

Landscape and Visual Matters

Summary Proof Of Evidence

Evidence of James W. Atkin BSC (Hons) DIP LM CMLI

In respect of Land east of Newgate Lane East, Fareham

On behalf of Miller Homes Ltd and Bargate Homes Ltd

Date: 12.09.2022 | Pegasus Ref: P20-3154

Appeal Ref: APP/A1720/W/22/3299739 | LPA Ref: P/22/O165/OA





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1. INTRODUCTION

Qualifications and Experience

- 1.1. My name is James Atkin, Senior Director (Landscape) in the Birmingham Office of the Pegasus Group and a Chartered Member of the Landscape Institute (2005). I have over 21 years experience specialising in the application of LVIA across a range of sectors including power, highways, rail, housing, waste, land reclamation and restoration, mineral extraction, commercial developments and renewable energy.

Terms of Reference

- 1.2. This proof of evidence is written on behalf of Miller Homes Ltd and Bargate Homes Ltd (the appellant). It relates to an appeal against Fareham Borough Council (FBC) refusal of an outline application (all matters reserved except for access) for the development of up to 375 dwellings, access from Newgate lane East, landscaping and other associated infrastructure works on land to the east of Newgate Lane East, Fareham (the appeal site).
- 1.3. Principles and good practice for undertaking, and/or applying the principles of, LVIA are set out in the Landscape Institute (LI) and the Institute of Environmental Management (IEMA) Guidelines for Landscape and Visual Impact Assessment, Third Edition (2013) (GLVIA3). The concepts and procedures set out in this guidance have been adopted where appropriate.
- 1.4. The professional judgements which are presented in this proof of evidence for this appeal (reference APP/A1720/W/22/3299739) have been prepared in accordance with the guidance of my professional institution. I confirm that the opinions expressed are my true and professional opinions.

2. BACKGROUND

Site Overview

- 2.1. The appeal site comprises ca. 20.04 hectares (ha) of land located directly adjacent to the southern settlement edge of Fareham.
- 2.2. Several hedgerows compartmentalise the appeal site, however a treed hedgerow divides the appeal site into two broadly distinct areas. The northern part comprises a single parcel of rough grassland with some encroachment of scrub vegetation. The southern part comprises three parcels of arable land, divided regularly by several linear hedgerows (and associated drainage ditches). Some mature hedgerow trees are present across the appeal site; these tend to be located on and around the appeal site boundaries but are also more prevalent in the surrounding context.
- 2.3. The route of Newgate Lane East (relief road, completed April 2018) is located to the west, whilst to the east, the boundary of the appeal site is situated directly adjacent to the urban area of Woodcot and Bridgemary (in the Borough of Gosport), and defined at this point by a line of mature trees and hedgerow, with access track, rear gardens and twentieth century residential development beyond.

- 2.4. An area of open space off Tukes Avenue, along with a public footpath, are located immediately to the north of the appeal site. Existing sports pitches and playing fields (related to HMS Collingwood) are located adjacent to the northern and north-western edge.
- 2.5. To the south, the land between the appeal site and Brookers Lane currently comprises small to medium scale agricultural fields with the boundary between the two defined by a drainage ditch, some scrub vegetation and several mature trees (former hedgerow trees). The land to the south is currently in agricultural use, however outline consent was allowed at appeal for residential development (up to 99 dwellings) (PINS references APP/J1725/W/20/3265860 (Gosport refusal) and APP/A1720/W/21/3269030 (Fareham non-determination)).

Site Context

- 2.6. In the wider landscape the context of the appeal site is well contained and related to the urban areas of Fareham to the north and Gosport to the east. These are defined by the built form of HMS Collingwood and Speedfields Retail Park within Fareham, and by late twentieth century two storey residential development to the east. To the west the context of the appeal site is defined by a large solar installation, waste water treatment works and (to the south-west) by the isolated ribbon development of Peel Common.

Reason for Refusal

- 2.7. An appeal for non-determination by FBC was submitted by the Appellant in May 2022.
- 2.8. The subsequent 'officer report for committee' (15 June 2022) (**CDC.1**) concludes with a recommendation for refusal and statement that had the Members been able to determine the application, they would have resolved to refuse planning permission. Policy DSP40 of the adopted Local Plan Part 2 was introduced following an update and supplementary agenda relating to five-year housing land supply (**CDC.2**, para 6.4.7). (**CDE.2a**).
- 2.9. The reasons for refusal relevant to landscape and visual matters include.

b) The application site lies outside of the defined urban settlement boundary within the open countryside. 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;

c) The proposed development would physically and visually reduce the separation between settlements significantly adversely affecting the integrity of the Strategic Gap;

- 2.10. This evidence considers this reason for refusal in respect of landscape and visual matters, both in respect of the perceived impacts on the character and appearance of the area, and in respect of the impact on the Strategic Gap.

3. FORMER HA2 ALLOCATION

- 3.1. The appeal site forms the central and northern parts of the former HA2 'Newgate Lane South' allocation, which was previously proposed to be allocated for about 475 dwellings in the Regulation 18 version of the Draft Fareham Local Plan, since omitted from the Regulation 19 version of the draft Local Plan.
- 3.2. In July 2021, planning permission was granted at appeal for up to 99 dwellings on the southern part of HA2, immediately to the south of the current appeal site, whereby the current appeal site effectively forms the balance of the former HA2 allocation.
- 3.3. Despite its subsequent omission, the allocation of HA2, and emerging masterplan for the wider site, was based on the evidence base at that time. This included reference to the Fareham Landscape Assessment (CDG.20), along with other strategic assessments. At that time, landscape sensitivity determined in the FLA did not form an absolute constraint to development, nor has it continued to do so with other allocations in the current draft Local Plan which are situated both in areas of high landscape sensitivity and within the Strategic Gap.
- 3.4. Importantly in respect of HA2, is the background to the emerging allocation. This was not simply a land parcel which was judged at a strategic level to have capacity or be suitable. The masterplan has considerable history (involving a range of relevant stakeholders) in respect of the analysis of constraints, opportunities and how these have evolved to form illustrative proposals. These have responded to environmental considerations, including landscape and visual matters.
- 3.5. The current appeal proposal does not need to reinvent the wheel in terms of the masterplan for the appeal site. It does, however, represent a further iteration of the design process, responding further to environmental constraints and opportunities and presenting a progression of the masterplan which builds further on proposals for mitigation that are intended to minimise potential impacts, but also contribute to good design.
- 3.6. The illustrative proposals also incorporate sufficient detail on key principles that can be adopted to guide design matters going forward.

4. LANDSCAPE AND VISUAL EFFECTS AND MITIGATION

- 4.1. Consideration of potential landscape and visual effects has been an iterative part of the process, not just for the current appeal proposals but, as outlined above, a part of the long term evolution of the development of proposals for the former HA2 allocation.
- 4.2. Consequently, there is a robust scheme of mitigation embedded in the design of the appeal proposals.

- 4.3. Combined with the physical and visual containment of the appeal site at the local level, potential impacts and effects will be highly localised and limited to a small pocket of the local landscape and a small number of visual receptors.
- 4.4. The mitigation inherent in the appeal proposals will go further and will avoid and minimise potential impacts in respect of landscape character and views/visual amenity and represents a positive approach to design at this strategic level, which will set a strong framework for that approach to be adopted in future detailed design.

5. STRATEGIC GAP

- 5.1. In respect of the emerging development proposals, i.e. land to the east of Newgate Lane East, both those which are consented and currently subject of this appeal, neither will have implications for the integrity of the Strategic Gap, either more widely in respect of the core Strategic Gap between Stubbington and Fareham, nor at a more local level in the Strategic Gap which maintains the separation and identity of Peel Common.
- 5.2. Considering the wider Strategic Gap up to Stubbington the waste water treatment works and solar installation, along with green infrastructure related to these areas, provide a robust and extensive physical break between the two areas, such that any change at the level of the appeal site would not be perceptible from the Strategic Gap between Stubbington and Fareham.
- 5.3. Considering the Strategic Gap at a more local level, in respect of Peel Common, Newgate Lane East forms a 'receptor' (by virtue of its role in providing a north/south connection from the edge of Fareham) and also 'a boundary' in the Strategic Gap, as a defining route with both infrastructure and landscape planting along its route.
- 5.4. The route of Newgate Lane East itself represents a logical and robust physical boundary, to the Strategic Gap at the local level. In terms of the wider Strategic Gap, and I consider the more important core part of the gap which separates Fareham and Stubbington, the appeal site has no role in the function of that gap and the appeal proposals will have no impact upon it.

6. SUMMARY

- 6.1. Overall I consider that the adverse landscape and visual effects are limited overall to a highly localised area which generally does not extend beyond the boundary of the appeal site due to the physical containment of the appeal site and limited extent of potential visual receptors.
- 6.2. The appeal proposals represent a well considered approach to design which recognise key landscape characteristics and responds to these positively.
- 6.3. Consequently, mitigation that is embedded within the appeal proposals will successfully minimise adverse landscape and visual effects.



- 6.4. Given the context of the appeal site (including emerging development to the south) and the approach to mitigation incorporated into the appeal proposals, I also consider that the impact on the Strategic Gap would be limited. In respect of the wider gap, between Fareham and Stubbington, there would be no impact on the integrity of the Strategic Gap; at a localised level, mitigation on the western extent of the appeal site, along with the physical boundary of Newgate Lane East will ensure that separation is maintained to Peel Common, and the integrity of the Strategic Gap at this local level will be maintained.



Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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