

Summary Proof of Evidence: Landscape and Visual Matters

In respect of Land West of Berrow Green Road, Martley
On behalf of Hayfield Homes

Date: 28/10/2024 | Pegasus Ref: P22-2531

LPA Ref: M/23/O1711/OUT

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1. Qualifications and Experience

- 1.1. My name is James Atkin. I hold the position of Senior Director (Landscape) in the Lichfield Office of the Pegasus Group. I am also Deputy Head of the Environment service across the wider business. I have a Bachelor of Science Degree in Landscape Design and Plant Science and a Diploma in Landscape Management, both from the University of Sheffield. I am also a Chartered Member of the Landscape Institute (2005).
- 1.2. I have over 24 years professional experience specialising in the application of landscape and visual assessment and have provided expert witness services, preparing evidence for over 30 appeals, including for written representations, hearings and public inquiries; this relates to sites across the UK and a range of sectors.
- 1.3. As an inherent part of this work, I apply an iterative process of landscape and visual appraisal and assessment to inform master-planning principles to ensure landscape and visual constraints and opportunities are recognised and an appropriate scheme of mitigation applied.
- 1.4. The approach and methodology adopted for the process of landscape and visual impact assessment, including that prepared for the planning application for this site, has been tested and accepted by numerous local planning authorities and Planning Inspector's at appeal.

2. Terms of Reference

- 2.1. This Proof of Evidence is written on behalf of Hayfield Homes (the appellant) and addresses landscape and visual matters in respect of land west of Berrow Green Road, Martley (the appeal site), and relates to a decision by Malvern Hills District Council (MHDC) to refuse permission for (LPA reference M/23/O1711/OUT):

"Outline planning permission for up to 55 dwellings (with means of access to the site be considered at this stage and all other matters reserved)"

- 2.2. Access means the point of access and not the internal road layout. It is, therefore, the principle of development and the detail of the access which is for determination. The appellant has provided illustrative masterplans and illustrative landscape masterplans which show one way in which the proposal could be acceptably laid out. The detail is to be determined through reserved matters applications (RMA).

- 2.3. The outline application was submitted with a landscape and visual impact assessment (LVIA) addressing the proposed development, prepared by 'Pegasus Group' (CD-1.23 to 1.26) (the submitted LVIA, November 2023), which I personally prepared.

3. Site Overview

- 3.1. The appeal site is located on the western edge of the settlement of Martley. At this point the settlement is defined by recent residential development (off Ryecroft Way), other intermittent wayside dwellings, the formal recreational open space of the cricket and football pitches, and more extensive residential areas to the west of these (refer to **Appendix JWA-02**, Figure 6, Viewpoint 9 for a contextual view).
- 3.2. The appeal site is located to the west of the B4197, Berrow Green Road, and currently forms part of an overall gateway to the settlement on the approach from the south. However, the approach to Martley is changing significantly with the recent consent of two housing developments on plots adjacent to the appeal site. The extent of these in respect of the existing settlement pattern and the appeal site are illustrated on the 'Surrounding Context Aerial' drawing (CD-1.42(h)). This approach currently comprises an eclectic mix of landscape influences, including a larger scale agricultural/commercial development on the approach, the Martley Countryside Burial Ground, the previously mentioned sports pitches, and several individual wayside properties.
- 3.3. In the local landscape context to the appeal site, the land to the east of the B4197, broadly opposite the agricultural/commercial complex, has planning permission for up to 83 dwellings which is currently under construction (referred to hereafter as the Lioncourt site) (LPA reference M/23/OO863/FUL). To the north of the appeal site, an application for residential development of up to 52 dwellings has been allowed at appeal (referred to hereafter as the Jessup site) (LPA reference 21/O2245/OUT). Both sites have implications in respect of landscape character (and specifically settlement pattern) (as illustrated on the 'Surrounding Context Aerial' drawing CD-1.42(h)), and on views/visual amenity.

4. Planning Application

- 4.1. The application was submitted in December 2023 (validated in January 2024). The layout for the proposed development was illustrated on an Indicative Masterplan (CD-1.5).

- 4.2. The application was submitted with a landscape and visual impact assessment (LVIA) addressing the proposed development, prepared by 'Pegasus Group' (CD-1.23 to 1.26) (the submitted LVIA, November 2023). This concluded that, overall, the Indicative Masterplan subject of the planning application (CD-1.5/1.42(j)) included a robust landscape mitigation strategy that successfully avoided or minimised potential adverse landscape and visual effects.
- 4.3. In respect of landscape effects, this addressed physical landscape impacts at a site level (loss of agriculture to built form, and public open spaces) and some limited loss of vegetation (noting that roadside hedgerow removed for the access can be largely reinstated).
- 4.4. These give rise to changes in landscape character on the defined 'Principal Timbered Farmlands' LT, the significance of which was determined to be 'negligible to minor adverse' at Year 1, reducing to 'negligible adverse' in the longer term at Year 15.
- 4.5. For 'the site in its local landscape context' (which accounts for both the arable land use of the appeal site, the influence of the surrounding landscape context, and also the influence of the existing settlement fringes of Martley), the assessment of impacts determined that the significance of effect would be 'moderate adverse' at completion (Year 1), falling to 'minor to moderate adverse' at Year 15.
- 4.6. For visual effects, the submitted LVIA concluded that direct views of the proposed development, were restricted to a limited area only (including from the appeal site itself and from locations in the immediate context of the appeal site).
- 4.7. Overall, the conclusions of the submitted LVIA judged there to be only limited, localised landscape and visual effects which were not considered significant overall.

5. Reason for Refusal

- 5.1. The application was refused in April 2024; Reason 1 of the decision notice is most relevant to landscape and visual matters.

“The residential development of this site would, by reason of its location, scale and prominence constitute an incongruous and visually intrusive feature when viewed from a number of publicly accessible locations, and have an unacceptably urbanising and consequently adverse impact upon the character and appearance of the area, resulting in demonstrable harm to the open and undeveloped character and appearance of the land, rather than integrating as discrete infill or ‘rounding off’ of the existing village.

Furthermore, the proposal would overwhelm the Grade II listed Longstone Cottage by surrounding it with built development which would encroach upon and adversely impact its setting.

- 5.2. The reason for refusal sets out several policies which it considers the proposed development to be contrary to. This evidence considers this reason for refusal in respect of landscape and visual matters.

6. Summary and Conclusion

- 6.1. Overall, I consider that the appeal site (and proposed development) has a limited visual envelope, which restricts the appreciated local landscape context to the appeal site.
- 6.2. The proposed development will form a consistent part of the existing and emerging settlement pattern, and that the approach to the design evolution of the proposed development has addressed the local landscape context including recognition of the relevant landscape characteristics. Notwithstanding some views of the proposed development, those views to Berrow Hill can be accommodated and maintained, and Berrow Hill will remain a relevant and visible landmark from this part of the settlement.
- 6.3. The appeal site is not designated, nor within an area designated in respect of landscape and visual matters.
- 6.4. Together, the Indicative Layout and landscape strategy represent a positive response to the landscape and visual constraints, and I believe this to be a good design solution in terms of how it incorporates mitigation to avoids, and reduce potential impacts, whilst creating a framework of green infrastructure that respects characteristics and sets parameters for a high quality development.

- 6.5. In summary, on review of the detailed impact assessment presented in the submitted LVIA, and in respect of the additional evidence presented in this Proof of Evidence, I consider:
- i. the appeal site represents an appropriate, and good, site to accommodate residential development, and that it can do so in a way that accommodates a strong approach to landscape mitigation (including green infrastructure and open space);
 - ii. that the existing settlement character on this edge of Martley has changed, and continues to evolve, in such a way that residential development is an integral part of the local landscape context to the appeal site and presents an appropriate baseline with which the proposed development will be consistent; and
 - iii. that landscape and visual impacts at a certain level are inevitable in respect of green field development, but that for the appeal site, these are localised and limited to the immediate context of the appeal site, not extending across the wider landscape context to the settlement as a whole.
- 6.6. Consequently, the issues raised in respect of landscape and visual matters are not *per se* sufficient to support refusal of the application. Further, such impacts need to be considered in the tilted planning balance.



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