

BLADE

VOLUME 1: PROOF OF EVIDENCE IN RESPECT OF LANDSCAPE

LAND SITUATED NORTH OF ORTON ROAD, WARTON,
NORTH WARWICKSHIRE, B79 0JZ

ON BEHALF OF

RICHBOROUGH, MICHAEL ENSOR CATON AND ANDREW
NORMAN CATON

pins: APP/R3705/W/25/3371526

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CONTENTS

1.0	WITNESS QUALIFICATIONS	4
	Witness Qualifications and Experience	4
2.0	APPOINTMENT AND INTRODUCTORY REMARKS.....	5
	Appointment	5
	Background	5
	Introductory Remarks	6
3.0	SCOPE OF EVIDENCE AND THE MAIN MATTERS	7
	Scope of Evidence	7
	Questions	7
	Pertinent Matters from the Officer's Report and Statement of Case	8
4.0	THE APPEAL SITE	12
	The Appeal Site	12
	The Appeal Site's Landscape Character	13
	The Appeal Site's Landscape Value	14
	Landscape Sensitivity at the Appeal Site.....	14
	Physical Containment and Availability of Views	14
	The Appeal Proposals Generally	17
5.0	MATTER ONE: OPEN COUNTRYSIDE.....	22
6.0	MATTER TWO: RELATIONSHIP WITH THE SETTLEMENT	30
7.0	MATTER THREE: SETTLEMENT HIERARCHY	35
8.0	RESPONSE TO THE WARTON RESIDENTS' ASSOCIATION STATEMENT OF CASE 40	
9.0	POLICY COMPLIANCE	43
10.0	CONCLUSION	52

1.0 WITNESS QUALIFICATIONS

Witness Qualifications and Experience

- 1.1. My name is James Bullock. My qualifications include a Degree in Landscape Architecture from the University of Gloucestershire (formerly Cheltenham and Gloucester College of Higher Education), where I also studied and passed my Post-Graduate Diploma in Landscape Architecture. I passed my Pathway to Chartership Examination in 2009.
- 1.2. I work at BLADE Landscape Architects Limited (formerly Zebra Landscape Architects Limited which was renamed in early 2024). BLADE Landscape Architects Limited is a Registered Practice of the Landscape Institute. The practice represents private and public sector clients with land and development interests throughout the UK including many residential developments. The vast majority of our work is obtained through repeat business and recommendation.
- 1.3. Personally, I have nearly 30 years' experience in the design and assessment of development proposals and land use change from a landscape perspective including development in sensitive landscape settings.
- 1.4. I have extensive experience of the landscape and visual assessment and landscape design of residential developments, as well as the development of employment, industrial, tourism and energy projects.
- 1.5. Since 2009, I have acted as a Landscape Expert at Planning Hearings and Inquiries on behalf of Developers, Planning Authority and Third Party clients, including recent appeals for development schemes with Nationally sensitive locations, such as Areas of Outstanding Natural Beauty.
- 1.6. In my career, I have been involved in the landscape assessment of dozens of residential schemes and urban extensions throughout the country.
- 1.7. This statement is true and has been prepared by myself and is given in accordance with the guidance of my professional institution. I also confirm that the opinions expressed are my true and professional opinions.
- 1.8. The evidence that I have prepared and provide for this inquiry is true and has been prepared and is given in accordance with the guidance of my professional Institute. I confirm the opinions expressed are my true and professional opinions.

2.0 APPOINTMENT AND INTRODUCTORY REMARKS

Appointment

- 2.1. BLADE were appointed by the Appellant to provide Landscape Architectural Services to inform plans for a new residential development on the now Appeal Site. I first visited the Appeal Site in January 2025. At this initial time, I was asked to review the Site against the current National and local planning policy, published landscape studies, and also to provide constraints and opportunities for emerging master planning proposals.
- 2.2. I have played a central role in the assessment of the landscape context, visiting the site on various occasions in both winter-time and spring-time, and I provided inputs to the Appeal's masterplan proposals, which were taken up by the Appellant. These included:
- The most appropriate arrangement of built form within the site;
 - What building heights would be acceptable;
 - The extent and depth of setting back new built form within the core of the Appeal Site to provide generous green spaces and buffer spaces around the scheme;
 - The suitable locations for the provision for public open and green corridors aligned to retaining existing landscape fabric; and
 - Through the masterplanning process, working as part of the wider team with the Arborist, Ecologist and Masterplanner to retain existing landscape fabric and identify new landscape planting and habitat creation to reflect the recommended landscape management guidelines published within the Warwickshire County Council's Landscape Guidelines (published 1993) and the North Warwickshire Borough Council Landscape Character Assessment (2010).
- 2.3. I was the author of the LVA and also project managed the Landscape Design element of the appointment to enable placemaking, landscape enhancement and mitigation measures, which were designed by my colleague, Ms Stephanie Turner, Managing Director, BLADE Landscape Architects Limited.

Background

- 2.4. In February and March 2025, the Appellant's Town Planning Consultants undertook pre-application consultation with NWBC. For this exercise, BLADE proposed a series of Viewpoints for the undertaking of the LVA (CD1.12).
- 2.5. These viewpoints were discussed with the NWBC's Case officer, and a final set of locations of the LVA were decided upon and agreed. This exercise also included agreed the viewpoint locations for the preparation of the Accurate Visual Representations (CD2.9); reproduced at Appendix JB 3.
- 2.6. The Appellants submitted the outline planning application on 1st April 2025; the application was subsequently validated on 25th April 2025. The statutory 13-week period for the determination of the

application expired on 25th July 2025. However, NWBC failed to determine the application within the statutory timeframe.

Introductory Remarks

- 2.7. Landscape is “not unchanging” (GLVIA para 2.13). Change is necessary if the planning system is to fulfil its purpose.
- 2.8. The LVA’s role is to assess the effects *‘in response to the particular context in which proposed change takes place’* (GLVIA para 2.6). This requires a focus not just on the qualities of the site itself, but also the appropriateness of the development in context.
- 2.9. It is essential to address the positive as well as the negative effects of a proposal (GLVIA version 3 paragraph 2.26). The *‘not unchanging landscape’* creates *‘new landscapes’* (GLVIA version 3 paragraph 2.13). Benefits as well as impacts must form part of the balancing exercise when weighing the significance of landscape effects, especially when addressing matters of policy compliance.
- 2.10. The landscape context for this proposal is not simply the open agricultural land and vegetation of the Appeal Site. It includes built form including the village of Warton which provides the setting for this proposal.
- 2.11. The Appeal Site’s ‘village edge’ context and the qualities of the ‘new landscape’ proposed should be considered alongside the character of the Appeal Site itself. These are all part of the considerations in the overall exercise of balancing landscape effects to which I will refer later.
- 2.12. My evidence informs the overall planning balance, which is undertaken by Mr Neil Cox in the Planning Proof of Evidence. However, my evidence is strictly confined to landscape character and related design matters. My professional opinion, as elaborated in the following sections, is that the proposals as now formulated, will deliver a coherent and logical extension to the village of Warton. They will deliver a high-quality new landscape, ecological betterment and public access for amenity and recreation.
- 2.13. The Appeal will lead to the loss of one individual field. However, a substantial degree of naturalness will still remain, albeit in a different form to that which currently exists. For the reasons set out in the following Sections, I believe this scheme represents a sustainable, well designed re-purposing of the Appeal Site in landscape terms and one which is compliant with relevant guidance and policy when read as a whole.

3.0 SCOPE OF EVIDENCE AND THE MAIN MATTERS

Scope of Evidence

- 3.1. NWBC's Rule 6 Report (CD3.1) identified five recommended reasons for refusal. Members resolved that they would have refused the application for those five reasons for refusal only and these are the putative reasons for refusal.
- 3.2. In essence, my evidence addresses the landscape issues raised mainly in the second reason for refusal ('RfR2'), which states (N.B. Underlining added by me for emphasis):

'The proposal would result in an unacceptable intrusion into the open countryside that would give rise to landscape and visual harm. Further, the scheme would give rise to harm to the settlement morphology of Warton, given the site reads as an adjunct to the settlement, rather than integrating with the settlement. The proposal is thus contrary to Local Plan policies LP1, LP14 and LP30 together with PNP3 and PNP4 of the Polesworth Parish Neighbourhood Plan 2025 as supplemented by the National Planning Policy Framework'.

- 3.3. The Inspector's Post-CMC note (CD9.3) identifies the following Main Issue 3: *"The effect of the proposed development on the character and appearance of the area, with particular reference to the surrounding landscape, the design and layout of the proposal, and its spatial integration with existing development"*
- 3.4. I shall address Main Issue 3 and RfR2 sub-dividing into various questions.

Questions

- 3.5. I have structured this Proof to address the following three issues arising from the wording of RfR2 and also reflecting the wording of Main Issue 3:

Matter One) Open Countryside and Surrounding Landscape: *Would the Appeal Proposals result in an 'unacceptable intrusion into the open countryside that would give rise to landscape and visual harm'?*

Matter Two) Integration with Settlement: *Would the proposed development at the Appeal Site read as an 'adjunct to the settlement, rather than integrating with the settlement'?*

Matter Three) Settlement Morphology: *Whether the Appeal Proposals would 'harm the settlement morphology of Warton'?*

- 3.6. RfR2 cites a number of adopted Local Plan policies, specifically Local Plan policies LP1, LP14 and LP30 and PNP3 and PNP4 of the Polesworth Parish Neighbourhood Plan 2025. These are listed in the Statement of Common Ground and are addressed in the Planning Statement of Mr Cox, and I also comment on these within Section 9 of this Proof.
- 3.7. This statement is structured around these three matters, which I address in turn in Section Five to Seven. Section Eight records my conclusions.

3.8. Whilst the Council's landscape case against this proposal is summarised in RfR2 (CD3.1) and its SoC (CD8.8), there are a much wider range of sources relevant to an understanding of the landscape issues pertinent to this inquiry. Having regard to the following sources, I have set out what I consider to be the main matters in landscape terms relevant to the determination of this appeal. The sources include:

- The contents of the Appellant's Landscape Visual Appraisal (CD1.12) together with the site description in the Statement of Common Ground ('SofCG') provides an introduction to the Appeal Site and its landscape context.
- The NWBC's Officer's Report dated 6th October 2025 (CD3.1)) including a summary of third-party consultations;
- The application documents as summarised in the Appellant's Design and Access Statement (CD1.8), including the following drawings submitted by the Appellant for planning including:
 - Illustrative Framework Plan (CD2.2);
 - Parameter Plan Land Use (CD1.5);
 - Landscape Strategy (CD2.3);
- A series of Accurate Visual Representations (CD2.9) prepared to demonstrate the proposed development at the Appeal Site at Year 1 and Year 15 (reproduced at Appendix JB 3); and
- Other relevant background documents including the region and district-level landscape character assessment .

Pertinent Matters from the Officer's Report and Statement of Case

3.9. During the determination period, NWBC's Case Officer provided no commentary on landscape matters, and did not request any further appraisal work, or the preparation of additional accurate visual representation, other than that which was submitted by the Appellant as part of the Applicant (see above).

3.10. In their Statement of Case (CD8.8) prepared by the NWBC Officers, under the sub-heading 'Policies LP1 and LP14 Landscape', NWBC presented their opinion of how the scheme would affect the local landscape character.

3.11. Under the sub-heading 'Settlement Hierarchy and Proportionately', the following is stated by NWBC in Section 8, paragraph 8.12 (N.B. Underlining added by me for emphasis):

'Warton in general terms is nucleated, but it has a distinct linear form in the vicinity of the application site with the majority of the built development located along the frontage to Austrey Road and Church Road with small cul-de-sacs on either side.'

3.12. NWBC continues and states (N.B. Underlining added by me for emphasis):

'It is agreed that the proposal's landscape impact would be local in extent and impact, not affecting the overall character of the Landscape Area. However, in this case it is the nature of that local impact that is harmful. The proposal is a substantial impact to the village, well beyond its defined settlement boundary.'

3.13. I note the below in summary:

- NWBC's considers that the area in the vicinity of the site has a 'linear form', but recognises that existing development and built form is associated within cul-de-sacs of the two main routes through the village (Austrey Road and Church Road).
- NWBC consider that the effect of the proposed development would be local in its extent, which it considers to be harmful.

3.14. NWBC continues (N.B. Underlining added by me for emphasis):

The connection to the village is via the access to Church Road, there are two access/egress points for pedestrians, one to the open space to the north and one to the south west. There are no accesses proposed into Red Marl Way which is a private estate and none to Orton Road. Other than this its connection to the village is such that the proposal is spatially isolated and is an appendage to the existing settlement. There is no link to the Red Marl Way scheme to the north east either. There is no continuation of the existing development from Red Marl Way, currently there is open space around the fringes of the existing development with no access or linkages and a similar provision of open spaces around the proposed development without any positive integration.

3.15. In summary, I note the following:

- NWBC consider that the development as proposed by the Appellants would be 'spatially isolated and is an appendage to the existing settlement'.

3.16. At Section 8, paragraph 8.13, NWBC states (N.B. Underlining added by me for emphasis):

'In terms of overall effects on landscape character, harm from the scheme would be limited as the proposal has limited impact on the wider landscape due to the lack of intervisibility. There is however harm from the proposal due to the introduction of development on an agricultural field on the undeveloped edge of a settlement. The proposal will be visible from the road network in the vicinity of the site along Orton Road where the footpath is elevated and from Church Road. This does weigh against the scheme in the overall planning balance.'

3.17. In summary, I note the following:

- NWBC states that through the lack of intervisibility (of the Appeal Site and the proposed development) there would be *'limited impact on the wider landscape'*.
- NWBC consider that the proposed development would lead to harm through the *'introduction of development on an agricultural field on the undeveloped edge of a settlement.'* In this instance, NWBC cite that the 'proposal will be visible from the road network in the vicinity of the site along Orton Road where the footpath is elevated and from Church Road. Given the foregoing, NWBC are highlighting the effect of the proposed development on those residential receptors situated adjacent to the Appeal Site which are located within the southwestern village edge.

3.18. Under the sub-heading 'Visual Harm', the following is stated by NWBC at Section 8, paragraph 8.14 (N.B. Underlining added by me for emphasis):

'As with the landscape character issue, it is agreed that visual amenity impacts would be local in extent. Both the amenity of residents and visitors travelling past the site will need to be addressed.'

3.19. NWBC continues and at Section 8, paragraph 8.15 and sets out the receptors that would be affected within this local area of the Site (N.B. Underlining added by me for emphasis):

'It is agreed that the number of "receptors" include the residential properties on the edge of Warton and the users of the network of the Public Rights of Way, vehicular users and those using the open space along Church Road. Pedestrians using the paths next to the site would experience adverse visual impacts because the proposal would be clearly visible as the paths adjoin or pass through the development. This also includes views from the development in Red Marl Way too.'

3.20. In summary, NWBC consider that the geographical area by which the proposed development would be experienced in is local to the Appeal Site's location. Specifically, NWBC cites the neighbouring residential dwellings on Church Road and Red Marl Way, pedestrians passing the Appeal Site and where views into the scheme might be possible from the pedestrian footway on Church Road and within Red Marl Way adjoining the Site.

3.21. At page 61, paragraph 8.16 and 8.17, NWBC states (N.B. Underlining added by me for emphasis):

'At present the application site and the surrounding area has some landscape qualities associated with it being undeveloped open arable land, with hedgerows and hedgerow trees. The site itself is not accessible for people to see and enjoy, though it is visible from the views across this landscape from neighbouring areas. Despite the landscape around the site, it does.'

The visual harm of the proposal would be relatively localised in extent, but nevertheless important to those who will be affected, particularly the local communities who live adjacent to this stretch of undeveloped landscape.'

3.22. In summary, I note the following:

- NWBC highlight that the proposed development at the Appeal Site would be *‘visible from the views across this landscape from neighbouring areas’*. Therefore, NWBC are highlighting the effect of the proposed development on the immediate setting of the Appeal Site.
- Again, NWBC repeat their opinion that the visual effects of the proposed development would be *‘localised in extent’*, citing the *‘local communities who live adjacent to this stretch of undeveloped landscape’*. Again, NWBC are highlighting the effect of the proposed development on those residential receptors situated adjacent to the Appeal Site which are located within the southwestern village edge.

3.23. It is notable that NWBC states the proposed development would *‘substantially impact the village, well beyond its defined settlement boundary’*. However, in the next paragraph (paragraph 8.13) of their own report (CD3.1), NWBC then states, *‘in terms of overall effects on landscape character, harm from the scheme would be limited as the proposal has limited impact on the wider landscape due to the lack of intervisibility’* and also at paragraph 8.14, they repeat their opinion that *‘it is agreed that visual amenity impacts would be local in extent’*, as well as at paragraph 8.17, which states the *‘visual harm of the proposal would be relatively localised in extent.’*

3.24. These statements are contradictory. There is confusion within NWBC’s opinion as to the potential for landscape and visual effects of the proposed development. NWBC emphasises the significance of the how the *‘proposal will be visible from the road network in the vicinity of the site along Orton Road where the footpath is elevated and from Church Road’*; stating that is an important matter that does *‘weigh against the scheme in the overall planning balance’*. These receptors are situated neighbouring the Appeal Site within close to very close range of the Site.

3.25. In summary, NWBC’s concluded view that the proposed development at the Appeal Site would have only a localised effect on landscape and visual amenity (which is correct) means that is clearly wrong then to observe that any effects would extend *‘well beyond its defined settlement boundary’*.

3.26. Only localised effects would be experienced within the southwestern edge of the village. NWBC states receptors within paragraph 8.15 (CD3.1). These receptors are neighbouring the Site or within a local distance. These are residential dwellings neighbouring the Site, pedestrians and road users on Orton Road and Church Road, park users and PRoW users passing through the village edge of Warton. This is a localised range of receptors. From my Landscape Visual Appraisal, would be within close range of the Site i.e., within 0.5km distance generally. I will address the effects of the Proposed Development on these receptors within Matter One, Section 5 of this Proof of Evidence.

3.27. Finally, NWBC consider that the existing settlement *‘in general terms is nucleated, but it has a distinct linear form in the vicinity of the application site with the majority of the built development located along the frontage to Austrey Road and Church Road with small cul-de-sacs on either side’*. I do not agree with this description, as I shall consider further below.

4.0 THE APPEAL SITE

The Appeal Site

- 4.1. A review of the Appeal Site is contained in the Introduction of the DAS (CD1.8). Landscape context is further summarised at Section 3.3, page 16-17 of the DAS. A more detailed review of the landscape context is provided within the Appellant's LVA (CD1.12) within Sections 2, 7 and 8. I have paraphrased below a number of notable site features:
- 4.2. The Site totals 6.37 Hectares.
- 4.3. The Site is a single, individual field.
- 4.4. The Site is located between two public roads on the southwestern edge of the village.
- 4.5. The landscape fabric has been impoverished because of several decades of intensive arable farming. Whilst there are several mature hedgerows and hedgerow trees, neither the condition of the site, or its character, are unique or rare locally.
- 4.6. The Site is enclosed by robust hedgerows with extensive tree components along the north, south and western edges, which limit visibility of the Site and views in and out of the Site.
- 4.7. The hedge lines contain native hedgerow trees, and beyond this, there is a vegetated verge to Church Road with trees and a vegetated verge along Orton Road to the site's western edge.
- 4.8. There are no Veteran trees within the site or affecting its boundaries.
- 4.9. The Site has a gently undulating landform from the western boundary to the southeastern corner of the site; circa 90m AOD to 79m AOD.
- 4.10. Contextually, the site is located at the southwestern edge of Warton village, which has a similar landform as the site. The centre of the village is found at circa 91m AOD at the junction of Church Road and Maypole Road (circa 0.5km northeast of the site's location).
- 4.11. Generally, landform rises to the north, east and south of the site, with the village found within a gently rolling landscape. Landform rises to the outlying village of Orton-on-the-Hill, which east of Warton at circa 2.3km distance. This village is located at circa 105m AOD.
- 4.12. The northeastern edge of the site adjoins the Public Open Space/Public Park found off Church Road, with a cemetery and a Church (Warton Holy Trinity) situated beyond and accessed from Church Road.
- 4.13. A newly developed housing scheme (Red Marl Way) neighbours the site along the east to southeastern edge of the site. This scheme is predominantly two storey scale and overlooks the boundary to the Site, which has a native hedgerow and tree planting.

- 4.14. There is no Public Access to the site or a Public Right of Way ('PRoW') within or passing along the Site's boundaries. There is a limited network of PRoW routes within the setting of the Site, especially within the initial 1 km distance of the site's location. There is a small number of PRoW passing along the village edge nearest to the site's location.
- 4.15. Beyond this, PRoW pass through the wider open countryside and are generally linear in their route and limited in frequency possibly reflecting the large agricultural field pattern beyond the village.
- 4.16. With consideration of the Natural England National Character Assessment (online resource), the Appeal Site is located within NCA 72 – Mease/Sence Lowlands; albeit close to the boundary with on the edge of the neighbouring NCA 97 Arden.
- 4.17. With reference to the Warwickshire County Council's Landscape Guidelines (published 1993), the Appeal Site is located within the (regional) Landscape Character area of the Mease Lowlands Landscape Character Area.
- 4.18. In the North Warwickshire Borough Council Landscape Character Assessment (2010) the Appeal Site is located within the No Man's Heath to Warton – Lowlands (Landscape Character Area 1) Landscape Character Area.
- 4.19. There are no statutory or non-statutory ecological designations covering the Site. The Site consists of a range of habitats including scrub, native hedgerow and scattered hedgerow trees. However, the majority of the Site is managed for arable crop production.
- 4.20. The site is not designated at a local or National level for its landscape or scenic qualities. No such designation falls within 5km of the site. The site is recognised by the adopted Local Plan as being within Open Countryside which does not relate to protection of high-quality landscape.
- 4.21. The Site itself has no known notable cultural associations with art, literature or events in history.
- 4.22. There are no listed buildings on the site and the Site is not within or adjoining a Conservation Area.
- 4.23. No part of the site lies within or close to any parks or gardens listed on English Heritage's Register of Parks and Gardens of Historic Interest.

The Appeal Site's Landscape Character

- 4.24. Turning to the character of the Appeal Site itself, the published landscape character assessment most relevant to this inquiry is the North Warwickshire Borough Council Landscape Character Assessment (2010). Despite being prepared and published 15 years ago, the North Warwickshire Borough Council Landscape Character Assessment (CD4.13) remains the most recent landscape character assessment published by NWBC.
- 4.25. It is my professional opinion, that the published landscape character assessment is useful as a basis for assessing the Appeal Site's representativeness and intactness (relative to the Landscape Character Area as a whole); this feeds into judgements about the overall landscape sensitivity and value of the Appeal site in the planning balance.

- 4.26. I concluded that the Appeal Site is broadly consistent with the description of its host landscape character area. However, situated at the village, the Site has less intact features of the No Man's Heath to Warton – Lowlands (Landscape Character Area 1).

The Appeal Site's Landscape Value

- 4.27. The Appeal Site's landscape value was considered in the Appellant's Landscape Visual Appraisal (CD1.12).
- 4.28. The landscape forms a small part of the No Man's Heath to Warton – Lowlands Landscape Character Area (as per North Warwickshire Borough Council Landscape Character Assessment (2010)). The landscape character area's intrinsic value is at the heart of the weight attached to landscape change here. However, it is common ground that the Appeal Site has no designated status in landscape terms. While all landscapes have some intrinsic value, as recognised by the NPPF para 187 (b), it is not part of the Council's case that any part of this Appeal Site has elevated value above the rest of the open countryside surrounding this location.
- 4.29. The Appeal Site is not a 'valued landscape' (as per TGN 02/21: Assessing Landscape Value Outside National Designations) and would not have an elevated intrinsic value commensurate with the 'protect and enhance' directive of the NPPF's para 187 (a). NWBC have agreed this.
- 4.30. For that reason, I shall demur from the more detailed analysis of landscape value associated with the 187 (a) tests. The Appeal Site has no greater intrinsic value in the planning balance than any other undesignated farmland surrounding the settlement edge of Warton village. Notably the Appeal Site (i) adjoins the public park of the village; and (ii) adjoins neighbouring development, and is partly visible from residential development along Red Marl Way.
- 4.31. When on Site, one is aware of the presence of the surrounding village related land uses, at the edge of the village. The Appeal Site is a single field located between two roads which travel to and from the village. Orton Road and Church Road frame the village at this southwestern edge, with land beyond having a greater sense of open countryside.

Landscape Sensitivity at the Appeal Site

- 4.32. The LVA's own site-specific assessment has attributed 'medium' sensitivity to the site, as well as the wider host landscape character area.
- 4.33. Medium sensitivity is defined by the Appellant's Landscape Visual Appraisal within Table A.2 on its Methodology (CD1.12) as undesignated countryside and landscape features; some distinctive landscape characteristics and few landscape detractors, and the site is no more, or less, sensitive than any other open countryside surrounding Warton village.

Physical Containment and Availability of Views

- 4.34. Section 5 of the Appellant's LVA (CD1.12), paragraph 5.5, and summarised at paragraph 5.30 to 5.34, explains that the combination of (i) the gently rolling landform, with (ii) the built form neighbouring the site, as well as (iii) the intervening landscape fabric all generally contain the site, and limit the general visibility of the site.

- 4.35. The primary zone of visibility is where representative viewpoints are assessed. Whilst there may be views from the wider area beyond the primary zone, such views are less open, and likely to be filtered, or screened by existing landscape features, built development or landform.
- 4.36. The site's location at the settlement edge of Warton village is notable in this respect. The site is predominantly enclosed by native field hedgerows with hedgerow trees which aligns to the site's boundaries. To the eastern edge, this hedgerow is less obvious and has declined in a number of places, and to the southeastern site edge, has become lost or heavily declined. Here the site is neighboured by two storey dwellings. The combination of these immediate features is sufficient to substantially filter and screen the Site from direct view from the east.
- 4.37. In my experience, this is an extraordinarily limited zone of potential visual impact for a scheme of this size so close to a settled village. Together these features provide a very well contained context for a development of new homes.
- 4.38. Further to the above, the visibility of the Appeal Site is demonstrated through the representative viewpoints assessed in the LVA (CD1.12.1), which have been included within Appendix JB 1. For brevity, I summarise how the discernibility of the site is restricted, and cross reference the Viewpoints from the Appellant's LVA which demonstrate my field-based observations. I have also included a number of photographs for the reader within the below analysis.
- 4.39. **Northeast to East:** The discernibility of the site from the northeast to east is very limited and largely contained by the immediate 'layer' of residential development i.e., along Church Road and thereof. Many of these dwellings are arranged with oblique views of the site, and the effect of then nearby Church is also sufficient to restrict views of the site.
- 4.40. Beyond the village's northern and western edges, there are a small number of Public Rights of Way which link with Orton Road and progress across open countryside. From these routes, the site is not seen wholesale, and views of the site's interior is limited to only the western edge, whereby the site is seen against the rising landform to Stiper's Hill (west) and the elevated landform around Donative Farm to the north (circa 115m AOD).
- 4.41. As demonstrated by the plotted Zone of Theoretical Visibility (Appendix JB1), the effect of intervening landform is sufficient to screen direct views of the site. As one approaches the village of Warton along Orton Road, road users are passing through lower lying landform, and the effect of intervening village built form and land uses and numerous tree groups or tree components is sufficient to substantially filter if not screen views of the site.
- 4.42. **Southeast to Southwest:** The main factor in seeing the site is the effect of intervening built form within Warton. The main route through the village is Austrey Road/Maypole Road/Little Warton Road, which in combination, run north to south through the village. Existing development along this route is predominantly two storey, and the majority of this built form is situated relative to the height of the site i.e., circa 83m AID to 90m AOD, with further two storey built form situated along the edge of the village including Barn End Road circa 77m AOD to 84m AOD.

- 4.43. This built form is often intervening in views from within the village or enclosing the Site along Red Marl Way. This restricts the visibility of the Site from the approaches to the village along Orton Road, Church Road and along Barn Lock Road. The effect of intervening field hedgerows and hedgerow trees along these routes further restricts views.
- 4.44. Given the foregoing, I find that the Site is frequently screened from view. The site is not seen wholesale. Generally, when the site is seen, only a relatively small area of the site is glimpsed between field hedge lines, trees, and roadside vegetation.
- 4.45. **West to Northwest:** To the west and northwest, the opportunity to see the site is limited to a small geographical area. This is due to the influence of Stiper's Hill screening views to the site from beyond; see the plotted Zone of Theoretical Visibility (see Appendix JB 1).
- 4.46. Additionally, the well tree'd and vegetated nature of the fields and roadside environment immediately west of the site further diminishes the opportunity to see the site, whereby, the site is only glimpsed for a short time duration. In these locations/situations, the site is seen against the wider backdrop of the village and the houses neighbouring the site.
- 4.47. Image JB 4.1 represents the Zone of Primary Visibility, or 'visual envelope', experienced at the Site.

Image JB 4.1: Zone of Primary Visibility Plan. N.B. The Appeal Site is shown with a solid red line. The Zone of Primary Visibility is indicated with a yellow opaque fill



- 4.48. This Zone of Primary Visibility was informed by the plotted Zone of Theoretical Visibility within the Appellant's LVA (CD1.12), and through a field-based assessment during winter-time conditions.
- 4.49. Given the foregoing, I find that the Site has a very limited zone of visibility across these geographical areas, with the discernibility of the Site limited to its immediate location within the village environment.
- 4.50. Overall, that the Site is most likely to be seen from its immediate setting from the adjacent public recreation ground, from the houses neighbouring the site or when glimpsed from Orton Road or Church Road. The Zone of Primary Visibility is predominantly from locations adjoining the Appeal Site, or as one is approaching the southwestern village edge or within this location. These locations are located within circa 0.5km distance, where the Site is experienced against the wider village backdrop.
- 4.51. Beyond this, the landform to the north and northwest restricts views of the Site, especially as there are no publicly accessible locations by which to see the Site from. This rising land restricts the discernibility of the Site from the wider open countryside to the west (towards Polesworth and Tamworth beyond).
- 4.52. It is noted that the aforementioned analysis determined the selection of the viewpoint locations for the undertaking of the LVA (CD1.12) which were consulted on, and agreed with the Case Officer at NWBC.
- 4.53. The viewpoints were selected to demonstrate the discernibility of the Appeal Site, as well as from those locations, where the site is substantially filtered, if not screened – so demonstrating the physical containment of the site. During the determination period, and specifically the consultation period, NWBC requested no further representative viewpoints to be examined.

The Appeal Proposals Generally

- 4.54. The Appeal Proposals are described in considerable detail in the DAS (CD1.8), and I summarise the scheme as follows:
- 4.55. Creation of a development broken up by strong green infrastructure and open space.
- 4.56. Creation of low-density, landscaped edge to the western edge to the scheme with dwellings stepped in.
- 4.57. Protecting and enhancing existing trees and hedgerows along the boundaries of the Site, along with the existing pond, through the creation of ecological corridors.
- 4.58. Offering an attractive central green focal space, providing opportunities for people to meet and socialise.
- 4.59. A significant opportunity for new landscape planting including trees and hedgerows (native species of local importance) throughout the scheme to break up the roofline and massing of housing.

- 4.60. Creating a network of pedestrian connections to facilitate active travel within the Site and to the wider area.
- 4.61. Maximising views out from dwellings fronting the landscape edge to provide an attractive setting.
- 4.62. Creation of well vegetated boundaries, including increasing planting on the more exposed southeastern extent.
- 4.63. The overall spatial strategy for the site is demonstrated within the Illustrative Framework Plan (CD2.2); see Image JB 4.2:

Image JB 4.2: Extract from the Illustrative Framework Plan (CD2.2)



- 4.64. The Illustrative Framework Plan (CD2.2) demonstrates the following key points:
- 4.65. Locating the proposed residential development within the interior of the Site with green corridors running through to link with an extensive public open space, which would remain undeveloped.
- 4.66. Development is concentrated where it is most appropriate in environmental terms to do so, with some 2 Hectares of the overall 6.37 Hectare site proposed for some form of open space including landscape, green infrastructure and natural/semi-natural landscapes. This would physically connect and merge with the adjoining public open space, the village park and sports pitch (off Church Road) to the east with the scheme link by a new pedestrian access to the park and through the development to the wider Public Rights of Way network beyond Church Road to the west.

- 4.67. As a consequence, the current built interface of Warton will extend into the existing agricultural field of the Site. The Appellant's scheme has been designed to marry the proposal with the existing development through a well-considered public open space for landscape amenity and green infrastructure.
- 4.68. This is a very open development when considered as a whole and the new planted buffers and retention of the western site area as a broad open space, with the proposed development set within the existing roadways with roadside hedgerows bolstered and enhanced.
- 4.69. A significant contribution to local Green Infrastructure in the form of increased tree cover, habitats and public access is a feature of the proposals proposed by the Appellant, which would enhance the site area.
- 4.70. Findings of the LVA were fed into the evolution of the site layout. Locating the proposed residential development within the interior of the Site with green corridors running through to link with an extensive public open space, which would remain undeveloped. The purpose of the setbacks is to create public open space, afford views around the development, to the existing edge of village and across the open countryside to the south, integrate the scheme within the existing residential area and public open space, as well as reinforce the village edge to the south and west. These stand-offs are as follows:
- 4.71. The depth of standoff to eastern edge is circa 25 metres (minimum) up to circa 35 metres (maximum) excluding the area of the attenuation basin. (N.B. Space is also allowed for green infrastructure and new landscaping, to filter views of the new scheme from the neighbouring residential area, as well as to break up the development mass of the new scheme in views from the open countryside east of Warton village from rising landform).
- 4.72. The depth of stand-off to the southern edge is circa 15 metres (minimum) up to circa 50 metres (maximum). (N.B. Space is enabled here for green infrastructure to buffer the scheme from road users passing along Orton Road, as well as views from the wider open countryside to the south).
- 4.73. North-Northwest - Approximate buffer depth: up to circa 25 metres positioning new built form up to circa 2 metres.
- 4.74. West-Southwest - Approximate buffer depth: up to circa 75 metres positioning new built form up to circa 5 metres lower than the southwestern edge.
- 4.75. These buffers are generous and provide the proposed development with an expansive landscape setting, which the proposed development would be integrated within. These buffers are not intended as 'defensive screens', but as natural features to provide an interface with the village environment (east) and wider agricultural land (south and west).
- 4.76. From a landscape perspective, the over-arching landscape strategy is demonstrated within the Landscape Strategy (CD2.3), contained in Appendix JB 2; see Image JB 4.3:

Image JB 4.3: Extract from the Landscape Strategy (CD2.3)



- 4.77. The following key points merit emphasis:
- 4.78. The Appeal Site is of sufficient scale that it can integrate the scheme within the existing (but retained and bolstered) green infrastructure of landscape fabric, as well as new landscaping and habitat creation. The scheme would be managed as natural and semi-natural green space, as well as providing areas of open space with an attenuation basin (lower southeastern edge).
- 4.79. The addition of hedgerow, and new tree planting includes locally characteristic orchard planting within the Site and to the Site's boundaries to create enhancement to the existing landscape fabric, and arboricultural continuity for the long-term establishment of tree planting within the proposed scheme.
- 4.80. Through these landscape measures – retaining and bolstering the existing features and enhancing with new landscaping – to preserve and enhance the existing character of the roadway into the village along Church Road and passing the village edge along Orton Road – therefore, the scheme seeks to preserve the existing characteristics of these routes.
- 4.81. Multiple green corridors running through the site, which helps to break up the mass of development and affords landscape mitigation measures running through.

- 4.82. Proposed community orchards to benefit the local community, as well as re-establish rare or threatened species of locally found fruits.
- 4.83. This strategy would retain existing landscape fabric, and ensure that it is bolstered and enhanced with similar native planting as well as providing new green infrastructure for the scheme. The Landscape Strategy (CD2.3) confirms additional planting and landscape measures which would reflect the NWBC's guidance for the No Man Heath to Warton Lowlands Landscape Character Area (as per the North Warwickshire Borough Council Landscape Character Assessment (2010) (CD4.13)), which included:
- *'Conserve the historic field pattern, with priority given to restoring and strengthening primary hedge lines including those alongside roads;*
 - *Manage hedgerows to enhance the field pattern by planting up gaps, allow hedges to grow by reducing cut rotation intervals to 3 yearly intervals for wildlife benefits;*
 - *Promote management of small woods and game coverts, in places long rotation coppicing may be appropriate;*
 - *Enhance tree cover through small scale planting of broadleaved coverts and woods in keeping with geometric pattern of hedged fields and visually open character;*
 - *Encourage natural regeneration of trees and vegetation alongside watercourses and promote small areas of wetland planting in areas currently lacking in habitats;*
 - *Encourage ecological management of grassland areas and wetlands.'*
- 4.84. In next Sections, I shall set out the case for the Appellant on the Inspector's Main Issue 3, structured around the main matters I have identified in Section 3 above.

5.0 MATTER ONE: OPEN COUNTRYSIDE

Matter One) Would the Appeal Proposals result in an ‘unacceptable intrusion into the open countryside that would give rise to landscape and visual harm’?

Effects on Landscape

- 5.1. The Appeal proposal will not cause any unacceptable harm the intrinsic character of the open countryside or amount to an unacceptable intrusion into the open countryside.
- 5.2. An “unacceptable intrusion” of this kind would require the proposal to fall beyond the influence of the village. I do not consider that that is the case here. The proposal is on the periphery of the village and it is relevant to assess the effects of the surrounding open countryside. I do so below and comment on the effect of the proposal on the character of the village later itself later within this main matter:
- 5.3. BLADE undertook a detailed Landscape Visual Appraisal (CD1.12) of the Appeal Proposals.
- 5.4. The Appellant’s LVA was undertaken to accord with best practice guidelines, Guidelines for Landscape and Visual Impact Assessment (GLVIA version 3).
- 5.5. The location of viewpoints assessed in the LVA were consulted and agreed with NWBC’s Planning Case Office.
- 5.6. No criticism has been made by NWBC of either the methodology or the overall conclusions of the LVA.
- 5.7. The North Warwickshire Borough Council Landscape Character Assessment (2010) adopts a character based approach to landscape conservation which applies to the whole of the Borough, in line with current convention. As such, effects on the host landscape as defined in the Borough’s published landscape assessment are relevant.
- 5.8. Whilst the Appeal Site is situated on the southwestern village edge of Warton, and the North Warwickshire Borough Council Landscape Character Assessment (2010) defines the surrounding countryside (No Man’s Heath to Warton – Lowlands (Landscape Character Area 1) Landscape Character Area as having *‘visually open, mixed farmland located within a distinctive bowl landform’* and a *‘well-ordered agricultural landscape, with scattered farmsteads and nucleated hilltop villages (Austrey, Seckington, Newton Regis and Warton) each with prominent church spires. The villages include both traditional vernacular buildings and more recent development, connected by a network of minor roads and lanes typically bordered by wide grass verges, some with hedges’*.

- 5.9. The contrast between the No Man's Heath to Warton – Lowlands (Landscape Character Area 1) Landscape Character Area, and the smaller scale, more vegetated southwestern edge of Warton and wider vegetated domestic curtilages and village form surrounding the Appeal Site is clearly visible.
- 5.10. The majority of the Site is managed for arable crop production. The Site is enclosed with robust hedgerows with hedgerow trees. There are grass verges outside of this to the roadways which pass the site.
- 5.11. There are no trees within the Site's interior, and there are no Veteran trees within the site, or adjoining its quantum. Hedgerows are of native species commonly found locally to the Site, although the eastern boundary hedgerow is degraded and outgrown in places and lacking scattered hedgerow trees
- 5.12. Consequently, the Appeal Site contains no natural assets or protected features that it is imperative to conserve and preserve, and no objection to the proposals was made in respect of either Arboriculture or Ecology.
- 5.13. The LVA (CD1.12) concludes at paragraph 8.46 that the overall effect on the No Man's Heath to Warton – Lowlands (Landscape Character Area 1) Landscape Character Area would be minor adverse, and NWBC Officer's Report (CD3.1) state at paragraph 8.12 *'it is agreed that the proposal's landscape impact would be local in extent and impact, not affecting the overall character of the Landscape Area'*, and at paragraph 8.13 state *'in terms of overall effects on landscape character, harm from the scheme would be limited as the proposal has limited impact on the wider landscape due to the lack of intervisibility. There is however harm from the proposal due to the introduction of development on an agricultural field on the undeveloped edge of a settlement'*.
- 5.14. I agree that the effects on the landscape are limited. There would be an incremental reduction in the level of effect as these features – the trees in particular – mature and make a more noticeable contribution to local landscape character. Consequently, this level of effect would diminish even further with distance from the site. These effects are residual and permanent and diminish rapidly with distance from the Site.
- 5.15. Some harm would accrue as is always the case when open land is replaced by built form, with the associated change to landscape and visual character. However that harm, in the present case, will be very localised and not inappropriate given the village edge context. I agree with NWBC who consider the wider host landscape character area would be largely unaffected.
- 5.16. Given this, I find that the Appeal Proposals would not lead to landscape harm to the wider open countryside of No Man's Heath to Warton – Lowlands (Landscape Character Area 1) Landscape Character Area, and within the setting of the village, there would be a long term minor, adverse effect.

- 5.17. However, within their Officer's Report (CD3.1) NWBC state at paragraph 8.12, page 6, *'in this case it is the nature of that local impact that is harmful. The proposal is a substantial impact to the village'* and further repeat this at paragraph 8.13, *'harm from the proposal due to the introduction of development on an agricultural field on the undeveloped edge of a settlement'*.
- 5.18. NWBC are incorrect. They appear to have given too much weight to the rural aspects of the Site's character and insufficient weight to the 'urban edge' influence. Whilst the site is still in agricultural use, it is heavily influenced by the developments that surround it, with the Site being experienced as sandwiched between two vehicular routes passing to and from the village, adjoining the public recreation ground and near the village's Church.
- 5.19. The urbanising elements are also accompanied by a reduced sense of tranquillity on and in the vicinity of the Appeal Site, when compared with the countryside to the north and east beyond the village, and to the south of Orton Road, the Site has a lesser sense of tranquillity. The noise and movement associated with the routes into Warton and passing vehicles, all contribute to the reduction in relative tranquillity.
- 5.20. NWBC have over-stated the rural characteristics of the Site. They have equated agricultural land use with rural character and a sense of 'open countryside'. The extent of residential dwellings overlooking the Site, as well as associated transport movements and noise and other suburban features, all combine to dilute the character of the site such that it is no longer strongly representative of its host landscape character area.
- 5.21. In my opinion, the difference in character and relative tranquillity becomes quite marked when one compares the Site and the separate open countryside to the south along Bran End Road and to the west beyond Stipers Hill, and to the east between Warton village and Orton-on-the-Hill.
- 5.22. The character of the Site's interior would change from a greenfield to that of a residential development. This change of landscape character should not be detrimental to the enjoyment and appreciation of the wider landscape. Landscapes are experienced on the ground rather than from overhead. Warton already extends southwest of Maypole Road, and would be in part visible from Church Road and Orton Road when adjacent, where *'the development would be contained by the existing road layout'* (CD3.1) at paragraph 8.19, page 61).
- 5.23. However, the development would retain the vegetation verges and field hedgerows and hedge line trees along these two routes, bolstering and enhancing this planting for continuity. Furthermore, the scheme would be stepping development inside the Site. The offset would be between 25 and 75 metres wide along Church Road, and 15 to 50 metres in depth long the southern edge with Orton Road.
- 5.24. The northern boundary would contribute to the broad route of Church Road into the village, stepping built form away from the Site edge. This would preserve its hedgerow and well tree'd character of the route. The public open space to the east would provide public access into the adjoining public park and marry the scheme with the adjoining public open space. Whilst the character of the southern boundary to Orton Road would enhance its vegetated, tree'd route approaching the village and the western buffer would enclose the Proposed Development, so strengthening the nucleated settlement pattern within the host landscape character area.

5.25. The Appeal proposals will ensure the creation of low-density, landscaped edge to these boundaries, and in particular to the western edge to the scheme with dwellings stepped in from Church Road beyond extensive green infrastructure that would be set within the existing road layout creating a robust edge to the village and differentiate between the village and wider open countryside, which has a more typical characteristic of No Mans Heath to Warton - Lowlands Landscape Character Area.

5.26. The residual effects of the Appeal Proposal on the landscape character of the site are assessed as moderate/minor adverse within the Site (the 'direct effects'), and a minor, adverse level of effect indirectly to the receiving environment of the site (the 'indirect effects'). This level of effect would diminish rapidly with distance from the site, a point agreed by NWBC in their Rule 6 Report (CD3.1), page 61, paragraph 8.13:

'In terms of overall effects on landscape character, harm from the scheme would be limited as the proposal has limited impact on the wider landscape due to the lack of intervisibility.'

5.27. At page 62, paragraph 8.14:

'As with the landscape character issue, it is agreed that visual amenity impacts would be local in extent.'

5.28. Given this, I judge that whilst the Appeal Proposal would lead to moderate/minor, adverse effects within the Site, with indirect effects on the area local to the Site being indirectly affected at minor, adverse. I do not consider this level of a minor level of harm for the following reasons:

5.29. The scheme would be integrated into this setting, which along Orton Road is already positively influenced by a similar soft landscaped edge/stand-off to the houses at Red Marl Way. In this instance, the stand off from Orton Road is circa 20 metres at its narrowest point, extending to a width of circa 40 metres at its widest relative to Orton Road. These arrangements are similar to that being proposed by the Appellant along the schemes south and southwestern edge.

5.30. In terms of Ecology, similarly, there is no objection raised by the County Council's Ecologists who were consulted on the proposed scheme.

5.31. Similarly, Warwickshire County Council (Forestry) raised no objection to the proposed development.

5.32. As a result, it is my professional opinion that the Appeal Proposals would only lead a minor level of harm, and would certainly not amount to significant and demonstrable harm.

Effects on Visual Amenity

5.33. In this section, I shall discuss the visual context of the proposals, and the findings of the Appellant's LVA (CD1.12). The approximate extent of the Zone of Primary Visibility is illustrated in Image JB 4.1 in Section 4. My field-based assessment found the Zone of Primary Visibility to be extensively limited to the immediate setting of the Site, the adjacent urban setting, along the main route into the village from limited areas of elevated landform to the east.

5.34. Beyond this, the Zone of Primary Visibility is influenced by the following:

- Generally, the site is not seen wholesale, and is not prominent in views, seen against the wider raising landform at Stiper's Hill (west) and landform around Donative Farm, up to circa 115m AOD.
- The Site is most likely to be seen from its immediate setting from the adjacent park and the residential dwellings which in combination bound the site's eastern edge to the wider village.
- The landform to the north and north east of the site restricts seeing the site, often with the site not seen wholesale, and often with built form along Church Road being influencing one's ability to locate the site as there are no elevated vantage points to see the site from to the north.

5.35. This visual envelope is influenced by built form in the village, as well as the field hedgerows and hedge line trees which enclose the Site, and in summer months, this visual envelope could be smaller.

5.36. In winter months, the Zone of Primary Visibility does not extend across any public vantage points from the surrounding countryside. As such, the discernibility of the scheme, and its change to views is limited; this is demonstrated by the Accurate Visual Representations (CD2.9), and reproduced at Appendix JB 3.

5.37. These images demonstrate that Appeal Proposal is unlikely to significantly alter the manner in which the village is perceived when viewed from the surrounding countryside (see also LVA Viewpoints 1 to 3 and 12 to 14 (CD1.12.1). NWBC agree, stating that: *'as with the landscape character issue, it is agreed that visual amenity impacts would be local in extent. Both the amenity of residents and visitors travelling past the site will need to be addressed' and 'the visual harm of the proposal would be relatively localised in extent, but nevertheless important to those who will be affected, particularly the local communities who live adjacent to this stretch of undeveloped landscape'* (CD3.1, page 61, paragraph 8.14 and 8.16).

5.38. NWBC continues and states, *'the landscape and visual character and appearance of this wedge of land will materially change'* and *'it is agreed that visual amenity impacts would be local in extent. Both the amenity of residents and visitors travelling past the site will need to be addressed'* (CD3.1, page 61, paragraph 8.14 and 8.18). NWBC goes on to specifically state those localised receptors, at paragraph 8.15 (CD3.1):

'It is agreed that the number of "receptors" include the residential properties on the edge of Warton and the users of the network of the Public Rights of Way, vehicular users and those using the open space along Church Road. Pedestrians using the paths next to the site would experience adverse visual impacts because the proposal would be clearly visible as the paths adjoin or pass through the development. this also includes views from the development in Red Marl Way too'.

5.39. Accordingly, effects on visual amenity are limited to receptors within the village environs where built development and dwellings specifically area an already established and defining component of the view; as such, changes are less significant.

- 5.40. Moreover, the fact that the proposals are not prominent, and are not roundly seen from the open countryside but only from within the village (*‘the amenity of residents and visitors travelling past the site’*) reinforces my conclusions in Matter Two that the proposals would be perceived as part of the village, would not be sporadic, and would not be adjunct to the settlement, or isolated development in the open countryside.
- 5.41. As demonstrated within Section 4, Image JB 4.2, the Zone of Primary Visibility, or visual envelope by which the proposed scheme would be experienced has been examined on Site during winter-time condition. This was determined to be across only a small geographical area.
- 5.42. In undertaking the LVA (CD1.12), I assessed a number of local viewpoints (which were agreed through consultation with NWBC). In their Officer’s Report (CD3.1), paragraph 8.15, NWBC does emphasise the significance of the how the *‘proposal will be visible from the road network in the vicinity of the site along Orton Road where the footpath is elevated and from Church Road’*; stating that is an important matter that does *‘weigh against the scheme in the overall planning balance’*. These receptors are situated neighbouring the Appeal Site within close to very close range of the Site.
- 5.43. The Appellant’s LVA (CD1.12) appraised a number of viewpoints immediate to the Site or within close range or slightly beyond of the Site. I would describe all these viewpoints as being with the village environment, and included:
- [Public Right of Way PRoW \(LPA ref: 247/AE2/1\) and Public Right of Way PRoW \(LPA ref: 247//AE14/1\)](#)
- 5.44. Viewpoint 1 and 3 (Appendix JB 1) are representative of visual amenity of Public Rights of Way Users passing to the north of Warton and along the northern village edge of Warton. These locations are circa 0.65km and 0.35km distance from the Appeal Site respectively.
- 5.45. The discernibility of Warton, and the appeal Site, is influenced by intervening landform and built form along Church Road, which is likely to substantially mitigate the change to the view from the scheme.
- 5.46. For Viewpoint 1, it is likely that the collection of new housing is likely to alter the perception of existing rooflines on the rising land. Given the effect of matured landscape buffer planting within the green infrastructure and setting development back from the northern site edge, the residual effect of the scheme would be **minor, adverse**. This level of effect would diminish rapidly with distance from the village as PRoW progress out into the wider open countryside; see Viewpoint 4.
- 5.47. At Viewpoint 3, for the PRoW users travelling around the settlement edge, a similar scenario is likely to occur. The scheme is likely to be mitigated through its extensive offsets from Church Road, and the quantum of new built form limited.
- 5.48. At Year 1, the proposed dwellings would be visible where gaps in the vegetation along the route allow for glimpsed views. The existing juvenile vegetation along the north-eastern portion of the site is expected to have an increased level of filtering effect by the time of completion.

- 5.49. In these situations, the village setting is experienced in combination with these views, and the addition of the new built form would not fundamentally alter the baseline view. The residual effect on PRoW users would be **minor, adverse** and diminishing rapidly distance because of the wooded edge to the north of Warton and the effect of intervening landform.

Public Right of Way PRoW (LPA ref: 247/AE14/1)

- 5.50. As demonstrated by Viewpoint 12, this PRoW passes to the west of the Appeal Site; see Appendix JB 1. The site is not currently seen by PRoW users. Given the extensive stand-offs to the scheme it is likely that the scheme would fundamentally alter the baseline views.
- 5.51. There is likely to be a moderate to minor, adverse effects experienced during the construction phase due to noise and partial views over boundary vegetation of movement of plant at close range. This level of effect would be temporary and cease once the scheme is built out. However, by Year 15, the residual effect is likely to **minor, adverse** if the scheme is discernible when passing along this PRoW enclosed by hedgerows and trees.

View from Church Road looking northwest along its route on the outskirts of Warton village

- 5.52. Views will be fleeting for motorists travelling along the road and will be experienced within the context of the existing residential dwellings along the southwestern to southeastern edge of the village, which in later years has changed to not be perceived as a linear settlement (running north to south along Maypole Road).
- 5.53. At Year 1, the Proposed Development will result in minor, adverse effects. By Year 15, as the proposed landscaping matures, the extensive tree and landscape planting within the green buffers of the site would soften views of the proposed development. The resulting level of effect would be **minor, adverse** to negligible for users of the roads given their existing context and the nature of the fleeting views.

View from Public Right of Way PRoW (LPA ref: 247/AE14/1)

- 5.54. This PRoW passes through open countryside to the south of Warton village, whereby there are broad views of the village looking northwards.
- 5.55. As demonstrated by Viewpoint 11 (Appendix JB xx) for PRoW users travelling to and from the south of the village, there would be a moderate, adverse effect during the construction phase. The effect of noise, dust, vibration and the movement of plant and construction activities would be seen from close range. This level of effect would be temporary. By Year 15, as the tree planting continues to mature, the views of the new built form would be further broken up and softened resulting in **minor, adverse** effects.
- 5.56. Given this, I judge that whilst the Appeal Proposal would lead to minor, adverse effects within the village environment. However, this level of harm is only minor for the following reasons:

5.57. The gateways into the village from the southwest along Church Road and Orton Road would be enhanced and bolstered through proposed extensive green infrastructure, and new development designed to set within extensive stand offs would not impact these positive vistas into the village through the establishment and maturation of new landscape planting and habitat creation.

5.58. A common thread running through NWBC's Officer's Report is that the extent of views from the public domain would be localised and fairly limited, with NWBC asserting at page 61, paragraph 8.17 that *'visual harm of the proposal would be relatively localised in extent, but nevertheless important to those who will be affected, particularly the local communities who live adjacent to this stretch of undeveloped landscape'*. It is very well-established that there is no right to private views and accordingly such views are not a material consideration. There is also no reason for refusal based on residential amenity. The Officer's Report confirming that there was no objection was raised by NWBC - Environmental Health, stating at paragraph 8.27:

'Environmental Health Officers have no objections to the proposed development. They recommend a condition be provided in terms of a Construction and Environmental Management Plan to protect the amenities of residents. They indicate the requirement for noise, air quality, contaminated land and lighting conditions. Overall, it is considered that there are no reason from an residential amenity perspective to refuse the application'.

5.59. The designed scheme would set new built form stepped back and stepped down into the Site within extensive open space and green infrastructure with the site situated within the road system. The scheme adjoins the recently developed new homes at Red Marl Waya, and is situated within a part of the village which has a long history of built development, adjoining the village's public park and neighbouring the village Church and graveyard.

5.60. As a result, it is my professional opinion that the Appeal Proposals would only lead a minor level of harm. There will be no significant and demonstrable harm. Given the foregoing, I consider that NWBC have not fully understood the proposed development, and has in turn, overstated the effects of the scheme to an inappropriate level which is unsubstantiated.

6.0 MATTER TWO: RELATIONSHIP WITH THE SETTLEMENT

Matter Two) Would the proposed development at the Appeal Site read as an 'adjunct to the settlement, rather than integrating with the settlement'?

- 6.1. The Appeal Site is situated adjacent to the adopted settlement boundary of Warton village and will relate well to the existing built-form and recreation ground. The character of the village's southwestern edge includes the public open space of Red Marl Way and also the village park with sports pitch and playground, and village Church beyond.
- 6.2. The design of the Proposed Design compliments this setting and provide further public accessible open space, providing a pedestrian access route to and from the public park so as to encourage existing and new residents to enjoy the combination of the open spaces.
- 6.3. This is specifically the focus of the eastern public open space area, and through the considered design of the scheme, also enables public access through the development to connect with the Public Right of Way off Church Road to the west, encouraging access into the open countryside.
- 6.4. The Appeal Site is bounded by Church Road to the north and western edges, and Orton Road along the southern edge. These two roads afford direct access to and from the village; see Image JB 6.1:

Image JB 6.1: Aerial photograph of the Appeal Site and its setting to the western edge of Warton. N.B. The approximate location of the Appeal Site is shown with a solid red line and the wider village area (source: Google Earth)



- 6.5. The Appeal Site adjoins the village's public recreation ground to its northeastern edge. The Site boundary adjoins the new residential development at Red Marl Way and Burdett Road, which comprises existing detached and semi-detached two storey residential dwellings.

- 6.6. In RfR2, NWBC have used the word 'adjunct'. The Concise Oxford Dictionary definition of adjunct is 'a thing subordinate or incidental (to or of)'. I do not consider that the new homes proposed by the Appellants would appear subordinate or incidental, or divorced from or poorly related to the village form for the following reasons:
- 6.7. The Appeal Site lies on land that is direct adjacent to multiple neighbouring residential curtilages. When on Site, especially in winter time, one is aware of the presence of the surrounding village related land uses, albeit on the edge of village, rather than feeling divorced from it in the open countryside.
- 6.8. From a landscape and village character perspective, the domestic curtilages (Red Marl Way) contribute to the village character and are perceived as part of the village. Additionally, Church Road is not an unbreeched boundary. Development already lines the northern boundary of the road to create an established collection of large, detached dwellings with domestic curtilages aligned to this roadway.
- 6.9. In combination, these features help to define a perceived transition from open countryside (in a landscape sense) to the built core of the village through a well-designed landscape, that marries the public open space at Red Marl Way with the village park. The dwellings along Church Road all deliver a strong building line already, with roadside walls, grass verges and hedgerows, as well as the vegetated verges (along the southern edge of Church Road).
- 6.10. This is a characteristic which would not be interrupted by the proposed scheme. The new dwellings on the Appeal Site would not occupy a significant roadside frontage, only the width of the access into the scheme. The proposed landscaping scheme retains and bolsters the existing landscape fabric as well as provide extensive offset to development to integrate the scheme into the site with extensive green infrastructure.
- 6.11. Image JB 6.1 illustrates how the Appeal Site sits comfortably between existing residential dwellings and two vehicle roadways, Church Road and Orton Road, which project further west and enclose the Appeal Site on three sides.

Image JB 6.2: Aerial photograph of the Appeal Site and its setting to the western edge of Warton. N.B. The approximate location of the Appeal Site is shown with a solid red line and the wider village area (Source: Google Earth)



- 6.12. Image JB 6.2 illustrates the notable contrasts in character between the strongly vegetated curtilages of residential dwellings and the enclosed, vegetated nature of the Appeal Site, compared to the wider open countryside beyond these roadways, which display the more typical *‘visually open, mixed farmland located within a distinctive bowl landform’* and *‘hedgerow trees provide little tree cover and the landscape is visually open, with panoramic views from the elevated fringes’* (No Man’s Heath to Warton – Lowlands (Landscape Character Area 1)). The Appeal Site is made up of an individual field which is noticeably smaller in contrast with the wider field pattern of the open countryside beyond Church Road, and especially Orton Road to the south, and around the wider village to the north and east.
- 6.13. The Appeal Site lies within a part of the village which had the following features:
- 6.14. There is a long history of built development (along Church Road and around the Church).
- 6.15. There has already been a recent development (Red Marl Way), as well as older development and period properties.
- 6.16. The existing development includes large dwellings in large plots with an obvious residential curtilage along Church Road running westwards from Maypole Way.
- 6.17. The historical association with the village is another indicator of what is and what is not part of the village. I note the following:
- 6.18. The Church Road public recreation ground adjoins the site’s northeast-eastern edge (a public open space dating back more than 25 years).

- 6.19. Holy Trinity Church and its associated burial ground is situated within 0.15km of the site. Holy Trinity Church dates back to the fourteenth century, with additions in successive centuries.
- 6.20. 'The Office' public house is located within circa 0.3km northeast of the Appeal Site (at its closest point).
- 6.21. These land uses are all part of the village. The village has already grown to the southeast and southwest of these features, so that the Church and its burial ground, and the public open space are no longer peripheral to the main route through the village (Maypole Way).
- 6.22. In my view, new homes situated close to the village Church, burial ground and a community park would be entirely appropriate. All the more so as these uses are the core of most villages and communities, so arguably we are at the heart of the village.
- 6.23. From a qualified landscape perspective, my professional opinion is that the proposals as now formulated, will deliver a coherent and logical development of new homes on the southwestern edge of Warton village.
- 6.24. The Site lies adjacent to residential built form and situated between two roadways leading to and from the village, adjoining uses that are unquestionably part of the village life, not part of the open countryside beyond the Appeal Site. Consequently, it is evident that the landscape of the Appeal Site does not read as part of the swathe of open countryside to the north, south and west of the Site (beyond Church Road and Orton Road), and relates more readily to the village.
- 6.25. As discussed within Section 3 of my Proof of Evidence, within NWBC's Officer's Report (CD3.1), there is a clear thread running through NWBC's analysis of the Site and the proposed scheme. NWBC state on a number of occasions, that the scheme would result in only localised effects within the southwestern edge of the village.
- 6.26. At paragraph 8.13 (CD3.1), NWBC then states, *'in terms of overall effects on landscape character, harm from the scheme would be limited as the proposal has limited impact on the wider landscape due to the lack of intervisibility'* and also at paragraph 8.14, they repeat their opinion that *'it is agreed that visual amenity impacts would be local in extent'*, as well as at paragraph 8.17, which states the *'visual harm of the proposal would be relatively localised in extent.'*
- 6.27. In summary, there would be views of new built development from around the western edge of the village, with open views available from Red Marl Way (prior to the maturation of landscape buffer planting) and for a short stretch of Orton Road, with glimpsed views possible along Church Road passing to and from the village passing the village's public park, church and its churchyard.
- 6.28. Additional boundary and open space planting would allow the amenity value of these views to be retained over time, and matured planting would integrate the development with the existing character of the village edge.

- 6.29. Given the above, I consider that the addition of development, in the manner proposed, is entirely acceptable in landscape and visual terms and contrary to the assertion at RfR 2. The accurate visual representations ('photomontages') demonstrate that the proposal will be both appropriate to, and integrate very well with, the landscape setting. Whilst there will be more development visible in these views, this is not incongruous given the extent of existing development in the setting, nor is it proposed in such a way that it would dominate, with open space provision and tree and woodland planting all serving to integrate the development into the local area.
- 6.30. In summary, I consider NWBC's assertion that the proposed scheme would be 'adjunct' to the existing settlement is not accurate. NWBC uses this word in a rather pejorative context, meaning to imply that the proposed development is inappropriate in a spatial sense. However, this is not how the proposals would appear once constructed.
- 6.31. NWBC have not properly understood the context of the Site, and their conclusions are unfounded.

7.0 MATTER THREE: SETTLEMENT HIERARCHY

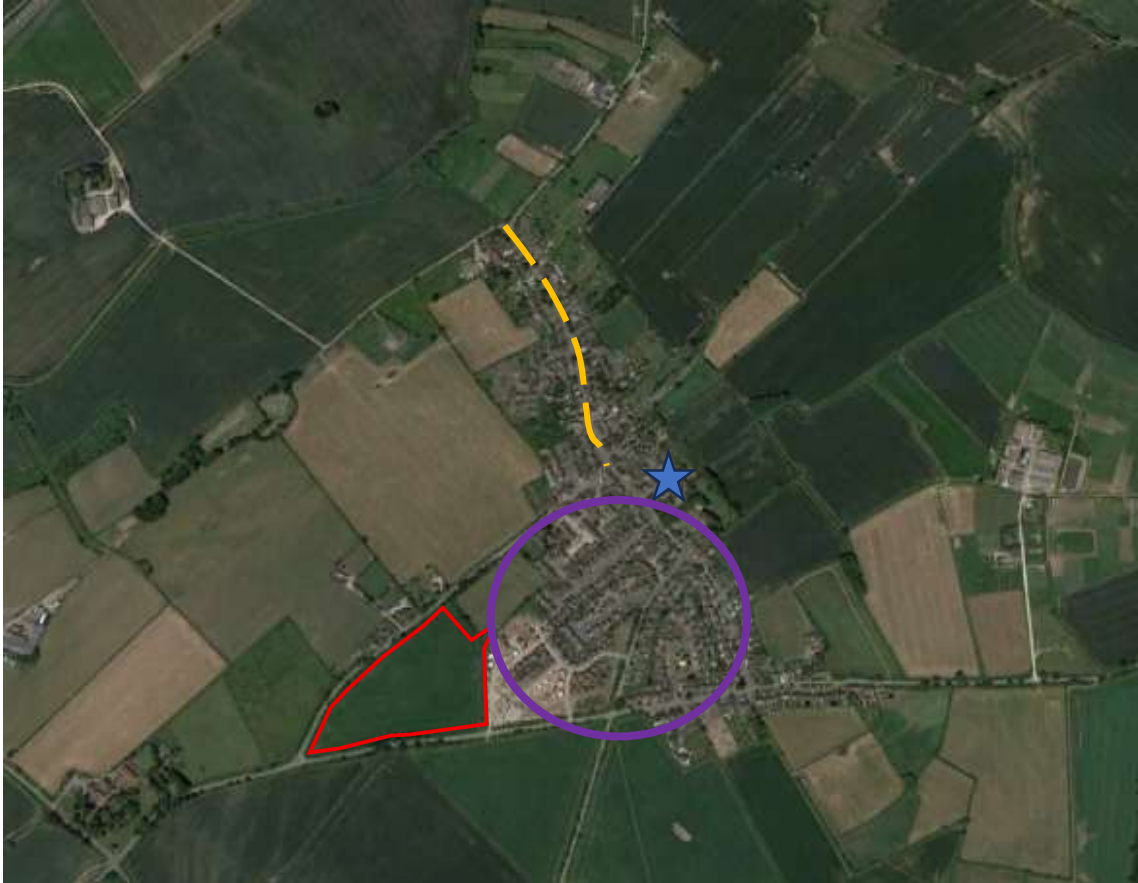
Matter Three) Whether the Appeal Proposals would 'harm the settlement morphology of Warton'?

- 7.1. Matter Three is related to Matter Two. Just as the Appeal Proposals would not result in an adjunct development, they will not harm the morphology of the village.
- 7.2. All Site and scheme are judged on their individual merits, and in this case, I do not consider that the Appeal Proposals would harm the settlement morphology of Warton.
- 7.3. In their Rule 6 Report (CD3.1) NWBC paragraph 8.12 states their understanding of the village's morphology:

'Warton in general terms is nucleated, but it has a distinct linear form in the vicinity of the application site with the majority of the built development located along the frontage to Austrey Road and Church Road with small cul-de-sacs on either side'.

- 7.4. I do not agree with this statement. I acknowledge some linear form is seen along Austrey Road to the north of the junction of Church Road and Austrey Road. However, this has become eroded by a number of latter day cul-de-sacs situated off Austrey Road i.e., Curley Close, Waverton Avenue, Wills Croft and The Croft.
- 7.5. Similarly, along Church Road, there is a small number of residential dwellings near to the Site. However, I do not consider that Church Road has a distinct linear form of buildings. Whilst the route of Church Road is a straight road, this route is predominantly lined by agricultural fields, or the village-related land uses of the Church, graveyard and Village park.
- 7.6. The bulk of built development on Church Road is within the area which NWBC consider to be within the nucleus of the village; see Image JB 7.1 where I have indicated the nucleus of Warton Village with a purple circle:

Image JB 7.1: Aerial photograph of Warton village. N.B. The approximate location of the Appeal Site is shown with a solid red line. The route of Austrey Road heading north is shown with an orange hatched line, and the nucleus of the village is interpreted to be the area shown within the purple circle. The blue star is for the scheme proposed at Curlew Close (APP/R3705/W/22/3312660)



- 7.7. Therefore, I judge the settlement of Warton not to be a 'linear' settlement overall, and where there is a 'linear' characteristic along Austrey Road in the northern half of the village, this has become lessened by latter day development.
- 7.8. However, the characteristic of Church Road is one of occasional large, detached dwellings, but this route does not have a linear built form characteristic like Autry Road, and it can be seen that the 'majority of the built development' is not located along Church Road. Where there are cul-de-sacs off Church Road, these occur within the area of the village which would be considered to be the nucleus.
- 7.9. Consequently, when one walks around the village, the description of the urban morphology made by NWBC at Rule 6 Report (CD3.1) paragraph 8.12, is not correct. I consider that NWBC has overstated the level of '*distinct linear form in the vicinity of the application site*'.
- 7.10. The southern half of the village, especially the southwestern portion, has a distinct and obvious 'development in depth' characteristic, which is definitely not linear in its form.

- 7.11. In recent years, there has been new development permitted to the southern half of the village. These developments include the expansion of the village with new homes to the southeast along Orton Road, new development beyond the Fox and Dogs pub, south of Orton Road, as well as the new homes built out along Red Marl Way, and streets thereof. Prior to this, development has been implemented running east to west from Maypole Road along Ivycroft Road and The His (development likely to have been prior to the 2000's).
- 7.12. Given this, it is clear that the shape and pattern of the village has grown to the south and southwest, and has encompassed the village-related land uses on Church Road – this being the church, graveyard and village park, where Red Marl Way has wrapped around these features with the village growing to the southwest.
- 7.13. I also disagree with NWBC's later statement at paragraph 8.20 in their Officer's Report (CD3.1):
- 'There is a harm here in terms of the impact on the character and appearance of the settlement and lack of continuity and links to the existing village. This development will lead to an isolated community with limited connections to the existing community and divorced from the Warton as a settlement. The site would be seen as an incongruous appendage to the village.'*
- 7.14. For reasons highlighted already above, the settlement, especially in the southwestern portion of the settlement, does not have a 'distinct linear form' generally, and certainly not within the vicinity of the Appeal Site. Additionally, I am of the clear opinion that the 'majority of built form' is actually within this southwestern portion of the village between Church Road and Orton Road; see Image JB 7.1 above.
- 7.15. Additionally, I highlight the following observations relative to the location of the Appeal Site:
- 7.16. From a landscape and village character perspective, the domestic curtilages (Red Marl Way) contribute to the village character and are perceived as part of the village. Additionally, Church Road is not an unbreeched 'boundary' – there is occasional development on the northern boundary – a small number of large, detached dwellings with domestic curtilages aligned to this roadway.
- 7.17. In combination, these features help to define a perceived transition from open countryside (in a landscape sense) to the built core of the village. This is a characteristic which would not be interrupted by the proposed scheme. The new dwellings as proposed would not occupy a significant roadside frontage (only the width of the access into the scheme). The proposed landscaping scheme retains and bolsters the existing landscape fabric as well as provide extensive offset to development to integrate the scheme into the site with extensive green infrastructure.
- 7.18. Consequently, given the foregoing analysis, and that which I have provided within Matter Two, I am do not agree with NWBC that the Appeal Proposal would 'harm the settlement morphology of Warton'. The NWBC position is not based upon a correct understanding the urban morphology of the village. As a result, NWBC have not overstated the level of harm. Therefore, it is my professional opinion that the analysis provided by NWBC in the Rule 6 Report (CD3.1) is simply not correct.

7.19. Finally with consideration of the June 2023 Planning Appeal (APP/R3705/W/22/3312660) held for a proposal of 28 new homes on land situated off Curlew Close within Warton. This site was situated circa 0.4km northeast of the Appeal Site, and is located on the eastern side of Austrey Road; see Image JB 7.1 where this site is marked with a blue star.

7.20. The Planning Inspector dismissed this Appeal, and at paragraph 11, the Planning Inspector stated (N.B. Underlining added by me for emphasis):

'The appeal site is located within the 'No Man's Heath to Warton – Lowlands' Landscape Character Area, as defined in the Council's Landscape Character Assessment (LCA). This describes the area as being a mixed open agricultural landscape, with a scattering of small red brick nucleated hill-top villages of which Warton is an example. The LCA identifies the need to conserve and strengthen the rural character and dispersed settlement pattern recommending that new developments should reinforce the existing settlement pattern of the existing villages. The undeveloped and rural character of the appeal site contributes positively to that landscape character.'

7.21. The proposal was to be accessed off the small cul-de-sac, Curlew Close, and therefore not directly from Austrey Road, and the Inspector commented at paragraph 13, that this *'detached relationship would be a marked change from the existing built form fronting Austrey Road, and the existing cul-de-sac being accessed directly off Austrey Road'*. Given this, the Planning Inspector stated that the proposal would *'appear as an add-on to the village, rather than an integral component of it'*.

7.22. Overall, the Planning Inspector concluded (N.B. Underlining added by me for emphasis):

'Although the proposal would be adjacent to existing development along Austrey Road and Curlew Close, most of the proposed development would abut long rear gardens of adjacent dwellings. It would extend deeper into the plot beyond the existing built form and into open countryside, altering the established linear built form and rear garden environment. As such, the proposal would not be contained by existing built form and would not infill a gap in an existing built-up part of the village. Furthermore, the site's undeveloped open nature emphasises a transition from the built form to the rural context beyond.'

7.23. Every proposed scheme must be judged on its own circumstances and merits. In my view, the Appeal Proposal would integrate well with the character and appearance of the village environment. This decision is reflective of that site's specific location.

7.24. The Curlew Close scheme's location lay outside of the formally adopted settlement boundary and the perceived built limits of the village where there remains a linear urban morphology along Austrey Road, would have clearly been at odds with the settlement character at this location.

7.25. As can be seen within Image JB 7.1, there is continual built line aligned to Austrey Road at this location. In its simplest sense – along the linear format part of the village, there are cul-de-sacs situated off with homes, and the scheme would be beyond this and would extend the development of 28 new homes beyond the existing cul-de-sac.

7.26. However, the Appeal Proposal is not located on the eastern edge of the village, and I consider that its relevance is limited.

- 7.27. The Site is located within the southwestern portion of settlement where it is recognised that there has been settlement growth with older, modern and contemporary built form between Church Road and Maypole Road. This has resulted in development in depth where the nucleus pattern is obviously prevailing and the Site is located neighbouring the village related land uses highlighted within Matter Two.

8.0 RESPONSE TO THE WARTON RESIDENTS' ASSOCIATION STATEMENT OF CASE

- 8.1. The Warton Residents Association (WRA), the Rule 6 Party, has prepared its own Statement of Case (CD8.4). Section 4 is titled Character, Landscape and Separation. At paragraph 4.2, they state:

'The appeal site projects beyond Warton's edge into open countryside. In combination with recent growth, further outward extension would unacceptably erode rural character and the perceptual separation between the parish's settlements, contrary to the development plan strategy.'

- 8.2. At paragraph 6.1, they continue:

'The proposal conflicts with the development plan read as a whole: it is disproportionate to a Category 4 settlement (LP2), extends into open countryside (LP1/LP2), and would foster unsustainable travel patterns given existing public transport provision. The Curlew Close decision confirms that materially larger-than-usual schemes at Warton run contrary to LP1/LP2 and have been resisted at appeal.'

- 8.3. I have already addressed above the relevance of the Curlew Close Planning Appeal decision above. I consider that its relevance is limited. The Appeal Site is in a different location within the village environment. It is not located on the eastern periphery of the village, with the Appeal Site is enclosed by roadways, overlooked by residential dwellings, and its position adjoins the public park and neighbours the village's Church and Church Yard.

- 8.4. This is a location which has a long history of built development, and includes recent, contemporary development. Consequently, the Appeal Proposals would reflect the current day urban morphology that exists within the southwestern portion of the village.

- 8.5. The effect of the scheme on the host landscape character area is considered within Section 5 (Matter Two) above; whereby, I have demonstrated the landscape effects would be moderate/minor, adverse within the Site, and minor, adverse within the immediate setting of the host landscape character area (No Man's Heath to Warton – Lowlands (Landscape Character Area 1) Landscape Character Area), which dissipates expediently with distance from the Site.

- 8.6. In terms of visual effects, I have also demonstrated through a range of receptor types – including Public Rights of way users, Road users and pedestrians – that the residual effect of the scheme would be minor, adverse within the village environment neighbouring the Site and within close range reflecting NWBC's analysis that the Appeal Proposal would have predominantly a localised effect. I assign a minor harm to these effects at most, yet I am mindful that the proposed scheme would be experienced against the wider backdrop of the village and its residential built form and urban features.

- 8.7. Additionally, I also note that no objection was raised by NWBC - Environmental Health, cited in the Officer's Report at paragraph 8.27 (CD3.1):

'Environmental Health Officers have no objections to the proposed development. They recommend a condition be provided in terms of a Construction and Environmental Management Plan to protect the amenities of residents. They indicate the requirement for noise, air quality, contaminated land and

lighting conditions. Overall, it is considered that there are no reason from an residential amenity perspective to refuse the application’.

- 8.8. The County Council Ecologist and the NWBC’s Woodland and Tree Officer did not raise any objection.
- 8.9. The Warton Residents Association allege harm of the Appeal Proposal which would *‘erode rural character and the perceptual separation between the parish’s settlements’*, I do not agree with this matter, and highlight the following points:
- 8.10. NWBC Officer’s Report (CD3.1) state at paragraph 8.12 *‘it is agreed that the proposal’s landscape impact would be local in extent and impact, not affecting the overall character of the Landscape Area’*, and at paragraph 8.13 state *‘in terms of overall effects on landscape character, harm from the scheme would be limited as the proposal has limited impact on the wider landscape due to the lack of intervisibility.’*
- 8.11. From my assessment of the Appeal Proposals, and as demonstrated through then Appellant’s LVA (CD1.12), I find that the Appeal Proposals would not lead to landscape harm to the wider open countryside of No Man’s Heath to Warton – Lowlands (Landscape Character Area 1) Landscape Character Area, and within the setting of the village, there would be a long term **minor, adverse** effect.
- 8.12. The proposed development would result in a physical encroachment into this field situated between Church Road and Orton Road and the character of the Site’s interior would change from a greenfield to that of a residential development. However, this change of landscape character should not be a detriment to the enjoyment and appreciation of the wider landscape. Landscapes are experienced on the ground rather than in a binary sense. Warton already extends southwest of Maypole Road, and would be in part visible from Church Road and Orton Road when adjacent, where *‘the development would be contained by the existing road layout’* (CD3.1) at paragraph 8.19, page 61).
- 8.13. The development would retain the vegetation verges and field hedgerows and hedge line trees along these two routes, bolstering and enhancing this planting for continuity. The Appeal scheme would also be keeping development inside the Site area beyond extensive offsets; between 25 and 75 metres wide along Church Road, and 15 to 50 metres in depth long the southern edge with Orton Road.
- 8.14. The approximate extent of the Zone of Primary Visibility is illustrated in Image JB 4.2 in Section 4. My field-based assessment found the Zoen of Primary Visibility to be extensively limited to the immediate setting of the Site, the adjacent urban setting, along the main route into the village from limited areas of elevated landform to the east.
- 8.15. With assessment of the agreed viewpoint locations with the appellant’s LVA (CD1.12). I find that the Appeal Proposals would result in minor, adverse residual effects within the village environment examined within the LVA. NWBC also found that *‘as with the landscape character issue, it is agreed that visual amenity impacts would be local in extent. Both the amenity of residents and visitors travelling past the site will need to be addressed’* and *‘the visual harm of the proposal would be relatively localised in extent, but nevertheless important to those who will be affected, particularly the local communities who live adjacent to this stretch of undeveloped landscape’* (CD3.1, page 61, paragraph 8.14 and 8.16).

- 8.16. From my field-based assessment, I identified factors which determine the physical and visual containment of the Appeal Site. These included:
- 8.17. Generally the site is not seen wholesale, and is not prominent in views, seen against the wider raising landform at Stiper's Hill (west) and landform around Donative Farm, up to circa 115m AOD.
- 8.18. The Site is most likely to be seen from its immediate setting from the adjacent park the residential dwellings which in combination bound the site's eastern edge to the wider village.
- 8.19. The landform to the north and north east of the site restricts seeing the site, often with the site not seen wholesale, and often with built form along Church Road being influencing one's ability to locate the site as there are no elevated vantage points to see the site from to the north.
- 8.20. Extensive built form to the east of the Appeal Site enclosing and restrict views beyond the first 'leaf' of development on the southwestern edge of Warton.
- 8.21. Given this, I do not agree with the WRA's opinion that the proposed development would '*erode rural character and the perceptual separation between the parish's settlements.*' The effects of the Appeal Proposals would be generally localised to the village edge. This is a common thread to NWBC's evidence which runs through their own analysis within the NMBC's Rule 6 Report (CD3.1).
- 8.22. The Appellant's LVA (CD1.12) makes it clear that the village of Warton is not physically and perceptually connected to wider settlements, particularly the town Tamworth to the west, or the village of Polesworth interlying between the two settlements; this is demonstrated through Viewpoint 1,7,8,9 and 11 (see Appendix JB 1).
- 8.23. Additionally, as demonstrated through the plotted Zone of Theoretical Visibility (see Appendix JB 1), there would be no discernibility of the Applicant's development from Polesworth because of intervening landform; see Viewpoint 1,4,5, 12 and 13 (Appendix JB 1). Further to this, and demonstrated by Viewpoint 5 to the northeast, as well as well as Viewpoint 11 and 12, the village would retain its nucleated character within the wider open countryside surrounding the village. Specifically in relation to the host landscape, the No Mans Heath to Warton - Lowlands Landscape Character Area, there would be a limited effect from the proposed scheme, if not imperceptible.

9.0 POLICY COMPLIANCE

North Warwickshire Local Plan 2021 (adopted September 2021)

- 9.1. RfR2 cites a number of adopted Local Plan policies – those being Local Plan policies LP1, LP14 and LP30 together with PNP3 and PNP4 of the Polesworth Parish Neighbourhood Plan 2025.

Local Plan Policy LP1

- 9.2. Local Plan Policy LP1 is titled ‘Sustainable Development’, and provide a criterion that all developments must correspond with, including to *‘integrate appropriately with the natural and historic environment, protecting and enhancing rights of way network where appropriate’* and *‘demonstrate a high quality of sustainable design that positively improve the individual settlement’s character; appearance and environmental quality of an area.’*
- 9.3. As I describe in Section 4, the Site is surrounded by built development at Red Marl Way, adjoins the public park and neighbours the village Church and Church Yard, and the land of the Site located between two roads. These are all evident features in the immediate vicinity of the Site, such that it is described as having a village edge influence. As a result, the Appeal Development is appropriate in scale and architectural style and would be overall entirely appropriate in this location.
- 9.4. Whilst the Appel Site currently delivers a sense of open space and some prospect to residents, road and PRoW users in the vicinity, this will still be maintained to a certain degree with through the Site’s public open and green infrastructure strategy, as well as extensive setting back of development within the Site and the open space used for landscaping, new public open space and encouraging new pedestrian access (on land that is currently privately managed).
- 9.5. In combination, this scheme has been designed to be very open development when considered as a whole. The new planted buffers and retention of the western site area will all ensure that there is a broad open space. The proposed development will be set within the existing roadways with roadside hedgerows bolstered and enhanced, creating a swathe of public open space within the Site’s boundaries.
- 9.6. Together with new tree and woodland planting, these new open spaces will enhance the landscape character in many regards with management and structural planting improvements as well as biodiversity gains and importantly will allow the bolstering of the outer edge of Warton village to enhance the perception of a nucleated settlement pattern, a typical characteristic of No Mans Heath to Warton - Lowlands Landscape Character Area.
- 9.7. Given the foregoing, as well as analysis provided within the Matters One and Two, it is my professional opinion, that the Appeal Proposal would not offend Local Plan Policy LP1.

Local Plan Policy LP14

- 9.8. Local Plan Policy LP14 is titled 'Landscape' and states the following:

'Within landscape character areas as defined in the Landscape Character Assessment (2010), Arden Landscape Guidelines (1993) and the Historic Landscape Characterisation Project (June 2010) (or successor document) development should look to conserve, enhance and where appropriate, restore landscape character as well as promote a resilient, functional landscape able to adapt to climate change. Specific landscape, geo-diversity, wildlife and historic features which contribute to local character will be protected and enhanced as appropriate'.

- 9.9. The policy continues and places emphasis on 'new development should, as far as possible retain existing trees, hedgerows and nature conservation features such as water bodies with appropriate protection from construction where necessary and strengthen visual amenity and bio-diversity' and 'development proposals should be designed so that existing and new conservation features, such as trees and hedgerows and water bodies are allowed to grow to maturity without causing undue problems, or are not unacceptably compromised by development, for example by impairing visibility, shading or damage.' Whilst also, place emphasis on the protect existing landscape and arboriculture infrastructure, and an approach is not appropriate 'development will not be permitted which would directly or indirectly damage existing mature or ancient woodland, veteran trees or ancient or species-rich hedgerows.'

- 9.10. For new development proposals, Local Plan Policy LP14 continues and places emphasis on 'the landscape and hydrological impacts of development proposals which themselves directly alter the landscape, or which involve associated physical change to the landscape such a recontouring, terracing, new bunds or banks and new water features such as reservoirs, lakes, pools and ponds will be assessed against the descriptions in the Landscape Character Areas'.

- 9.11. The Landscape Strategy (CD2.3) allows for retaining and bolstering the existing features and enhancing with new landscaping. Specifically, measure aim to preserve and enhance the existing character of the roadways into the village along Church Road and passing the village edge along Orton Road. This is aided by deliberately setting new built form into site setting back as follows:

- Northern edge: circa 15 metres and up to 25 metres in depth.
- Southern edge to Orton Road: circa 15 metres and up to 50 metres in depth.
- Western edge: up to 75 metres in depth.

- 9.12. This is reflective of the published landscape management guidance for the host landscape character area, the No Man's Heath to Warton – Lowlands (Landscape Character Area 1), which overall aims to 'conserve and strengthen the rural character and dispersed nucleated settlement pattern of this agricultural landscape', and amongst other measures, seeks to ensure:

- 'Conserve the historic field pattern, with priority given to restoring and strengthening primary hedge lines including those alongside roads;

- *Manage hedgerows to enhance the field pattern by planting up gaps, allow hedges to grow by reducing cut rotation intervals to 3 yearly intervals for wildlife benefits;*
- *Enhance tree cover through small scale planting of broadleaved coverts and woods in keeping with geometric pattern of hedged fields and visually open character;*
- *Encourage natural regeneration of trees and vegetation alongside watercourses and promote small areas of wetland planting in areas currently lacking in habitats.'*

- 9.13. The site is of sufficient scale that it can integrate the scheme within green infrastructure of retained and bolstered landscape fabric, as well as new landscaping and habitat creation. The scheme which would be managed as natural and semi-natural green space, as well as providing areas of open space with an attenuation basin (lower southeastern edge).
- 9.14. Furthermore, the addition of hedgerow, and new tree planting includes locally characteristic orchard planting within the Site and to the Site's boundaries to afford enhancement to the existing landscape fabric, and arboricultural continuity for the long-term establishment of tree planting within the proposed scheme.
- 9.15. These landscape measures will retain and bolster the existing features and enhancing with new landscaping. This will preserve and enhance the existing character of the roadway into the village along Church Road and passing the village edge along Orton Road. The scheme will preserve the existing characteristics of these routes.
- 9.16. New planting and planting for bolstering and enhancing existing hedgerows would be native reflecting species of local important, and where practicable, local Provenance.
- 9.17. Given the foregoing examination which I have made in this Proof of Evidence, including Section 5 (Matter One), I consider that the Appeal Proposal are in accordance with Local Plan Policy LP14. Together with the retained landscape fabric, amenity and green infrastructure benefits are considered to provide the mitigation required by Policy LP 14 with regard to offsetting and reducing landscape and visual matters.

Local Plan Policy LP30

- 9.18. Local Plan Policy LP30 is titled 'Built Form' and states general principles that new development would be considered against, stating: *'all development in terms of its layout, form and density should respect and reflect the existing pattern, character and appearance of its setting. Local design detail and characteristics should be reflected within the development'*.
- 9.19. The Appeal Site is situated outside of the adopted Settlement Boundary of Warton village. However, as discussed under Matter Two, I do not consider that the proposed scheme would be experienced as adjunct to the existing settlement, and would not be experienced as divorced from, or poorly related, to the village form. This is due to a number of factors, including:

- 9.20. The Appeal Site lies on land that is direct adjacent to multiple neighbouring residential curtilages. When on Site, especially in winter time, one is aware of the presence of the surrounding village related land uses.
- 9.21. The Appeal Site is located between existing residential dwellings and two vehicle roadways, Church Road and Orton Road, which project further west and enclose the Appeal Site on three sides;
- 9.22. There is a notable contrast in character between the strongly vegetated curtilages of residential dwellings and the enclosed, vegetated nature of the Appeal Site, compared to the wider open countryside beyond these roadways, which display the more typical 'visually open, mixed farmland located within a distinctive bowl landform' and 'hedgerow trees provide little tree cover and the landscape is visually open, with panoramic views from the elevated fringes' (No Man's Heath to Warton – Lowlands (Landscape Character Area 1)).
- 9.23. The proposed scheme is within a part of the village which:
- Has a long history of built development (along Church Road and around the Church).
 - Has much recent development (Red Marl Way), as well as more latter day development and period properties.
 - Includes large dwellings in large plots with an obvious residential curtilage along Church Road running westwards from Maypole Way.
- 9.24. An historical association with the village is another indicator of what is and what is not part of the village. I note the following:
- The Church Road public park adjoins the site's northeast-eastern edge (a public open space dating back more than 25 years).
 - Holy Trinity Church and its associated burial ground is situated within 0.15km of the site. Holy Trinity Church dates back to the fourteenth century, with additions in successive centuries.
 - 'The Office' pub is located within circa 0.3km northeast of the Appeal Site (at its closest point).
- 9.25. These land uses are all part of the village. It is clear that the village has grown to the southeast and southwest, so that the Church and its burial ground, and the public open space are no longer peripheral to the main route through the village (Maypole Way).
- 9.26. This is further reflective in how the village has grown along its southern half, and in particular, its southwestern portion with development in depth between Church Road and Maypole Road and Orton Road. In my analysis above in Section 7, I recognise that the village would have once had a linear form in its morphology, but in its current day form this pattern has now diminished and become lost within the southern half of the village i.e., south of the junction of Church Road and Maypole Road.

- 9.27. It is clear that this southern half of the village, especially, the southwestern portion has a distinct and obvious 'development in depth' characteristic, which is definitely not linear in its form. Consequently, the siting of the proposed development, and as now proposed by the Appellant would be appropriate to the setting of the village and its current day urban morphology.
- 9.28. Given the analysis within Matters Two and Three, I consider that the Appeal Proposals does conform to Local Plan Policy LP 30.

Polesworth Parish Council Neighbourhood Plan 2022-2033 (adopted June 2025)

Policy PNP3

- 9.29. Policy PNP3 is titled 'Sustainable Design and Construction' and states:

'All new development will be expected to respond positively to the key attributes of the neighbourhood area and the key local design features of the settlement in which it is to be situated.

Development will not be supported where it is of poor design that has an adverse impact on the character of the area. To ensure good design is achieved development should be designed to take account of.....'

- 9.30. The policy continues and sets a criterion for measuring this, for which I respond where pertinent:

'(b) It is designed in such a way so as to make a positive use of local landform, trees, hedgerows and other vegetation and for larger proposals has had suitable regard to landscape setting and settlement pattern.'

- 9.31. As demonstrated in Matters Two and Three, the scheme would be located within the nucleated area of the settlement, where recent development has seen the village's morphology grow to the south and southwest, wrapping around the location of the village Church, graveyard and public park., with the public park neighbouring the Site.

'(c) It conserves or enhances existing wildlife habitats and incorporates new native planting (if appropriate to the site and its context) and landscaping that create new habitats, nesting (e.g., for birds and bats), encourages pollinators and provides foraging opportunities. Overall, a net gain in biodiversity should be demonstrated.

And

(d) It uses space and creates new public open spaces that are enclosed, integrated and overlooked by buildings and are in prominent useable locations. Such spaces should use native planting (if appropriate to the site and is context) and planting to encourage pollinators.

(e) It includes sufficient amenity space to serve the needs of the development and its users, in accordance with the Local Plan.'

- 9.32. The Landscape Strategy (CD2.3) demonstrates that the Appeal Proposal has been designed to afford an open nature, landscaped scheme which protection and retains the existing landscape fabric of hedgerows and hedgerow lines.
- 9.33. The eastern portion of public open space would adjoin that within the Red Marl Way scheme and also the village public park affording new pedestrian access into the park, and through the scheme for landscape amenity, recreation and connectivity with the wider Public Right of Way network west of Church Road, with open countryside beyond.
- 9.34. Additionally, albeit, the proposals are subject to detailed landscape design to discharge a future planning condition, the landscape scheme would promote native planting of locally important species (local provenance where practicable), as well as secure a bio-diversity net gain.
- 9.35. I also not objection to the proposed scheme was raised by the County Council's Ecology Officer (CD3.1)

'(f) It includes appropriate boundary treatments that reflect local context and landscaping using predominantly native species to support a net-gain for biodiversity. It provides highways for hedgehogs by allowing access through boundary walls and fences.

'(g) It does not have a detrimental effect on the amenity of occupiers of neighbouring property'

- 9.36. As detailed within Matters One and Two, the Appal Proposals have been careful considered to enable the protection and retention of the existing hedgerows and hedge line trees which enclose the Site area. This existing planting would be enhanced with native planting of locally important species (local provenance where practicable), as well as new tree, scrub and grassland planting within the Site area to compliment and bolster the Site's boundary to create a landscape setting for the scheme.
- 9.37. This approach would enhance the tree'd routes of Church Road to the north. Whilst the proposed vehicle and pedestrian would necessitate a minor amount of hedgerow removal, the vast extent of hedgerow and trees along this route be retain. Additionally, the design of the scheme steps development inside the boundary, rather than aligned to. This enable the broad, vegetated character of this route to be presented along the northern and western Site edges along Church Road.

- 9.38. To the southern edge, the existing hedgerow and hedge trees which characterises Orton Road at this location would be retained and enhanced further. With the adoption of stepping development inside the boundary, and further enhancing the space with new green infrastructure and tree planting this soft, landscaped edge would be retained along this route. This would be similar to that of the adjoining Red Marl Way scheme.

Policy PNP4

- 9.39. Policy PNP4 is titled 'Conserving and Enhancing the Landscape', and states:

'New development should conserve, enhance, and where appropriate, restore local landscape character.'

- 9.40. The policy continues and sets a criterion for measuring this, for which I respond where pertinent:

'(a). Maintaining and enhancing the landscape setting, landscape features, field and settlement pattern of the neighbourhood area.'

- 9.41. I deal with landscape setting relative to point f below. regarding settlement pattern, I consider that the development as proposed by the Appellant is appropriate in its setting. The scheme would be integrated into the existing settlement edge with new public open space as a prelude to the wider built form on the eastern edge. This would marry with the wider public open space at Red Marl Way and the village park next door.

- 9.42. Additionally, and as demonstrated in Matters Two and Three, the scheme would be located within the nucleated area of the settlement, where recent development has seen the village's morphology grow to the south and southwest, wrapping around the location of the village Church, graveyard and public park., with the public park neighbouring the Site.

'(c) Retaining or enhancing ponds, streams, mature trees, woodland, ancient and mature hedgerows, or where removal is unavoidable, providing by way of offsetting replacement habitat elsewhere on-the site or within the neighbourhood plan area.'

'(d) Where new planting and landscaping is proposed it should use native species and be designed in such a way so as to ensure that it is suitable when considered in the wider local landscape, and where appropriate, links to existing woodland and hedgerows.'

- 9.43. As detailed above for Local Planning Policy and also Neighbourhood Plan PNP 3, I consider that the Appeal Proposals confirms to this requirement. I also not objection to the proposed scheme as raised by NWBC's Woodland and Tree Officer.

'(e) Promote high quality residential design that respects local townscape and landscape character and reflects local vernacular building styles, layouts and materials.'

'(f) Other than in relation to land to the east of Polesworth and Dordon (Local Plan Policy H4) seek to minimise the encroachment of development into visually exposed landscapes and where development is proposed on the edge of the village, it enhances views of the settlement edge from the surrounding countryside and does not lead to inappropriate incursion into the surrounding countryside by reason of its siting, design, materials or use of landscaping.'

- 9.44. From the outset of the masterplanning process, the Appellants have noted two key issues for the host landscape character areas, which are (as noted within the North Warwickshire Borough Council Landscape Character Assessment (2010)) for the No Man's Heath to Warton – Lowlands (Landscape Character Area 1), which are:

'The main pressure for change identified within this agricultural LCA is agricultural intensification, which has resulted in loss of traditional meadows, hedgerows, riparian vegetation and heathland. There may also be small scale development pressures for village expansion.'

And

'Conserve and strengthen the rural character and dispersed nucleated settlement pattern of this agricultural landscape.'

- 9.45. As demonstrated above, the Appeal Proposals seen to protect, retain and enhance the Site's existing field hedgerows and hedge line trees, allowing for their bolstering with new native species of local importance. The Site is an individual field and so the scale of the field pattern can be retained rather than be lost through the amalgamation of fields for new development.
- 9.46. With regard to the delivery of new homes at the Site, development is concentrated where it is most appropriate in environmental terms to do so, forming an area of new public open space to the eastern site edge to interface and marry with that adjoining Red Marl Way and also provide pedestrian access into the adjoining village public park.
- 9.47. The scheme has been designed to have soft, landscaped edges with extensive public open space including green infrastructure and natural/semi-natural landscapes. Increased tree cover, habitats and public access is a feature of the proposals proposed by the Appellant, which would enhance the site area.

9.48. Further to this, the landscaped edges of the scheme act to step development into the field area, and are more about creating an environment to integrate the scheme within, rather than simply screening views. In particular, the southern and western boundaries have been bolstered to define the village edge, and so contain the scheme and the wider village from the open countryside. This would preserve and conserve the *'character and dispersed nucleated settlement pattern of this agricultural landscape'* within the No Man's Heath to Warton – Lowlands (Landscape Character Area 1).

9.49. Finally, this policy also states:

'In addition to the above development should also be prepared using any relevant Landscape or other Supplementary Planning Guidance.'

9.50. The Appellant's LVA (CD1.2) refers to the most up to date Landscape Character Assessment and the Landscape Guidelines. As I have demonstrated, the proposals also allow for opportunities to contribute to the landscape through reinstatement of some of the representative features on site, as recommended by the County Council and NWBC's published landscape guidelines.

9.51. For all the above reasons, and as amplified in my main evidence within Matters One to Three, I consider that the Appeal Proposals conform to National local planning policy, as well as the pertinent policies of the adopted Neighbourhood Plan.

10.0 CONCLUSION

- 10.1. This section forms my Summary Proof of Evidence and explains why I consider the Appeal Proposals represent sustainable development.
- 10.2. For the reasons explored within Matters One to Three above, the Appeal Proposals is in accordance with National and Local Planning Policy. With regard to North Warwickshire Local Plan 2021 (adopted September 2021) LP1 ('Sustainable Development'), I have demonstrated through NWBC's criterion that the scheme. Whilst the Appeal Site is outside of the adopted Settlement Boundary for Warton, I have demonstrated that the intended stepping back of development and the proposed public open strategy would bolster of the outer edge of Warton village to enhance the perception of a nucleated settlement pattern, which is a typical characteristic of No Mans Heath to Warton - Lowlands Landscape Character Area.
- 10.3. With regard to Local Plan Policy LP14 ('Landscape') I have demonstrated through Matters One, Two and Three, that the Proposed Development complies with the criterion required of development proposals to conform to policy. Specifically, the manner in which we have adopted the published landscape guidance for No Man's Heath to Warton – Lowlands (Landscape Character Area 1), which overall aims to *'conserve and strengthen the rural character and dispersed nucleated settlement pattern of this agricultural landscape'*.
- 10.4. The site is of sufficient scale that it can integrate the scheme within green infrastructure of retained and bolstered landscape fabric, as well as new landscaping and habitat creation. The scheme which would be managed as natural and semi-natural green space, as well as providing areas of open space with an attenuation basin (lower southeastern edge).
- 10.5. In consideration of Local Plan Policy LP30 ('Built Form'), the policy states general principles that new development would be considered against, stating: *'all development in terms of its layout, form and density should respect and reflect the existing pattern, character and appearance of its setting. Local design detail and characteristics should be reflected within the development'*
- 10.6. Through Matters Two and Three of this Proof of Evidence, I have demonstrated the settlement character at Warton has grown to the south and southwest, and has encompassed the village-related land uses on Church Road – this being the church, graveyard and village park, where Red Marl Way has wrapped around these features with the village growing to the southwest.
- 10.7. In recent years, there has been new development permitted to the southern half of the village. These developments include the expansion of the village with new homes to the southeast along Orton Road, new development beyond the Fox and Dogs pub, south of Orton Road, as well as the new homes built out along Red Marl Way, and streets thereof.

- 10.8. Consequently, the southern half of the village, especially the southwestern portion, has a distinct and obvious 'development in depth' characteristic, which is definitely not linear in its form.
- 10.9. The historical association with the village is another indicator of what is and what is not part of the village. I note the following:
- The Church Road public recreation ground adjoins the site's northeast-eastern edge (a public open space dating back more than 25 years).
 - Holy Trinity Church and its associated burial ground is situated within 0.15km of the site. Holy Trinity Church dates back to the fourteenth century, with additions in successive centuries.
 - 'The Office' public house is located within circa 0.3km northeast of the Appeal Site (at its closest point).
- 10.10. These land uses are all part of the village; therefore, the scheme would be located within the nucleated area of the settlement, where recent development has seen the village's morphology grow to the south and southwest, wrapping around the location of the village Church, graveyard and public park., with the public park neighbouring the Site. Consequently, I do not consider that the Proposed Development at the Site would be adjunct to the settlement morphology.
- 10.11. With regard to Polesworth Parish Council Neighbourhood Plan 2022-2033 (adopted June 2025) Policy PNP3 ('Sustainable Design and Construction'), in addition to the above reasons, the Proposed Development has been designed to afford an open nature, landscaped scheme which protection and retains the existing landscape fabric of hedgerows and hedgerow lines. This approach would enhance the typical tree'd and hedgerow route into the village along Church Road and Orton Road, with the masterplan taking particular care to conserve and enhance the character of Church Road, which is also applicable to Policy PNP4 ('Conserving and Enhancing the Landscape') with the adopted Neighbourhood Plan.
- 10.12. Further to this, the design intention to set development back from Church Road in particular, and to conserve and enhance the hedgerow and tree'd route of Orton does more than create a landscape environment to integrate the scheme within, and facilitate public open space. In particular, the southern and western boundaries have been bolstered to define the village edge to preserve and conserve the '*character and dispersed nucleated settlement pattern of this agricultural landscape*' within the No Man's Heath to Warton – Lowlands (Landscape Character Area 1).

- 10.13. The public open space to the east would marry with the existing public open space at Rad Mark Way and compliment the setting to this recent development, as well as provide public access into the adjoining public park and marry the scheme with the adjoining public open space.
- 10.14. Finally, as demonstrated within Matter One, landscape effects would be limited to the setting of the Site. This pit is agreed by NWBC in their Rule 6 Report (CD3.1). There would be an incremental reduction in the level of effect as these features – the trees in particular – mature and make a more noticeable contribution to local landscape character. Consequently, this level of effect would diminish even further with distance from the site. None the less, I assign only minor landscape harm that is localised to the Site’s environment.
- 10.15. My field-based assessment found the Zone of Primary Visibility to be extensively limited to the immediate setting of the Site, the adjacent urban setting, along the main route into the village from limited areas of elevated landform to the northwest and west.
- 10.16. In undertaking the LVA (CD1.12), I assessed a number of local viewpoints (which were agreed through consultation with NWBC). A common thread running through NWBC’s Rule 6 Report (CD3.1) is that the extent of views from the public domain would be localised and fairly limited, with NWBC asserting at page 61, paragraph 8.17 that *‘visual harm of the proposal would be relatively localised in extent, but nevertheless important to those who will be affected, particularly the local communities who live adjacent to this stretch of undeveloped landscape’*
- 10.17. The designed scheme would set new built form stepped back and stepped down into the Site within extensive open space and green infrastructure with the site situated within the road system.
- 10.18. The Site is situated within a part of the village which has a long history of built development, adjoining the village’s public park and neighbouring the village Church and graveyard with recent development at Red Marl Way.
- 10.19. As a result, it is my professional opinion that the Appeal Proposals would only lead a minor level of harm. There will be no significant and demonstrable harm.
- 10.20. In overall conclusion, having considered Matters One, Two and Three, it is my professional opinion that the Proposed Development as proposed by the Appellant conforms to National and local planning policy in terms of landscape pertinent policies.

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