heritage assets at Posbrooke Farm is considered in detail in Ms Markham’s evidence.

6.1.10. I also have concerns regarding the efficacy of the planting proposed and which, as I have set out in **Section 5.4**, is heavily relied on by the Appellant for mitigation. This concern relates to the alignment of a main sewer across the Site as shown in the agreed Dimensions Plan which forms part of the Landscape Statement of Common Ground [**Core Document CDD.3**] and more accurately on page 70 of the Flood Risk Assessment and Drainage Strategy [**Core Document CDA.12**]. Such utilities are subject to strict controls on planting to protect the

operational function of the asset and Southern Water has produced guidance in relation to planting in this regard (**Appendix 2**). Essentially a 3m easement either side of the sewer centre line should be provided. The guidance does allow some planting stating "*Blackthorn / Quickthorn, Elder, Hazel, Privet are the only hardwood plants that should be planted directly across the pipeline or sewer*" (paragraph 3.2) and that "*These must be maintained to height of no more than 2m*" (paragraph 4.1). Between 3m and 6m of the centre line planting of "*small amenity trees*" and/or "*dwarf fruit stock trees*" is allowed whilst beyond 6m "*large conifers and broadleaves*" are allowed (page 6).

6.1.11. The Appellant's Landscape Statement of Case [SLR Sept 2020] states at paragraph 66 "*The woodland would comprise species such as beech, oak, birch, hazel, holly, blackthorn, and hawthorn*" and at paragraph 67 confirms:

"As for the first appeal I have prepared a ZTV and photomontages which show the proposed planting at 8 metres after 15 years."

6.1.12. In light of the Southern Water guidance, it is clear that not all planting would be allowed to reach 8m as modelled within the Appellant's Landscape Statement of Case ZTV (PL-2) and photomontages (PL4-PL18). This would restrict the heights of planting along the northern boundary to Posbrooke Farm and also areas in the southeast of the southern boundary to the Proposed Development that fall within the 3m – 6m buffer (shown as 11.3m wide on the agreed dimensions plan) that would require short amenity trees or dwarf fruit stock (typically approximately 2 – 3.5m in height on maturity). I am therefore led to conclude that both the ZTV and photomontages produced by the Appellant overestimate the screening effect of proposed planting and consequently the mitigation of landscape and visual impacts.

6.1.13. In addition, I note that neither the Appellant's LVIA [Core Document CDA.14] nor its Statement of Case on Landscape Matters (SLR Sept 2020) makes reference to lighting, which would reinforce the urbanising effect of the Proposed Development. The concerns regarding the impact of lighting to heritage have been recognised by Historic England who requested a lighting scheme to seek to mitigate the night-time effect of the development, which the Appellant has not provided. Whilst this could be required via a planning condition it is unlikely to remove all harmful lighting effects along with the parking and movement of vehicles and presence of other domestic paraphernalia (such as gardens and sheds) associated with residential dwellings introducing urbanising characteristics into what is otherwise a natural environment.

6.1.14. Whilst the requirement for public open space remains in dispute between the Appellant and FBC, the Planning Statement of Common Ground [Core Document CDD.1] confirms at paragraph 8.2 the Appellant's position "*additional public open space could be provided to the south of the proposed dwellings (and within the red line application site) if the Inspector considered additional public open space was necessary.*" No details on this provision have been provided to date by the Appellant therefore I am unable to comment on the potential impacts to the landscape and visual resource, though in the absence of such details I do not consider that adverse impacts from public open space provision in this location can be excluded.

6.1.15. I accept that the Proposed Development would result in some beneficial enhancement to the settlement edge as a result of proposed new planting. However, as set out in **Section 4.0** of my Proof this benefit has in my view been overestimated and does not outweigh the harm the Proposed Development would have to both the character and visual amenity of the Meon Valley. This harm would, in my view, remain negative and for landscape and visual receptors within

L D A D E S I G N

the Site and its local context “*can be considered to have additional weight in the planning balance*” despite the mitigation proposed.

7.0 Landscape and Visual Policy Summary

7.1.1. The following section provides a summary of relevant policy in relation to landscape and visual matters. Mr Stephen Jupp's Proof of Evidence sets out in detail FBC's case in relation to planning policy matters.

7.2. National Planning Policy Framework

7.2.1. Paragraph 174(a) provides that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing (among other things) valued landscapes.

7.3. Adopted Fareham Borough Core Strategy (2011)

7.3.1. **Policy CS4: Green Infrastructure, Biodiversity and Geological Conservation** provides protection for habitats and geological sites within the Borough and seeks to encourage the creation of new Green Infrastructure (GI) and protection of existing GI. Development that compromises GI will not be permitted.

7.3.2. **Policy CS6: The Development Strategy** identified strategic areas where development will be focussed in the Borough. The policy states, among other things, that:

"In identifying land for development, the priority will be for the reuse of previously developed land, within the defined urban settlement boundaries including their review through the Site Allocations and Development Management DPD, taking into consideration biodiversity / potential community value, the character, accessibility, infrastructure and services of the settlement and impacts on both the historic and natural environment." (own emphasis added)

7.3.3. **CS14: Development Outside Settlements** provides specific protection for areas outside these defined locations, stating that “*Built development on land outside the defined settlements will be strictly controlled to protect the countryside and coastline from development which would adversely affect its landscape character, appearance and function.*” (own emphasis added)

7.3.4. **CS17: High Quality Design** states:

“All development, buildings and spaces will be of a high quality of design and be safe and easily accessed by all members of the community. Proposals will need to demonstrate adherence to the principles of urban design and sustainability to help create quality places. In particular development will be designed to [inter alia]:

- *respond positively to and be respectful of the key characteristics of the area, including heritage assets, landscape, scale, form, spaciousness and use of external materials;*
- *create a sense of identity and distinctiveness and one that is legible,”*

7.4. Adopted Fareham Development Sites and Policies (2015)

7.4.1. **Policy DSP6: New Residential Development Outside of the Defined Urban Settlement** sets a presumption against development outside the Defined Urban Settlement boundaries and states that:

“Proposals should have particular regard to the requirements of Core Strategy Policy CS14: Development Outside Settlements, and Core Strategy Policy CS6: The Development Strategy. They should avoid the loss of significant trees, should not have an unacceptable impact on the amenity of residents, and should not result in unacceptable environmental or ecological impacts, or detrimental impact on the character or landscape of the surrounding area.”

7.4.2. **Policy DSP40: Housing Allocations** relates to the provision of housing in the Borough in circumstances (as here) where the Council cannot demonstrate a five-year housing land supply. In relation to landscape, the Policy states:

"Where it can be demonstrated that the Council does not have a five year supply of land for housing against the requirements of the Core Strategy (excluding Welborne) additional housing sites, outside the urban area boundary, may be permitted where they meet all of the following criteria [inter alia]:

- iii. The proposal is sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps."*

7.5. Emerging Fareham Local Plan 2037

7.5.1. **Strategic Policy DS1: Development in the Countryside** state that proposals will need to demonstrate that they (inter alia) conserve and enhance landscapes.

7.5.2. **Strategic Policy DS3: Landscape** provides that development proposals in Areas of Special Landscape Quality (which, as shown on the Policies Map, includes the Appeal Site) shall only be permitted where the landscape will be protected and enhanced. It also provides that development in the countryside shall recognise the intrinsic character and beauty of the countryside, paying particular regard to various factors.

7.5.3. **Policy HP4: Five-Year Housing Land Supply** relates to the provision of housing in the Borough in circumstances where the Council cannot demonstrate a five-year housing land supply. Proposals in the countryside may be permitted where they meet various criteria including:

7.5.4. “c) The proposal is sensitively designed to reflect the landscape character and setting of the settlement, is of a scale proportionate to its setting and recognises the intrinsic character and beauty of the countryside and, if relevant, does not significantly affect the integrity of a Strategic Gap”

7.6. Conclusion on Policy Compliance of the Appeal Proposal

7.6.1. For the reasons set out within this Proof, I consider that the Appeal Proposal would cause permanent harm to landscape character and visual amenity and would harm a valued landscape. As such, I consider it to be inconsistent with paragraph 174(a) of the NPPF, policies CS14 and CS17 of the Core Strategy, policies DSP6 and DSP40(iii) of the Development Sites and Policies, and policies DS1, DS3 and HP4(c) of the emerging Local Plan.

8.0 Summary and Conclusions

8.1.1. I have considered carefully the landscape and visual evidence submitted by the Appellant in relation to the Appeal Site. In coming to my conclusions on the Proposed Development, I have also visited the Appeal Site and sought the opinion of colleagues at LDA Design who were involved at application stage, with the previous appeal and with previous commissions in the Borough, including the Fareham Landscape Character Assessment (2017) [**Core Document CDG.2**].

8.1.2. From my review, I am of the opinion that the Appellant has:

- Overestimated the influence of the existing settlement edge in relation to "*the northern end*" of the Appeal Site;
- Incorrectly reduced the landscape value of "*the northern end*" of the Appeal Site on the basis of this perceived influence contrary to the Landscape Institute Technical Guidance for valued landscapes [**Core Document CDH.42**];
- Incorrectly reduced the sensitivity of "*the northern end*" part of the Appeal Site on which built form is proposed;
- Underestimated the visibility of the Proposed Development and the number of visual receptors that would be affected resulting in an incorrectly reduced magnitude of change assessed to landscape and visual receptors;
- Failed to assess a 'worst case' assessment scenario as advocated by GLVIA3 [**Core Document CDH.40**] and consequently underestimated the harm to the landscape and visual resource as a result of the Proposed Development.
- As a result of these factors the Appellant has understated the landscape and visual impacts of the Proposed Development, which as I have explained would cause permanent harm to landscape character and visual amenity and would harm a valued landscape, and which would fail to minimise the impacts of the Proposed Development on the Countryside.

8.1.3. FBC acknowledges it does not currently have a 5 year housing land supply and therefore Policy DSP40 is engaged. Whilst the subsection iii) of Policy DSP40

requires proposals to “*to minimise any adverse impact on the Countryside*”, given the evidence I set out within this Proof I believe the level of temporary and permanent harm to the landscape character and visual amenity of a valued landscape as a result of the Proposed Development is unacceptable in landscape and visual terms and consequently policy requirements are not satisfied. Although I accept that policy DSP40 contemplates that there may be some adverse landscape and visual impacts from proposals on the countryside, I consider that the impacts in this case have not been minimised to acceptable levels, in breach of the policy.

8.1.4. National policy within the NPPF and local policy within the Local Plan are explicit in their support for sustainable development. However, sustainable development is very different to allowing any development anywhere. It is my view that the Proposed Development would result in unacceptable harm to a valued and highly sensitive landscape and does not represent sustainable development under the terms of the NPPF in landscape and visual terms. The Proposed Development fails, in my view, to meet requirements of paragraph 174 (a) of the NPPF, policies CS14 and CS17 of the Core Strategy, policies DSP6 and DSP40(iii) of the Development Sites and Policies, and policies DS1, DS3 and HP4(c) of the emerging Local Plan.

Figures

Figure 1: Bellfield Settlement Edge

Figure 2: Illustrative Viewpoints of the Settlement Edge

Figure 3: Zone of Theoretical Visibility



LEGEND

Appeal Site Boundary

L D A DESIGN

PROJECT TITLE
LAND EAST OF POSBROOK LANE, TITCHFIELD

DRAWING TITLE
Figure 1: Bellfield Settlement Edge

ISSUED BY	Oxford	T: 01733 310471
DATE	5 Nov 21	DRAWN SG
SCALE @A3	1:2,000	CHECKED BC
STATUS	Final	APPROVED FO

DWG. NO. 7306_PoE_001

No dimensions are to be scaled from this drawing.
All dimensions are to be checked on site.
Area measurements for indicative purposes only.

© LDA Design Consulting Ltd. Quality Assured to BS EN ISO 9001 : 2015

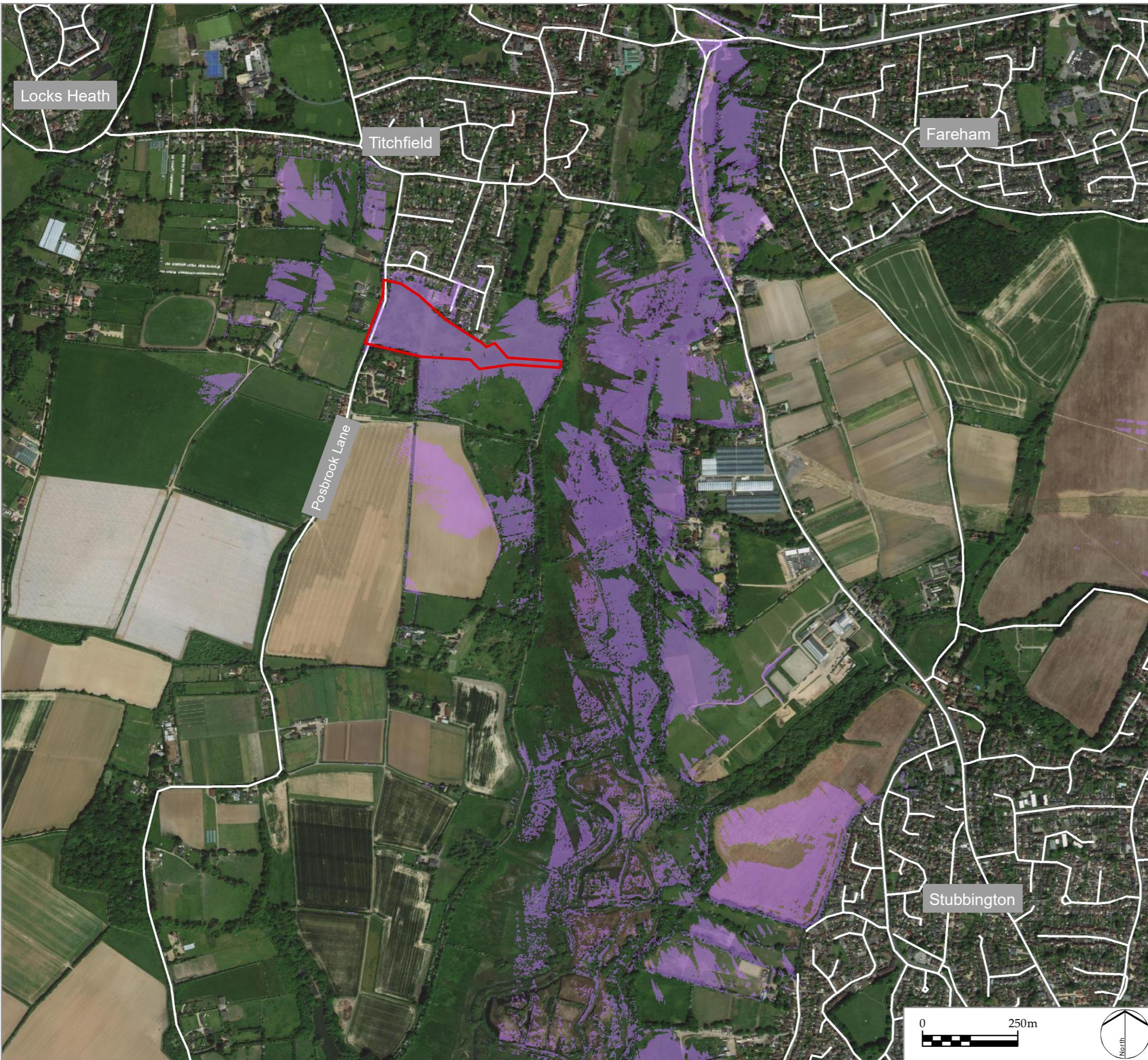
Sources: Ordnance Survey. ESRI. Foreman Homes.



Illustrative Viewpoint 2: View from Footpath 34 near to Great Posbrooke Farm.



Illustrative Viewpoint 3: Junction of Footpath 39 with Posbrook Lane.



This drawing is based upon computer generated Zone of Theoretical Visibility (ZTV) studies produced using the viewshed routine in the ESRI ArcGIS Suite. The areas shown are the maximum theoretical visibility, taking into account topography, vegetation and buildings which have been included in the model with the heights obtained from a LiDAR digital surface model.

Due to its resolution, the surface model does not take into account every localised feature such as walls, small hedgerows or small trees and therefore only gives an impression of the extent of visibility.

The ZTV includes an adjustment that allows for Earth's curvature and light refraction. It is based on LiDAR terrain data with a $2m^2$ resolution.

L D Å D E S I G N

PROJECT TITLE
POSBROOK LANE

DRAWING TITLE
Figure 3: Zone of Theoretical Visibility (ZTV) Study

ISSUED BY	Oxford	T: 01865 887050
DATE	06 October 2021	DRAWN KPr
SCALE @A3	1:10,000	CHECKED SG
STATUS	Draft	APPROVED BC

DWG. NO. 7306_ZTV_003

No dimensions are to be scaled from this drawing.
All dimensions are to be checked on site.
Area measurements for indicative purposes only.

© LDA Design Consulting Ltd. Quality Assured to BS EN ISO 9001 : 2015

Sources: Ordnance Survey

Appendices

Appendix 1: Titchfield Haven National Nature Reserve Visitor Leaflet

Titchfield Haven National Nature Reserve

The Reserve covers 369 acres (145ha) of the Meon Valley, encompassing a mosaic of natural habitats. River, fen, pools, reedbed and meadow are carefully managed by Hampshire County Council, giving protection to a range of special wildlife.

A reserve ticket provides access to two trails and seven hides



Boardwalk Trail – a 1 mile/1.5km return trip.

A raised boardwalk meanders across wooded marshland. Willow catkins, frog's spawn and birdsong all herald the coming of spring. Listen for the explosive song of the Cetti's warbler.

Watch water voles in the ditches from spring onwards, dragonflies on the ponds in the summer and kingfishers along the river in the autumn.



Scrapes Trail – a 1.3 mile/2km return trip.

From the seafront, the trail passes scrub and reedy pools where stonechats and bearded tits may be found. In winter the scrapes hold numbers of wigeon, teal and shoveler, with luck you may spot a bittern.

From early spring the scrapes are home to nesting gulls, terns and avocets. Black-tailed godwit are joined by other wader species stopping-off on their long migrations

In addition to the trails, a public footpath links the seafront to Titchfield village.



Appendix 2: Southern Water Developer Services: A Guide to Tree Planting Near Southern Water Mains and Sewers

Developer Services

A Guide to Tree Planting near Southern Water Mains and Sewers

1.0 INTRODUCTION

This information is produced for your guidance and is drawn up in light of research into the effects of planting of new trees, including conifers and shrubs, either side of a water main or sewer.

New sewers and water mains located outside public highways are usually protected by legal agreements referred to here as "easements" to prevent future access difficulties or buildings being built where they may cause damage to our sewers and water mains. The easements typically extend 3.0 metres either side of the sewer or main, although this can be increased in some circumstances.

This guidance note takes account of opinions expressed in the National House Building Council (NHBC) Standards Chapter 4.2 - Building Near Trees and the draft National Joint Utilities Group (NJUG) guidelines on Trees and Services.

1.1 WATER DEMAND AND SOIL CONDITIONS

The water demands of trees vary considerably; they generally reflect the size of the tree although species of tree differ in their water requirements. If the soil is a shrinkable clay* or a deep peat, the drying effect of tree roots may amplify any seasonal shrinkage, especially in drought years. A possible "heave" situation may occur following re-wetting of such soil, the sudden removal of the trees, or the severing of tree roots by trenching.

Although the majority of the root system of a tree is usually within 600mm of the surface, the roots may extend radially in any direction for distances frequently in excess of the tree's height. Underground services are often cooler than the surrounding soil, causing moisture within the soil to condense on the outer surface of the sewer or main, thereby encouraging roots to grow close to the service. Open joints of sewers also attract roots where the conditions are conducive to growth (ie. moist and aerated).

Damage to sewers or water mains can occur either by:

1. Direct damage where the root penetrates an existing flaw and as it grows, its increasing diameter causes damage,
2. By fibrous roots blocking the flow,
3. By the movement of the whole root bowl when the tree sways in high winds.

Such damage is not inevitable, much will depend on the species of tree planted, the depth of the sewer or water main and its method of construction and/or protection. Advice should be sought at an early stage on the positioning of trees near new sewers and water mains, and reference to the NHBC and NJUG publications is advised.

* Clay containing more than 35% fine particles (silt & clay) and having a plasticity index greater than 10%

2.0 PLANTING OF TREES AND SHRUBS

The following schedule has been prepared of commonly available trees which by reason of their large size in ultimate growth under certain soil conditions, combined with their high water demanding potential, should be excluded from the pipeline easement area (ie. planted at a distance greater than 3.0 metres from the centre line of the sewer or water main).

Trees and conifers not included in this exclusion list would usually be permissible, (see "Guidelines for Planting in Easement Areas" below) but it is recommended that approval is sought for any trees, shrubs or conifers, whose nature or water demand is unknown, particularly if on peat or clay soils.

Outside the easement area trees should not be planted so thickly as to form a dense copse-like situation, which could impede access to the water pipe or sewer in an emergency.

On clay or peat soils, certain trees or conifers that already exist within the easement may require removal or frequent heavy pollarding to reduce their canopy, and subsequent water demanding potential. Liaison with the local Council's Planning Department is advised in this situation, particularly if the trees may be affected by a Tree Preservation Order (TPO).

2.1 TREES AND CONIFERS NOT TO BE PLANTED WITHIN PIPELINE OR SEWER EASEMENTS

SCHEDULE of commonly available trees and conifers, which should be excluded from planting within the pipeline or sewer easement because of their large size, and/or heavy canopy in ultimate growth and moderate/high water demand. Refer to 4.1 "Hedges" below for use of trees as hedge plants.

Definitions:- (H) - High Water Demand

(M) - Moderate Water Demand

CVS - Cultivars or garden varieties

* - No information currently available regarding water demand on these genera. Generally they fall into the moderate water demand category.

ACERS	("Maples") - particularly:- negundo ("Box Elder") and cvs. platanoides ("Norway Maple") and cvs. pseudoplatanus ("Sycamore") and cvs. rubrum ("Red Maple") and cvs.	(M)
AESCULUS	("Horse Chestnut") - particularly:- carnea ("Red Horse Chestnut") carnea "Briottii" hippocastanum ("Common Horse Chestnut") and cvs.	(M)
AILANTHUS	altissima (glandulosa) ("Tree of Heaven")	(M)
ALNUS	("Alder") cordata ("Italian Alder") glutinosa ("Common Alder") incana ("Grey Alder")	(M)
CARPINUS	betulus and cvs. ("Hornbeam")	(M)

CATALPA	bignonioides ("Indian Bean Tree")	*
CUPRESSOCYPARIS	leylandii ("Leyland Cypress") and cvs.	(M)
CUPRESSUS	("True Cypress") - particularly:- macrocarpa ("Monterey Cypress") and cvs. glabra ("Pyramidalis") (C. arizonica "Conica")	(M)
FRAXINUS	("Ash") - most species and cvs. particularly excelsior ("Common Ash") oxycarpa "Raywood"	(M)
JUGLANS	("Walnut") - species and cvs. nigra ("Black Walnut") regia ("Common Walnut")	*
LIQUIDAMBAR	styraciflua ("Sweet Gum") and cvs.	*
LIRIODENDRON	tulipifera ("Tulip Tree") and cvs.	*
PAULOWNIA	fargesii tomentosa	*
PICEA	("Spruce") - particularly:- abies ("Christmas Tree") (Norway Spruce) pungens ("Colorado Spruce") sitchensis ("Sitka Spruce")	*
PINUS	("Pine") - particularly:- contorta "Latifolia" ("Lodgepole Pine") nigra ("Austrian Pine") nigra "Maritima" ("Corsican Pine") pinaster ("The Maritime" or "Bournemouth Pine") ponderosa ("Western Yellow Pine") radiata ("Monterey Pine") strobus ("Weymouth Pine") sylvestris ("Scots Pine") wallichiana ("Bhutan Pine")	*
PLANTANUS	("Plane") x hispanicus ("London Plane") and cvs. orientalis ("Oriental Plane") and cvs.	(M)
POPULUS	("Poplars") of which there are many.	(H)
PSEUDOTSUGA	menziesii ("Douglas Fir")	(M)
PTEROCARYA	("Wing Nut") fraxinifolia x rehderana	*
QUERCUS	("Oak") - all species and cvs. of which there are many	(H)

ROBINIA	("False Acadia") x ambigua "Decaisneana" pseudoacacia and some cvs.	(M)
SALIX	("Willows") - most species and cvs.	(H)
THUYA	occidentalis ("American Arborvitae") plicata ("Western Red Cedar") and cvs. notably p. "Fastigiata" and "Zebrina"	*
TILIA	("Lime" or "Linden") all species and cvs.	(M)
ULMUS	("Elm") - most species and cvs.	(M)
ZELKOVA	("Water Elm") carpinifolia serrata	(H)

3.0 GUIDELINES FOR PLANTING IN EASEMENT AREAS

3.1 Approval must be obtained from Southern Water Services Ltd before any planting is carried out within the permanent easement. The Company retains the right to remove any trees which might become a danger to the water main or sewer, providing this does not conflict with any Tree Preservation Orders present.

3.2 Blackthorn/Quickthorn, Elder, Hazel, Privet are the only hardwood plants that should be planted directly across the pipeline or sewer. These may only be planted where a hedge is necessary either for screening purposes or to indicate a field boundary. These should be planted out and maintained as detailed in 4.1 below. Elsewhere within the easement area hedge may be planted with species listed in 4.1 below.

3.3 Apple trees grafted onto dwarf root stocks may be planted to within 3.0 metres of the pipeline or sewer.

3.4 Christmas Trees may also be planted to within 3.0m of the pipeline or sewer provided that they will be clear felled at intervals not exceeding seven years.

3.5 Ash, Beech, Elm, Horse Chestnut, Lime, Oak, Sycamore, Fruit Trees and most Conifers may only be planted as individual specimens, or a single row, in an area at least 6.0 metres clear of the pipe or sewer. Woodland planting may only be carried out at distances greater than 10.0 metres from the pipe or sewer.

3.6 Poplar and Willow may not be planted within 10.0 metres of the pipeline or sewer.

4.0 SUGGESTED TREES AND SHRUBS WITHIN THE EASEMENT AREA

Cornus Alba	-	Red Barked Dogwood
Viburnum Opulus	-	Gelder Rose
Rosa Canina	-	Dog Rose
Corylus Avellana	-	Hazel
Crataegus Monogyna	-	Common Hawthorn
Amelanchier Canadensis	-	Shrub
Rosa Rugosa Bamanas Rose	-	Shrub
Ligustrum Vulgare	-	Privet
Prunus Spinosa	-	Quickthorn
Ulex Europaeus	-	Gorse
Sambucus Nigra	-	Elder

4.1 HEDGES

Trees, Shrubs and conifers used as hedge plants, close planted in a line up to 1 metre apart will, if left untrimmed as free-standing specimens, grow to large trees, and then exhibit all the disadvantages of water demand and large size. Such trees and conifers frequently used as hedge plants include:-

- Cupressus macrocarpa ("Monterey Cypress")
- Cupressocyparis leylandii ("Leyland Cypress")
- Quercus ilex ("Holm" or "Holly Oak")
- Chamaecyparis lawsoniana ("Lawsons Cypress") and cvs.
- Thuya plicata ("Western Red Cedar") and cvs.
- Ulmus species and cvs. ("Elm")

These species, as long as they are grown in hedge form, remaining clipped to a low height (no more than 2.0 metres) and closely planted (no more than 1.0 metre apart) are usually permissible within the easement area, but should be avoided directly over the actual pipe or sewer run and particularly on deep clay or deep peat soils.

5.0 PLANTING DISTANCES FROM CENTRE LINE OF WATER MAIN OR SEWER

