

APPEAL UNDER SECTION 78, TOWN AND COUNTRY PLANNING ACT 1990

APPEAL by Foreman Homes Ltd. against the refusal of Eastleigh Borough Council to grant planning permission for the residential development of 61 no. dwellings, with associated public open space, landscaping and amenity areas with access off Satchell Lane.

SITE: Land at Satchell Lane, Hamble-le-Rice, Southampton

PROOF OF EVIDENCE OF

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On behalf of Eastleigh Borough Council

Planning Inspectorate ref: APP/W1715/W/22/3292580

Eastleigh Borough Council ref: F/20/89488



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1.0. **SUMMARY PROOF**

1.1. **Methodology**

1.2. This proof should be read in with the Appendices 1 and 2 and all stand as my evidence.

1.3. The methodology used based on industry guidance; where judgements on the impact are required to be made, reference is made to the standard landscape and visual impact assessment methodology used by terra firma.

1.4. **Policy**

1.5. Relevant policy is noted and an assessment against policy is included in the conclusions.

1.6. **Description and Context**

1.7. The Appeal Site is located to the northern edge of Hamble-le-Rice to the southern and east of Satchell Lane. It is set in countryside, outside Hamble's urban edge, the closest point of which encompasses ribbon development to the immediate south-east.

1.8. The Appeal Site is currently used for horsiculture and is accessed to the north-western corner.

1.9. The landscape character of the Appeal Site is broadly in line with the key characteristics of the EBC LCA 13: 'Hound Plain' and this evidence has shown that the Appeal Site is judged to be of medium value, with a high susceptibility to change, giving a medium / high sensitivity.

1.10. The Appeal Scheme proposals:

“... represent an inappropriate and unjustified form of development which would have an unacceptably urbanising and visually intrusive impact upon the designated countryside, to the detriment of the character, visual amenity, and the quality of the landscape of the locality”.

1.11. The Appeal scheme results in the replacement of a rural landscape with housing development with its associated infrastructure, lighting and engineered vehicular access off Satchell Lane which would lead to a harmful urbanisation of the local rural environment.

1.12. This urbanisation and the impact of the Appeal Scheme on the landscape character of the Appeal Site and the Wider Context Area, as well as on visual amenity, also give rise to adverse effects, some of which are significant, that are increased considerably from those associated with the previously permitted scheme, as noted in this evidence.

1.12 This evidence has shown that, with these adverse effects on the landscape character and visual amenity, the proposals do not comply with Local Plan policies S5 and DM1.

2.0. **INTRODUCTION**

2.1. **Qualifications and Experience**

- 2.2. My name is Robyn Butcher and I hold a Bachelor of Arts Honours degree and a Graduate Diploma in Landscape Architecture from Leeds Metropolitan University. I have been a practising landscape architect for 24 years, having achieved chartered membership of the Landscape Institute in December 1998 and fellowship in 2021.
- 2.3. I have worked at The terra firma Consultancy since 1995, becoming Director in 2021. terra firma is a Landscape Institute registered practice and is included in the Law Society's Directory of Expert Witnesses.
- 2.4. My experience has ranged from large-scale landscape planning studies, strategies, guidelines and site masterplanning, through to detailed landscape proposals for civic spaces, public parks, office, industrial and housing schemes, urban regeneration, leisure, education and healthcare facilities, private estates and management plans. I have frequently advised on the potential visual and landscape impact of development proposals, including many housing schemes in rural settings.
- 2.5. My previous experience as an expert witness on landscape and visual impact includes representing Cornwall Council in the county's largest ever public inquiry relating to the refusal of permission for the construction of an 'energy from waste' facility, and previous successful dismissals of housing schemes at appeal, representing Chichester District Council.
- 2.6. In respect of this appeal, I was formally appointed in July 2022 to represent Eastleigh Borough Council and to present evidence on the landscape and visual aspects of the appeal proposals.

2.7. **Scope and Structure of Evidence**

- 2.8. My evidence specifically relates to Reason for Refusal 1 which states:

"The proposals represent an inappropriate and unjustified form of development which would have an unacceptably urbanising and visually intrusive impact upon the designated countryside, to the detriment of the character, visual amenity, and the quality of the landscape of the locality. The application is therefore contrary to Saved Policies 1.CO, 18.CO, 20.CO and 59.BE of the Eastleigh 5 Borough Local Plan Review (2001-2011), Draft Policies S7 & DM1 of the Submitted Eastleigh Borough Local Plan (2016-2036) and the provisions of the National Planning Policy Framework."

3.0. **OVERVIEW OF PROPOSED DEVELOPMENT**

- 3.1. The proposed development is for 61 no. dwellings, with associated public open space, landscaping and amenity areas with access off Satchell Lane. The majority of the dwellings are large, detached dwellings, with a smaller number of semi-detached, terraced and maisonettes. All dwellings are two storeys. Each dwelling has access to a rear garden, and most have on-site parking and garages. The smaller dwellings (plots 6-10) have access to a communal parking area near the northern boundary.
- 3.2. The proposals are described in the Appellant's Design and Access Statement (section 4, pages 27-32) and the Supplementary Design Statement. The accompanying plans relevant to this proof include Site Plan, Open Space Plan, Illustrative Landscape Plan, and Character Areas.
- 3.3. The application is not accompanied by a Landscape and Visual Appraisal.

4.0. **RELEVANT POLICY AND GUIDANCE**

4.1. The following section sets out planning policy and guidance relevant to Reason for Refusal 1. This includes items additional to those listed in Decision Notice.

4.2. **European Landscape Convention (2000) (ELC)**

4.3. The ELC sets out in the preamble the need for *'Acknowledging that the landscape is an important part of the quality of life for people everywhere: in urban areas and in the countryside, in degraded areas as well as in areas of high quality, in areas recognised as being of outstanding beauty as well as everyday areas'*.

4.4. The implication is that it is not just the designated areas, but the whole landscape that has many values and that all of them are formally recognised, but landscape matters to, and is valued by, people and provides a context for people's lives.

4.5. This implication applies to all landscapes everywhere and in any condition – land, inland water, inter-tidal, marine, natural, rural, urban and peri-urban, outstanding, ordinary and degraded.

4.6. **National Planning Policy Framework**

4.7. Relevant paragraphs of the NPPF include:

4.8. **Paragraph 130:** States that developments should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; sympathetic to local character, including the surrounding built environment and landscape setting; and establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

4.9. **Paragraph 131:** States that decisions should ensure that new streets are tree-lined and that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards).

4.10. **Paragraph 174:** States that 'policies and decisions should contribute to and enhance the natural and local environment by (a) protecting and enhancing valued landscapes...(in a manner commensurate with their statutory status or identified quality in the development plan)' and (b) by recognising the intrinsic character and beauty of the countryside.

4.11. It should be noted that the Appeal Site is not formally designated and therefore cannot to be regarded as a valued landscape for the purposes of Para 174, section (a).

4.12. **Eastleigh Borough Council Local Plan 2001-2011 (the "Former Local Plan")**

4.13. At the time of determination of the appeal scheme, the saved policies of the Eastleigh Borough Local Plan Review (2001-2011) were current, with policy in the Emerging Local Plan being given considerable weight.

4.14. Since the Appeal Submission, however, the emerging Local Plan has been adopted. Accordingly, the saved policies of the Local Plan Review (2001-2011) listed in Reason for Refusal 1 are no longer part of the considerations for this appeal, and the Adopted Local Plan Policies must now be given full weight.

4.15. **Eastleigh Borough Council Local Plan (2016-2036) (the "Adopted Local Plan")**

4.16. Relevant policies from the Adopted Local Plan include:

- 4.17. **Strategic Policy S5: New development in the countryside:** Lists acceptable types of new development in the countryside; and states that development should avoid adverse impacts on the rural, woodland or intrinsic character of the landscape.
- 4.18. **Development Management Policy M1: General criteria for new development:** States that development should take account of the site context including character, appearance and land uses; and be compatible with adjoining uses and well integrated with these in terms of mass, scale, materials, layout, density, design and siting, both in itself and in relation to adjoining buildings, spaces and views. Development should not involve the loss of or damage to trees, woodlands, hedgerows, or other landscape features of value to the character of the area, or appearance or biodiversity, unless they can be replaced with features of equivalent or enhanced value; and should protect and enhance public rights of way
- 4.19. **Eastleigh Borough Council: Settlement Gap Study (2020)**
- 4.20. The Settlement Gap Study includes a settlement Gap identified as 'Area A Bursledon, Southampton, Netley, Hamble'. Whilst the Appeal Site does not lie within this gap, the boundary of the identified settlement gap directly abuts the Site to the north.
- 4.21. The Gap Analysis included in the study provides useful insight into the identified character of Satchell Lane, the approach to Hamble along Satchell Lane, and the character of Hamble Village:
- **Hamble:** "Historically, Hamble's relationship to the waterfront has defined the settlement pattern and isolated nature of its character, whereas its northern edge is less defined and includes numerous land uses comprising the following: ... Ribbon development along Hamble Lane and Satchell Lane that largely consist of single / semi-detached twentieth century dwellings with larger gardens that back onto the former airfield." (page 13)
 - **Sense of Arrival / Leaving (Satchell Lane):** "Located further east, Satchell Lane has a greater rural lane character and is used less than Hamble Lane to travel between the settlements. For those travelling along Satchell Lane from Hamble Lane, the sense of arrival to the settlement is not experienced until the junction to Mercury Boatyard at which point the settlement reverts to housing and ribbon development." (page 14)
 - **Sub Area A58:** "Former Airfield Site. Significant uniform area of open grassland and scrub with informal recreational access stretching from the south of the railway line to the Gap boundary that runs from Satchell Lane in the east to the properties along Hamble Lane. ...The area separates the main Hamble settlement from the cluster of development established to the north of the railway line." (page 26)
 - **Sub Area A64:** "Parcel of land to the north of Satchell Lane containing mature woodland blocks, scrub vegetation and patches of grassland. The site is isolated from the neighbouring settlements and is visually contained by mature woodland to the north and the rural lane vegetation associated with Satchell Lane. The field falls steeply towards the River Hamble providing views to the adjacent holiday village." (page 27)
 - **Opportunities for Green Infrastructure Improvements: Observation 1 (Satchell Lane):** "Rural lanes with strong hedgerow structure provides sense of rural character between settlements." (page 27)
 - **Analysis of Sub Area A58:** "This large area is important in preserving the open nature of the Gap south of the railway line and protecting the integrity of the Gap. ... Despite a relatively long distance from Bursledon and its location south of a railway line, it is necessary to remain in the Gap to avoid the creation of a secondary Hamble Settlement separated from the main village; and to prevent the coalescence of the main Hamble village with the developments to the north of the railway line, which could be detrimental to the character and identity of the village and lead to its coalescence with Netley." (page 31)

- **Analysis of Sub Area A64:** “This area contributes to the openness of the Gap and the character of Hamble as it is located in the immediate vicinity of the Hamble marina. It contributes to the separation of Hamble from the cluster of developments around Hamble School. It is important for the perception of the Gap from Satchell Lane.” (page 31)

4.22. **The ‘Analysis of Sub Areas’** also sets out that both the sub areas adjacent to the Appeal Site meet all the criterion for contribution to the Gap’s function, namely to:

“... preserve the open nature of the Gap; maintain the sense of separation between settlements; plays an important role in defining the settlement character; play important role in the separation of settlements at risk of coalescence; and preventing the coalescence of settlements’ (Page 30).

4.23. **The ‘Proposed Gap Boundary Description’** (page 33) also states as follows:

“Except for the linear belts of woodland which have been removed, the central area of the Gap has been maintained to retain the openness and sense of separation between Bursledon, Netley and Hamble. Whilst woodland belts by virtue of their scale and protected status help to maintain the edges of the Gap, they do not contribute to the more open areas which aren’t protected. Whilst much of the central Gap is of poor landscape quality and is threatened by fragmentation caused by sporadic development, field subdivision and intense agriculture the overall sense of openness deliver a sense of separation between the identified settlement edges particularly when driving by car.’ and ‘The woodland belts continue south to the water’s edge and merge with the open spaces of ... and the former Hamble Airfield to provide a consistent Gap experience particularly for recreational and footpath users. For consistency the woodland belt has been removed from the Gap as the open space areas provide enough land for the Settlement Gap to function.”

4.24. **The ‘Opportunities for Gap Enhancements: Provision for Future Landscape Mitigation’** (page 33) sets out enhancement recommendations that, together, could help to supplement and reinforce the Gap function. These include:

“Manage further fragmentation / erosion of the Gap open landscape by controlling future development and subdivision of fields and re-establish native hedgerows and tree belts that can provide east west connections to the existing woodland corridors; protect and enhance tree-lined roads and railway line vegetation to reinforce the sense of enclosure to the settlements; and consider future use of Hamble Airfield...to support strategic green infrastructure including landscape character enhancements, ecological connectivity and recreational use including improved links to the rights of way network.”

4.25. **Eastleigh Borough: Small and Medium Greenfield Housing Sites Background Paper (June 2018)**

4.26. The report was produced as part of the evidence base for the Local Plan to assist in the selection of small / medium greenfield sites for new homes.

4.27. Sites were scored on a basis of five categories: transport and accessibility, countryside gaps, landscape, biodiversity and other environmental (the last given a half weighting). Sites were scored as ‘poor’ (-1), ‘average’ (0) or ‘good’ (+1) for development, with the occasional ‘very poor’ (-2) or ‘very good’ (+2) for biodiversity, based on appropriateness for development (with ‘good’ being of greater appropriateness).

4.28. The report identifies the Appeal Site (Site 40a) as being “inappropriate for residential development” for reasons noted as “Mineral site; ecology (proximity to Solent Maritime SAC).” (page 9).

4.29. The report, at Appendix 2: SLAA Countryside Gap Appraisal (page 44), states that the Appeal Site “... does not make a contribution to the perception of a gap between Hamble and Bursledon” and scores the site as ‘good’ (+1).

4.30. The report at Appendix 3: Landscape Sensitivity Appraisal (page 81-82) states that the Appeal Site has a 'Low sensitivity'.

5.0. **METHODOLOGY**

- 5.1. The evidence provided in this proof of evidence is my own true and professional opinion.
- 5.2. Where judgements on the impact are required to be made, reference is made to the standard landscape and visual impact assessment methodology used by terra firma (see Appendix 2), which is based on the following documents:
- 'Guidelines for Landscape and Visual Impact Assessment' (3rd edition), produced jointly by the Institute of Environmental Management and Assessment and The Landscape Institute (2013), referred to as the GLVIA3; and
 - 'Landscape Character Assessment: Guidance for England and Scotland', produced by The Countryside Agency and Scottish Natural Heritage (2002).
- 5.3. This evidence is based on field work that was undertaken in summer with leaf cover. Where appropriate, assumptions have been made regarding visibility without leaf cover present.
- 5.4. The study area has been established as the area surrounding the Appeal Site, encompassing Hamble Airfield, the urban edges of Hamble, as well as roads and public rights of way in the Appeal Site's context.
- 5.5. The landscape character and visual amenity in the study area has been described using a combination of desk-based study and site survey. This has examined physical landscape elements such as vegetation and topography, in addition to landscape character, sensitivity, value and quality.
- 5.6. The assessment methodology has followed the standard GLVIA approach of assessing changes in the development case against the baseline condition.
- 5.7. Predicted effects have been identified for each receptor, and the magnitude of the identified landscape change evaluated by professional judgement. The significance of these effects has been determined by the inter-relationship of magnitude of effect and receptor sensitivity, a standard and accepted principle that is described in more detail in Appendix 1.

6.0. **LANDSCAPE CHARACTER BASELINE**

- 6.1. This section sets out the baseline situation as determined by desk study and field work. It covers physical and perceptual landscape character and visual amenity.
- 6.2. **Setting and Policy Context**
- 6.3. The Appeal Site is set outside Hamble's existing settlement boundary, which lies to the immediate south-east and is designated as 'countryside' in the Council's Adopted Local Plan (Policy S5).
- 6.4. The Appeal Site is not covered by any other designations.
- 6.5. The Appeal Site lies to the immediate south of the Hamble - Bursledon Gap.
- 6.6. The Appeal Site is not allocated for housing development in the Local Plan.

6.7. **National Character Assessment**

6.8. The Appeal Site lies in National Character Area 126: 'South Coast Plain', with key characteristics including:

- The plain slopes gently southwards towards the coast;
- Streams and rivers flow south from the higher land of the Downs to the sea; and
- Stretches of farmed land between developed areas.

6.9. **Hampshire County Council: Integrated Landscape Character Assessment**

6.10. The Appeal Site lies in Landscape Character Area 3D: 'Hamble Valley', with key characteristics including:

- Well defined strong valley landform clothes the valley sides and tops; and
- Large, detached residences set within mature woodland along the valley tops and water's edge with substantial gardens and secluded character'

6.11. **Eastleigh Borough: Landscape Character Assessment**

6.12. The Appeal Site lies in Landscape Character Area 13: 'Hound Plain', with its description including as follows:

- Gently-domed area falls slightly towards the coast and towards the shallow valleys that mark the boundaries with Bursledon to the east and Southampton to the west;
- Valleys are densely wooded;
- Most of the remaining area is devoid of trees except along the roadside;
- Dominant characteristic is the landscape's openness, interrupted only by a few intermittent hedges and post and wire fences;
- Land is in both pasture and arable use, but the patches of 'horsiculture' around Hound and derelict airfield near the edge of Hamble give an urban fringe character to some places; and
- The urban edges of Hamble-Le-Rice are prominent in the open landscape, forming the boundaries to this character area.

6.13. The airfield is noted as closing in 1933 and it is noted, also, that the disused airfield is used as informal open space by local residents.

6.14. As for 'Landscape Character Sensitivity', it is stated as follows:

"Landscape Character is noted as being 'defined mainly by its relative flatness and the feeling of an open landscape' and that 'Development within this open area could reduce the distinctiveness of the character area.'"

6.15. As for 'Visual Sensitivity', it is noted that:

"The area is open, largely flat or gently domed with extensive views."

6.16. Key Issues noted are:

- The degraded landscape character due to the fairly intensive use of land for horsiculture, small scale agriculture and horticulture and disused land;

- Development pressure to diversify land uses from agriculture; and
- The contribution of the open character to the visual separation between the settlements of Bursledon, Southampton, Netley and Hamble.

6.17. **Eastleigh Borough: Character Areas Appraisals: Bursledon, Hamble-le-Rice and Hound SPD**

6.18. Whilst not directly applicable to the Appeal Site, the ribbon development to the east and south-east is encompassed in the Urban Character Area BHH32. Relevant characteristics include:

- Retain the soft verges and supplement with additional planting in order to maintain the 'lane' character;
- Ensure that any backland development is subordinate to the existing development and serviced via a separate access road; and
- Moderate strength of character.

6.19. **The Appeal Site**

6.20. The Appeal Site lies within the jurisdiction of Eastleigh Borough Council. It is a single, roughly triangular, grass field, accessed to the north-west corner, currently used for grazing horses, of approximately 3.55 hectares. It lies on higher ground, falling towards the east and south, and the elevated position affords views looking across the River Hamble Valley to the wooded eastern shoreline from the Appeal Site and the adjacent PROW,

6.21. The field is of an open nature and is used for horsiculture. Whilst the EBC LCA notes that this gives an "urban fringe character to some places", and also that "the urban edges of ... Hamble-Le-Rice ... are prominent in the open landscape, forming the boundaries to this character area", this is not true of the Appeal Site. The surrounding character as perceived from both the Appeal Site and the PROW is rural and heavily vegetated, with the only development visible from the Appeal Site being the upper storeys of two detached houses to the northern edge of the ribbon development west of Satchell Lane, and glimpsed views of the Park Homes to the north east of Satchell Lane through the mature tree cover. Other development close to the Appeal Site is screened by vegetation.

6.22. The Appeal Site is located to the north-east of Hamble and is bounded by: to the west the former Hamble Airfield, with a public right of way running along the site boundary; to the north and north-east by Satchell Lane; and to the south and south east by the gardens to the rear of residential properties along Satchell Lane.

6.23. The western boundary is formed by a hedge, which in places is sparse enough to afford views into the Appeal Site and across to the Hamble River to the east, even with full leaf cover, with a few mature trees. A PROW (Hamble-le-Rice Footpath 1) runs along the immediate outside boundary and appears to be well used, with links into the wider informal recreational access on the adjacent former airfield site. The nature of the hedge and the fall of the field to the east allows footpath users a clear perception of the open nature of the Appeal Site and the presence of the river valley to the east.

6.24. The former airfield is open and extends from the site to Hamble Lane to the west and the urban edge of Hamble to the south-west, rising gently towards the west from the Appeal Site. It is used for informal recreation by walkers.

6.25. The northern boundary running along Satchell Lane is lined with mature trees and understorey plants, which in places is sparse enough to afford views into the Appeal Site, even with full leaf cover. Satchell Lane lies at a lower level than the Appeal Site, with the difference in levels increasing towards the east with banking on the site boundary. Satchell Lane is vegetated on both sides, without pavement or street lighting and has a rural character (as noted in the Gap

Analysis). This character is enhanced by both the openness of the Appeal Site and the land to the north of the lane (Gap Analysis Area A, Sub Area A64), as perceived from the lane.

- 6.26. Beyond Satchell Lane to the north, land is undeveloped and open (as noted in the EBC Settlement Gap Study Area A, Sub Area 64), with woodland cover beyond and this character is also perceived from the lane, through the mature trees and understorey on the road boundary.
- 6.27. To the north-east of Satchell Lane, beyond the mature trees and understorey on the road boundary, lies a small development of 6 single storey park homes, with the Mercury Holiday Park further north.
- 6.28. To the south-east and south of the Appeal Site, ribbon development runs along the east side of Satchell Lane, with long gardens extending towards the Appeal Site, many with open fence lines onto the field. These houses lie within the urban edge of Hamble, and this is clearly perceived by the change from open field to garden and residential use.
- 6.29. Travelling along Satchell Lane from the north towards the Appeal Site and Hamble beyond, the experiential context is that of a rural landscape once crossing the railway bridge. The road is vegetated to both sides, mostly with mature trees, without pavement or lighting, and is of a winding nature as it gradually falls in a generally eastern direction. A series of photos in Appendix 2 at Figures 5, 6, 7 & 8 illustrate this journey.
- 6.30. The first sense of any development is the presence of signage at the entrance to the Mercury Yacht Harbour. However, the rural character of the lane continues with only glimpse views of the Park Homes to the north of the lane, mature trees to either side of the road, vegetated banking to the southern side and a sense of openness through trees to the south provided by the open field of the Appeal Site.
- 6.31. The sense of arrival at the village is not perceived until the viewer reaches the corner to the north-east of the Appeal Site at the entrance to the Halyards, where the presence of parked cars, some built form and signage, begins to alter the rural character of Satchell Lane. The road is then heavily vegetated on both sides until opening up at entrances to houses on the west and finally reaching St Agatha's Road on the east of Satchell Lane at the northern edge of the village.

7.0. **LANDSCAPE CHARACTER AND SENSITIVITY**

7.1. **Commentary on the Eastleigh Borough: Small and Medium Greenfield Housing Sites Background Paper (June 2018)**

- 7.2. The report identifies the Appeal Site (Site 40a) as being "inappropriate for residential development" for reasons noted as "Mineral site; ecology (proximity to Solent Maritime SAC)." (page 9).
- 7.3. The presence of minerals is not in itself a reason to refuse permission. Indeed, the consultee response from Hampshire County Council (as Mineral Planning Authority) on the Appeal Scheme set out a requirement for 'full consideration of the opportunities for mineral extraction prior to and as part of the proposed development'.
- 7.4. The proximity to the Solent and Southampton Water SPA is also no in itself a reason to refuse permission. Indeed, the consultee response from the Ecology Officer sets out the need for monetary contributions to a relevant mitigation scheme.
- 7.5. Neither of these points are considered in the report in relation to Landscape Sensitivity.
- 7.6. The report, at Appendix 2: SLAA Countryside Gap Appraisal (page 44), states that the Appeal Site "... does not make a contribution to the perception of a gap between Hamble and Bursledon", and scores the Appeal Site as 'good' (+1)

- 7.7. This is reflected in the 2020 Settlement Gaps Study which does not include the Appeal Site in the Settlement Gap identified as 'Area A Bursledon, Southampton, Netley, Hamble'
- 7.8. The report at Appendix 3: Landscape Sensitivity Appraisal (page 81-82) states that the Appeal Site has a 'Low sensitivity', giving this score of 'good'(+1).
- 7.9. Of the 43 sites assessed, 24 were given the same score which equates to low landscape sensitivity.
- 7.10. The report states (page 7 point 'h') that 'None of the sites are designated for their landscape qualities, and in any case the methodology does not result in any sites being allocated which are classed as 'poor' in landscape terms (i.e. none have a high landscape sensitivity)'.
- 7.11. It is not clear from the report, but it is assumed that the study is largely based on desk top work without the benefit of a greater analysis of each site's individual qualities.
- 7.12. The report covers four categories in the appraisal of landscape sensitivity: 'important or distinctive features' covering physical features, whether the site is 'dominated by urban elements' which includes reference to scale, openness and enclosure, pattern complexity and remoteness, 'important historic elements' and lastly 'views' (Appendix 3, Pages 1-2).
- 7.13. In the commentary on the second category for the Appeal Site (Appendix 3, Page 81) the report appears to only comment on physical and not perceptual matters.
- 7.14. My judgement of 'medium' for the landscape sensitivity of the Appeal Site as set out below reflects the previous judgement, based on more detailed analysis, made by Mr Armstrong, EBC's expert witness on landscape and visual matters at the previous appeal also of '*medium sensitivity*'. (Proof of Evidence of Peter Armstrong, Page 11, section 4.15).
- 7.15. It should be noted that the Appellant's expert witness on landscape and visual matters at the previous appeal also gave the Appeal Site a greater sensitivity, based on more detailed analysis, of '*medium to low sensitivity*' (Proof of Evidence of Silke Gruner, Page 29, section 5.24).
- 7.16. It should also be noted that at the previous appeal the Inspector chose to adopt the 'low sensitivity' as set out in the EBC 2018 report, rather than the more detailed judgments based on a greater level of analysis of either the Council's or Appellant's expert witnesses (Decision Notice, paragraph 32).
- 7.17. The more detailed analysis undertaken to inform this proof, has shown the landscape sensitivity of the Appeal Site as 'medium' sensitivity for reasons as set out below. This is greater than stated in the EBC 2018 report, appraised as 'low sensitivity'.
- 7.18. **Landscape Sensitivity of the Appeal Site**
- 7.19. The landscape character of the Appeal Site is broadly in line with the key characteristics of the EBC LCA 13: 'Hound Plain', and the value of the Appeal Site is judged to be of medium value, i.e. with perceived positive character and quality that may have been reduced through alteration or degradation of character or features, some provision of ecosystem services.
- 7.20. This judgement is based on the following characteristics of the Appeal Site:
 - Undesignated area of land;
 - Falls gently to the east and south (reflective of the LCA key characteristics);
 - Devoid of trees except along the roadside boundary and a few trees along the PROW (reflective of the LCA key characteristics);

- Openness without interruption as perceived from the PROW to the west across the site, with western boundary formed by hedge line and post and wire fences (reflective of the LCA key characteristics);
- Openness as perceived from Satchell Lane to the north, along with the lack of development and mature tree line contributing to the rural character of the lane (as noted in the Gap Analysis);
- Openness contributing to visual separation between settlements (as noted in the Key Issues);
- Degraded nature with its use for horsiculture (as noted in the Key Issues; and
- Contribution to ecosystem services through presence of vegetation and permeable grassland.
- Value as a local 'doorstep' landscape for the community

7.21. The susceptibility of the Appeal Site to the type of development proposed is high; the Appeal Site is not able to accommodate proposed type of change or type of development without undue consequences to the baseline situation or landscape planning policies and strategies.

7.22. This judgement is based on the following:

- Development would affect the openness and rural character of the site, as well as the rural character of Satchell Lane; and
- Development of this area of countryside would also be contrary to Local Plan Policy S5 and Policy DM1.

7.23. Combining the medium value and the high susceptibility, on balance the Appeal Site has a medium / high sensitivity.

7.24. **Landscape Sensitivity of the Wider Context Area (including the Appeal Site)**

7.25. The Appeal Site's wider context has been established as the area surrounding the Appeal Site encompassing Hamble Airfield, the urban edges of Hamble, as well as roads and public rights of way in the Appeal Site's context.

7.26. The wider context area is also contiguous with the southern area of the EBC LCA 13: 'Hound Plain' and is broadly in line with the key characteristics of the EBC LCA 13: 'Hound Plain' and the value of the Appeal Site is judged to be of medium value, i.e. with perceived positive character and quality that may have been reduced through alteration or degradation of character or features, some provision of ecosystem services.

7.27. This judgement is based on the following characteristics of the Wider Context:

- Undesignated area of land;
- Relatively flat to west and falls gently to the east and south (reflective of the LCA key characteristics);
- Devoid of trees except along the roadside boundaries and limited number of hedge lines (reflective of the LCA key characteristics);
- Openness without interruption, particularly across airfield site and Appeal Site as perceived from the PROW, with western Appeal Site boundary formed by hedge line and post and wire fences (reflective of the LCA key characteristics);

- Openness of context area as perceived from Satchell Lane to the north, along with the lack of development and mature tree line contributing to the rural character of the lane (as noted in the Gap Analysis);
- Openness of context area contributing to visual separation between settlements (as noted in the Key Issues);
- Degraded nature in part with use for horsiculture (as noted in the Key Issues); and
- Contribution to ecosystem services through presence of vegetation and permeable grassland.
- Value as a local 'doorstep' landscape for the community

7.28. The susceptibility of the Wider Context Area to the type of development proposed is medium; the Appeal Site may be able to accommodate proposed type of change or type of development without detrimental consequences to the baseline situation or landscape planning policies and strategies.

7.29. This judgement is based on:

- Development would partly affect the openness and rural character of the wider context areas, as well as the rural character of Satchell Lane; and
- Development within this area of countryside would also be contrary to Local Plan Policy S5 and Policy DM1.

7.30. Combining the medium value and the medium susceptibility, on balance the wider context area has a medium sensitivity.

7.31. **Landscape Sensitivity of Appeal Site: Topography**

7.32. The topography of the Appeal Site is judged to be of medium value.

7.33. This judgement of based on the following features of the Appeal Site:

- Falls gently to the east and south (reflective of the LCA key characteristics);
- Banking to the northern boundary with Satchell Lane at a lower level contributes to the rural character of the site by reducing urbanizing influence from traffic; and
- Banking to the northern boundary with Satchell Lane contributes to the rural character of the lane (as noted in the Gap Analysis)

7.34. The susceptibility of the topography to the type of development proposed is medium; the Appeal Site may be able to accommodate proposed type of change or type of development without detrimental consequences to the baseline situation or landscape planning policies and strategies.

7.35. This judgement is based on:

- This type of development can to the most part be accommodated to work with the topography, although banking on Satchell Lane may be affected.

7.36. Combining the medium value and the medium susceptibility, on balance the topography of the Appeal Site has a medium sensitivity.

7.37. **Landscape Sensitivity of Appeal Site Vegetation**

7.38. The vegetation of the Appeal Site is judged to be of medium value.

7.39. This judgement of based on the following features of the Appeal Site:

- Mature tree line to northern boundary contributes to rural character of the site (reflective of the LCA key characteristics);
- Mature tree line to northern boundary contributes to rural character of Satchell Lane (as noted in the Gap Analysis);
- Hedgerow to western boundary (reflective of the LCA key characteristics); and
- Vegetation and grassland contribute to ecosystem services.

7.40. The susceptibility of the vegetation to the type of development proposed is medium; the Appeal Site may be able to accommodate proposed type of change or type of development without detrimental consequences to the baseline situation or landscape planning policies and strategies.

7.41. This judgement is based on:

- This type of development has potential to increase vegetation cover, although extent of permeability may be affected; and
- Mature tree line on northern boundary may be affected.

7.42. Combining the medium value and the medium susceptibility, on balance the vegetation of the Appeal Site has a medium sensitivity.

7.43. **Landscape Sensitivity of Satchell Lane**

7.44. The perceptual character of Satchell Lane is judged to be of high value.

7.45. This judgement of based on the following features of the Appeal Site:

- Rural character (as noted in the Gap Analysis);
- Falls gently to the east and south (reflective of the LCA key characteristics);
- Openness perceived to the north and the south of the road contributes to perception of travelling though countryside;
- Banking along the southern side of the lane adjacent to the site, with the lane at a lower level contributes to the rural character of the lane (as noted in the Gap Analysis); and
- Rural character and lack of development provides sense of separation when travelling between the developed area to the north-west of the railway line and Hamble village.

7.46. The susceptibility of the perceptual character of Satchell Lane to the type of development proposed is medium; the lane may be able to accommodate proposed type of change or type of development without detrimental consequences to the baseline situation or landscape planning policies and strategies.

7.47. This judgement is based on:

- This type of development can to the most part be accommodated without effect on the lane and roadside vegetation, although some vegetation and banking on Satchell Lane may be affected; and
- Development would partly affect the openness perceived from the lane that contributes to its rural character.

7.48. Combining the high value and the medium susceptibility, the landscape character of Satchell Lane has a high / medium sensitivity.

8.0. **VISUAL BASELINE**

8.1. The visual baseline encompasses the area from which the Appeal Site will be visible, not only the ground plane, but any potential development massing. To this end, a ZTV exercise has been undertaken to first inform a desk study of potential views, and then this has been checked in the field.

8.2. In addition to areas ruled out by the ZTV exercise, the visibility of the Appeal Site is limited by vegetation and built form, with visibility limited to views from Satchell Lane to the north, the PROW, closer areas of the former Hamble Airfield to west, and residential properties to the east and northwest.

9.0. **VISUAL AMENITY AND SENSITIVITY**

9.1. **Public Views from the PROW to the West**

9.2. See figure 9, representative viewpoints 14 & 15 and figure 10, representative viewpoints 16 & 17.

9.3. These views are judged to be of medium value.

9.4. This judgement is based on the following:

- Location within a non-designated landscape judged to be of medium value; and
- Likely value to community of views towards the River Hamble.

9.5. The susceptibility of the visual receptor to the type of development proposed is high; receptors are people engaged in informal outdoor recreation whose attention or interest is likely to be focused on the landscape and where views contribute to the landscape setting enjoyed by residents in the area.

9.6. This judgement is based on:

- Views are from a well-used public footpath with links to both the wider countryside and urban area of Hamble; and
- Views are elevated and afford views of the wider context, in particular towards the River Hamble.

9.7. Combining the high value and the medium susceptibility, views from the PROW have a high / medium sensitivity.

9.8. **Sensitivity of Public Views from Satchell Lane**

9.9. See figure 6, representative viewpoint 5 and figure 7, representative viewpoints 7 and 8.

9.10. These views are judged to be of medium value.

9.11. This judgement is based on the following:

- Location within a non-designated landscape judged to be of medium value; and
- Likely value to community of views along a rural road.

9.12. The susceptibility of the visual receptor to the type of development proposed is medium; receptors are travelling along a road with a medium level of interest in the surrounding landscape.

9.13. This judgement is based on:

- Views are from a well-used road with noted rural character with views of adjacent countryside.

9.14. Combining the medium value and the medium susceptibility, views from Satchell Lane have a medium sensitivity.

9.15. **Sensitivity of Residential Views from Development to West of Satchell Lane**

9.16. No representative views are available looking from the properties due to the nature of private ownership.

9.17. These views are judged to be of medium value.

9.18. This judgement is based on the following:

- Location within a non-designated landscape judged to be of medium value.

9.19. The susceptibility of the visual receptor to the type of development proposed is medium; receptors are residents.

9.20. This judgement is based on:

- Views are from residents overlooking a countryside setting; and
- Receptor numbers are low

9.21. Combining the medium value and the medium susceptibility, views from development to west of Satchell Lane have a medium sensitivity.

10.0. **IMPACTS OF THE PROPOSED DEVELOPMENT**

10.1. **Changes to baseline**

10.2. The Appeal Scheme gives rise to changes to the baseline that include the following:

- Change in land use from green field to development affecting character of the site;
- Loss of permeable surfaces;
- Loss of openness in views from Satchell Lane and PROW to west of Appeal Site;
- Loss of longer views towards the River Hamble from PROW to west of Appeal Site;
- Loss of trees and vegetation along Satchell Lane to create entrance and sight lines for access to the development;
- Introduction of engineered landform to overcome change in levels at access point;
- Increase in vegetation within the site; and
- Increased level of lighting at night.

Introduction of some planting to western boundary

10.3. **Effects on the Landscape Character of the Appeal Site**

10.4. The proposed development gives rise to a change from countryside to residential development. This directly affects the perceived openness of the Appeal Site, bringing the edge of the urban area up to the western boundary of the site, with movement of people, vehicles, street lighting and generation of noise, where currently not present in the baseline situation, giving rise to a high adverse magnitude of landscape effect.

10.5. With a medium / high sensitivity and a high adverse magnitude of landscape effect, on balance the landscape effects on the landscape character of the Appeal Site will be major adverse.

10.6. **Effects on the Landscape character of the Wider Context Area**

10.7. The proposed development extends the current urban edge further west into the countryside, with directly affects to the perceived openness of the wider countryside area, with movement of people, vehicles, street lighting, and the generation of noise, all giving rise to a medium adverse magnitude of landscape effect.

10.8. With a medium sensitivity and a medium adverse magnitude of landscape effect, on balance the landscape effects on the landscape character of the Wider Context Area will be moderate adverse.

10.9. **Effects on the Topography of the Appeal Site**

10.10. The proposed development gives rise to changes to topography along Satchell Lane to enable the creation of the access into the proposed development, and associated sightlines with the introduction of engineered landform to overcome the change in levels rising from the lane to the field, where currently there is a steep bank. This gives rise to a low adverse magnitude of landscape effect.

10.11. With a medium sensitivity and a low adverse magnitude of landscape effect, on balance the landscape effects on the topography of the Appeal Site will be moderate / minor adverse.

10.12. **Effects on the Vegetation of the Appeal Site**

10.13. The proposed development gives rise to a loss of mature trees and vegetation along Satchell Lane to enable the creation of the access into the development and associated sightlines. The proposed development will also give rise to the loss of open grassland but the replanting of a mix of native and ornamental vegetation. On balance gives rise to a low adverse magnitude of landscape effect.

10.14. With a medium sensitivity and a low adverse magnitude of landscape effect, on balance the landscape effects on the vegetation of the Appeal Site will be moderate/minor adverse.

10.15. **Effects on the Landscape Character of Satchell Lane**

10.16. The proposed development gives rise to a change from countryside to residential development within the Appeal Site, which will affect the rural character of Satchell Lane to the south though the loss of the perceived openness of the Appeal Site, bringing the edge of the urban area in close proximity to the lane, with movement of people, vehicles, street lighting, and the generation of noise, where currently not present in the baseline situation. The proposed development also affects the rural character of Satchell Lane through the introduction of the access road to the site, with the loss of mature trees and vegetation and banking, as well as

the introduction of engineered landform. Combined, these effects give rise to a high adverse magnitude of landscape effect.

10.17. With a high / medium sensitivity and a high adverse magnitude of landscape effect, on balance the landscape effects on the landscape character of Satchell Lane will be major / moderate adverse.

10.18. Effects on Public Views from the PROW to the West

10.19. The development extends the current urban edge further west up to the western site boundary. Where views currently look across an open field, with long views available across the River Hamble, the built form of the proposed development, together with the movement of people and vehicles, play area, street lighting and increased vegetation, will serve to completely change the nature of the views of the site, and screen views towards the river. This gives rise to a high adverse magnitude of visual effect.

10.20. With a high / medium sensitivity and a high adverse magnitude of visual effect, on balance the visual effects on views from the PROW west of the Appeal Site will be major / moderate adverse.

10.21. Effects on Public Views from Satchell Lane

10.22. The development extends the current urban edge up to the northern boundary of the Appeal Site and introduces a new access into it, with the loss of trees and the introduction of engineered landform. Where views from the lane currently look towards the Appeal Site through sparse vegetation across an open field, in some places above banking, the built form of the proposed development, together with the movement of people and vehicles, street lighting and increased vegetation, will serve to completely change the nature of the views of the site. This gives rise to a medium adverse magnitude of visual effect.

10.23. With a medium sensitivity and a medium adverse magnitude of visual effect, on balance the visual effects on views from the PROW west of the Appeal Site will be moderate adverse.

10.24. Effects on Residential Views from Development to West of Satchell Lane

10.25. The proposed development gives rise to a change from countryside to residential development within the Appeal Site which will affect residential views from dwellings west of Satchell Lane with built form, movement of people and vehicles, street lighting, vegetation where currently not present in the baseline situation. This gives rise to a high adverse magnitude of visual effect.

10.26. With a medium sensitivity and a high adverse magnitude of visual effect, on balance the visual effects on residential views from dwellings west of Satchell Lane will be major/moderate adverse.

11.0. OTHER RELEVANT APPEALS

11.1. Appeal Ref: APP/W1715/W/21/3269897 Land to the Rear of Sovereign Drive and Precosa Road, Botley, Eastleigh, Hampshire

11.2. The issue in this decision which is relevant to this proof is 'The effect on the Hedge End, Botley and Boorley Green Settlement Gap (the Settlement Gap)'.

11.3. As with the Appeal Site, the site at Sovereign Drive is outside the defined urban edge and in the 'countryside' as defined in the EBC LP. The Inspector stated that, "in such locations, residential development is not permitted under LP Policy S5."

11.4. It is accepted that the Sovereign Drive site lies in a defined Settlement Gap. However, it should be noted that the Appeal Site lies to the immediate south of an existing boundary of a Settlement Gap and, therefore, the Inspector's statement at paragraph 17 is relevant to this Appeal.

11.5. The inspector references the effects on the countryside stating:

“[M]y findings on the visibility and nature of the proposed boundary to the Settlement Gap means that there would be a significant urbanising effect that would harm the existing character of the countryside in this location. As the harm would be experienced in close proximity from the PROW, it would be significant.”

11.6. The identified ‘urbanising effect’ can also be seen in the proximity of the Appeal Scheme to the adjacent countryside and Bursledon, Southampton, Netley, Hamble Settlement Gap.

11.7. The Inspector’s statement about the experience of significant harm from the PROW is also relevant, given the identified adverse effects on landscape character and visual amenity as experienced from the PROW to the west of the site.

11.8. The Inspector also set out discussion at paragraph 21 to 34, about design quality, which is covered by Mr Osmond elsewhere, finding that that the proposals did not result in a well-designed place, thus not meeting the requirements of the NPPF that required delivery of high-quality places.

11.9. At paragraph 42, the Inspector discusses the planning balance stating that:

“Although the development plan has policies seeking to promote development in accessible locations and boost housing supply, it also seeks to avoid unacceptable impacts on the character of the countryside and take full and proper account of the site’s context.”

11.10. This statement is relevant to the Appeal Site, which also gives rises to “unacceptable impacts on the character of the countryside”, as shown by this evidence.

11.11. At paragraph 45, the Inspector states *as follows*:

“Furthermore, the Framework indicates that the intrinsic character of the countryside should be recognised and that developments should be sympathetic to local character, including the surrounding landscape setting. It sets out the importance of trees within developments, including the retention of existing trees, wherever possible. The development would fail to do this, without adequate justification and overall, I have found that this proposal would result in an urbanising impact that would harm the character of the countryside.”

11.12. This statement is also relevant to the Appeal Site, which also gives rises to an “urbanising impact that would harm the character of the countryside”, as shown by this evidence, therefore also failing to meet the requirement of the NPPF.

12.0. **COMPARISON OF PROPOSALS WITH PREVIOUS APPEAL SCHEME**

12.1. A previous outline application for proposed development described as “up to 70 dwellings together with associated access, public open space, landscaping and amenity areas”, with the same site area as the Appeal Site, was refused in September 2017 but subsequently allowed at appeal on 20th December 2018 (appeal reference APP/W1715/W/18/3194846). The permission was given an implementation time frame of 2 years from the date of the permission, or 1 year from the date of approval of the last reserved matters. The planning permission was not implemented and therefore lapsed on 20th December 2020.

12.2. The previous appeal decision was based on adopted and emerging policies that the appeal Inspector considered to be of limited weight at that time.

12.3. The following sets out a comparison of the previously permitted outline scheme with the current Appeal Scheme in respect of landscape character and visual amenity considerations.

12.4. The Permitted Scheme was for 70 dwellings (see figure 11), whilst the current scheme is for 61 dwellings (see figure 12).

- 12.5. The Design and Access Statement for the Permitted Scheme sets out that the proposed residential land covers 2.21ha, with the green infrastructure covering 1.34ha (see figure 13).
- 12.6. The Design and Access Statement for the Appeal Scheme does not include a similar calculation exercise.
- 12.7. To this end, this evidence includes an overlay of the previous extent of development (see Figure 14). Roads, roadside pavements, parking, dwellings and residential curtilage areas, are included in outlined areas as denoting the main residential land or 'urbanised' area. This clearly demonstrates that whilst the number of dwellings has decreased, the area that is shown for proposed residential land increases considerably.
- 12.8. Based on a site area of 3.55ha, the Permitted Scheme gives a residential area of 2.21ha (as stated), covering 62% of the site. By my calculations, with the Appeal Scheme increasing the residential area to approx. 2.66ha covering 75% of the site, this is a 13% increase.
- 12.9. Closer comparison of the schemes shown at figures 11 and 12 shows the following similarities, points where the Permitted Scheme has a greater adverse impact, and points where the Appeal Scheme has a greater adverse impact:

12.10. **Similarities:**

- Both schemes utilize the same access point off Satchell Lane;
- Both schemes require a heavily engineered access to work with the level changes that will affect the mature tree line which is not clearly illustrated in either application. Figure 15 gives a brief overview of the difference in levels. However, it is not possible to understand the full requirement from the application documents;
- Both schemes require extensive clearance of roadside vegetation to enable the site access. Whilst the Permitted Scheme illustrates the loss of roadside vegetation to the west of the site access, presumably due to the need for regrading and sightlines, the Appeal Scheme plans are misleading with site layout, open space and illustrative landscape plans not showing this vegetation loss. The loss is also part of the Appeal Scheme but is only clearly indicated on the tree protection plan (see figure 16).

12.11. **Greater Adverse Impact from Permitted Scheme:**

- Generally, the Permitted Scheme extends closer to Satchell Lane, with the exception of a turning head on the Appeal Scheme.

12.12. **Greater Adverse Impact from Appeal Scheme:**

- The Appeal Scheme has a greater overall developed area (see figure 14);
- The Appeal Scheme includes a more extensive curtilage road than the Permitted Scheme, which is particularly evident along the western boundary where a road runs around and along the entire length of dwellings. In contrast, access to the dwellings on the western boundary of the Permitted Scheme is from two separate access points without a continuous vehicular link;
- Whereas the Permitted Scheme included additional planting to the western boundary described on the site layout as "a robust landscaped edge", the Appeal Scheme shows far less planting, some of which lies inside path routes and is intermittent. This brings a greater adverse impact on the adjacent countryside and greater impact on views from the PROW;
- In the Current Appeal Scheme the western road is set closer to the boundary than on the Permitted Scheme, bringing a greater adverse impact on the adjacent countryside and greater impact on views from the PROW;

- The layout of dwellings in the Appeal Scheme is set out in far more rigid line of built form than the Permitted Scheme, which increases the adverse impact of the urban area on the local landscape character and countryside context;
- Whereas the Permitted Scheme included a view corridor through the site towards the River Hamble to allow long views across the River Valley, the Appeal Scheme does not allow for these, thus reducing the scheme's compliance with the NNPF which states that the "intrinsic character of the countryside should be recognised and that developments should be sympathetic to local character";
- The Appeal Scheme shows a greatly decreased area of above ground SUDS features in comparison to the Permitted Scheme, thus reducing the benefit to local biodiversity and ecosystem services;
- On the south-east boundary, the Appeal Scheme shows the rear of dwellings backing onto the housing on Satchell Lane, with their associated gardens extending to the site boundary, whereas the Permitted Scheme showed new dwellings set back from, and facing, the boundary across a greater area of above ground SUDS features and perimeter footpath. This change increases the adverse impact on residential views from existing housing on Satchell Lane, reduces the benefit to local biodiversity and ecosystem services, and lacks the previous access opportunities of the Permitted Scheme;
- Whilst it has been clarified that there is a footpath link from the site to the PROW to the north-west of the site, there is no south-west link to the PROW system in the Appeal Scheme, which reduces access opportunities for residents and also the local community;
- The Appeal Scheme includes 'character areas' of different types of dwellings: 'Arrival', 'Rural Edge' and 'Village Green'. However, whilst the house types vary in style slightly, there is no reinforcement of these characters or obvious transition from one type to another provided in the site layout, providing little further contribution to the local character of the context; and
- The 'gateway features' provided in the Permitted Scheme, presumably positioned to assist the perception of arrival at the urban edge along Satchell Lane, are not included in the Appeal Scheme.

12.13. Whilst a Landscape and Visual Appraisal is not required to validate an application, the Permitted Scheme submission included this additional information, however the Appeal Scheme submission does not.

12.14. The above comparison points are sufficient to show that the adverse impacts of the Appeal Scheme increase from those identified in the Permitted Scheme.

12.15. It should be also noted that the failure to adequately mitigate the proposals gives rise to a greater adverse impact than the permitted scheme.

12.16. It should also be noted that at the previous appeal the Inspector chose to adopt the 'low sensitivity' as set out in the EBC 2018 report, rather than the more detailed judgments based on a greater level of analysis of either the Council's or Appellant's expert witnesses (Decision Notice, paragraph 32). It should be considered that this judgement has the potential effect of underestimating the level of adverse impact from the previous appeal scheme

12.17. The EBC 2018 report sets out that where sites are found to have a 'moderate sensitivity' '*some development in this location may be possible. Negative landscape or visual impact may be offset by extensive mitigation*'. Should a moderate, or medium, sensitivity be accepted in

relation to the Appeal Site, then I would suggest that the Appeal Scheme proposals do not include the 'extensive mitigation' required to offset these negative impacts.

13.0. **CONCLUSIONS**

13.1. **Reason for Refusal 1 – Unjustified Development and Impact on the Character and Appearance of the Countryside**

13.2. As already noted by Miss Altman, the Adopted Local Plan Proposals Map confirms that the Appeal Site lies outside of the defined urban edge and within land described as countryside as per Adopted Policy S5.

13.3. Policy S5 sets out the types of development that might be acceptable in the countryside, and a residential development of 61 dwellings is not a type of development that the policy supports. The appeal proposal is therefore in clear conflict with Adopted Policy S5.

13.4. As identified in the Officer's Delegated Report, and my evidence above, the proposed development would also have considerable adverse effects on the landscape character of the Appeal Site, the Wider Context Area and Satchell Lane, all of which have a currently rural character, through the introduction of permanent residential development with an urban character and access road.

13.5. The Appeal Site is key to the rural character of Satchell Lane, the rural character of the approach to Hamble, and the character of the Site and the lane play a significant role in the perception of transition from the countryside into the urban area of Hamble village, and the transition in the opposite direction out of the village into the countryside. The urbanising work associated with the site access in providing sight lines and overcoming the level changes on Satchell Lane, will have significant adverse effects on the rural character of the Lane that is key to this transition.

13.6. The impact of the Appeal Scheme on the landscape character of the Appeal Site and the Wider Context Area, as well as on visual amenity, also give rise to adverse effects, some of which are significant, that are increased considerably from those associated with the previously permitted scheme, as noted in this evidence.

13.7. For these reasons, the proposed development is unacceptable in principle and would be harmful to the landscape character and visual amenity of the area, contrary to Policies S5 and DM1 of the Adopted Local Plan.

15.0. References

- The Landscape Institute and IEMA 'Guidelines for landscape and visual impact assessment' 3rd Edition (2013)
- The Countryside Agency and Scottish Natural Heritage: 'Landscape Character Assessment: Guidance for England and Scotland' (2002)
- European Landscape Convention (2000)
- National Planning Policy Framework (2019)
- Eastleigh Borough Council Local Plan (2001-2011)
- Eastleigh Borough Council Local Plan (2016-2036)
- Eastleigh Borough Council: Eastleigh Borough Settlement Gap Study (2020)
- Natural England: National Character Assessment (NCA, 2014)
- Hampshire County Council Integrated Landscape Character Assessment (undated)
- Eastleigh Borough: Landscape Character Assessment (2011)
- Eastleigh Borough: Character Areas Appraisals: Bursledon, Hamble-le-Rice and Hound SPD (2008)
- Eastleigh Borough: Small and medium greenfield housing sites background paper (June 2018)
- Government MAGIC Website (online resource)
- Appeal Decision Ref: APP/W1715/W/21/3269897 Land to the Rear of Sovereign Drive and Precosa Road, Botley, Eastleigh, Hampshire (2022)
- Application Documents
- Previously Permitted Scheme documents