



LIZARD

Landscape Design and Ecology

JONES HOMES (SOUTHERN) LTD

**LAND SOUTH OF 96, FOLDERS LANE
BURGESS HILL, WEST SUSSEX**

Landscape and Visual Impact Assessment

Planning Issue

Project Reference	LLD1338-LPL-REP-001
Prepared by:	JP
Checked By:	JJ
Revision	03
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EXECUTIVE SUMMARY

i Introduction and Background

Lizard Landscape Design and Ecology has been commissioned by Jones Homes, (*Southern*) Ltd to undertake a Landscape and Visual Impact Assessment for land at Folders Lane, Burgess Hill, West Sussex.

ii The Site

The Site is some 1.7 hectare, (*4 acres*) of previous agricultural land located to the south of Folders Lane, Burgess Hill. The Site is edged with wooded shaws to east and west and both properties along Folders Lane to the north and a residential property to the south. The Jones Homes development at Folders Grove is nearing completion beyond the shaw to the west, which forms part of the Site.

iii The Scenario / Scheme

The Scheme comprises a medium density of forty units, including eleven detached dwellings, twenty-one semi detached or terraced properties with six flats within an apartment building to the north. A reinforced green corridor would be provided along the western edge of the Site through which vehicular access is proposed off the recently completed housing development at: 'Land rear of 88 Folders Lane, Burgess Hill'. A 5m landscape buffer would be provided offset from the eastern boundary. Preliminary Stages of the LVIA have informed the approach taken to the layout of the Scenario, as highlighted through the primary mitigation identified within **Section 7.0**.

iv Overall Landscape Sensitivity of the Site for Residential Development

The landscape capacity for residential development is considered in line with that recommended for the Site as part of SHLAA Site 534, within the LUC 2015 Study and for the Furzefield Low Weald Landscape Character Area, (*LCA 68*) within the HDA 2007 Studies. These studies identify overall moderate sensitivity, with a resulting medium capacity to accept change.

The recommendations regarding the respective capacity of parts of the Site alone and in combination with that to the west provided within the LUC 2015 Study for SHLAA Site 534 are also considered to remain valid. In line with this, (*and through reference to Appendix B*) the Site is considered to be suitable for a medium yield of development in keeping with the surrounding built form, as supported by the Draft Site Allocations Document, (*October 2019*) for Land South of 96 Folders Lane, Burgess Hill, (*Site ID: 827*).

iv Impact Assessment

Landscape Character

The overall landscape sensitivity is considered to be moderate with respect to the proposal. A medium magnitude of change is anticipated from the introduction of built form and road layouts to the field in previous agricultural use, limited by the prominent aspect of built form adjacent to the Site, particularly along the northern boundary, which provides a suburban edge character in this location. The change is subsequently likely to be more pronounced across the narrower southern part of the Site leading towards the Victorian built large property of Fragbarrow House, but this is limited through proposed density, which is lowest to the south, with development drawn back from edges.

Vegetation surrounding the Site is largely proposed for retention, with only a limited area proposed for removal along the western boundary to enable the access road into the Site from the adjacent consented development at: 'Land rear of 88 Folders Lane, Burgess Hill'.

It is considered that this is likely to represent a notable change to vegetation across a very limited area. There will be a further impact on the largely natural surface of Public Footpath No. 59Bh, which will subsequently be required to cross the metalled surface of the access road. However, within the context of an extended settlement it is not out of keeping for this Footpath to occasionally cross a metalled surface, for example Folders Lane, albeit that this crossing will be over a quiet cul-de-sac access road within a semi rural character. A low magnitude of change is considered likely to result to the surface of the footpath over a very limited extent.

The minor ridge along the eastern edge of the Site, beyond which land falls towards Ditchling Common to the east, defined with a tree line with dense understory, presents a natural feature aligned with landform which would effectively define the settlement boundary in this location. The Scheme includes adequate space for the retention of both the treeline and underlying scrub, which would be thinned and diversified with a mixture of native scrub including hazel and holly alongside of the existing blackthorn. A Detailed Planting Plan would define this for approval.

There is anticipated to be an overall **short term Moderate adverse effect** from the Scheme on local landscape character, which subject to the recommendations identified within **Section 7.4** is likely to reduce to a **mid to long term Minor adverse effect**.

Visual Amenity

For visual receptors comprising the local users of Public Footpath no. 59BH, which runs along the western edge of the Site, south from Folders Lane, (*B2113*) to Fragbarrow Lane, there is likely to be a **short term Moderate adverse effect** for receptors within a limited area, awaiting the maturing of reinforcement planting along the western boundary, at which point a **Minor adverse effect** when out of leaf and **Negligible** effect is likely in the mid-long term. The nature of the surrounding boundary vegetation and its reinforcement is otherwise likely to result a **Negligible effect** on visual amenity in the short term for receptors along the northern part of the footpath and to the south along Fragbarrow Lane and for future residents of the Jones Homes development named Folders Grove to the west.

South Downs National Park

Whilst of similar physical character as a field to those beyond the Site to the south east, albeit smaller in size, the field in this location is enclosed from the south west, clockwise to the north east by areas of residential character. This associates the field more with the suburban edge residential character of Burgess Hill, than as part of a buffer to the National Park.

The fields to the south and east, both of which have subsequent intervening associations with more dispersed residential character do function to contribute to this buffer, which would not be compromised by this Scheme.

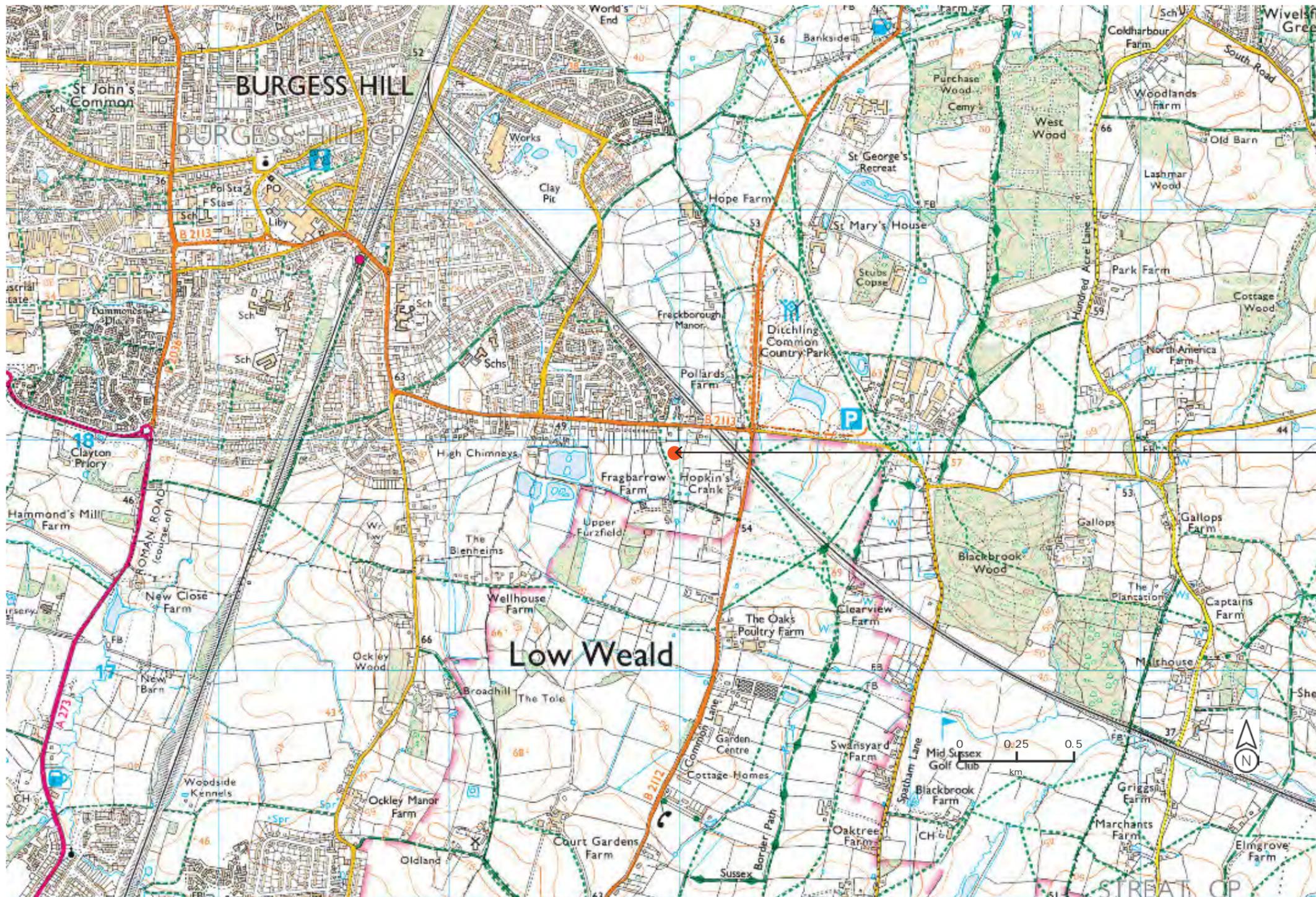
The contribution of the field pattern and tree lined boundary vegetation to the wider setting of the South Downs National Park, the boundary of which runs laterally some 200m to the south of the Site and longitudinally some 280m to the east is not considered to have interconnectivity, other than through the boundary vegetation which would substantively remain, with a resulting **Negligible effect** anticipated to the wider setting of the National Park.

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Legend

 South Downs National Park, (south of the pink dashed line).

Development Site Location.

Figure 1.1. Development Site Location

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1.0 INTRODUCTION

General

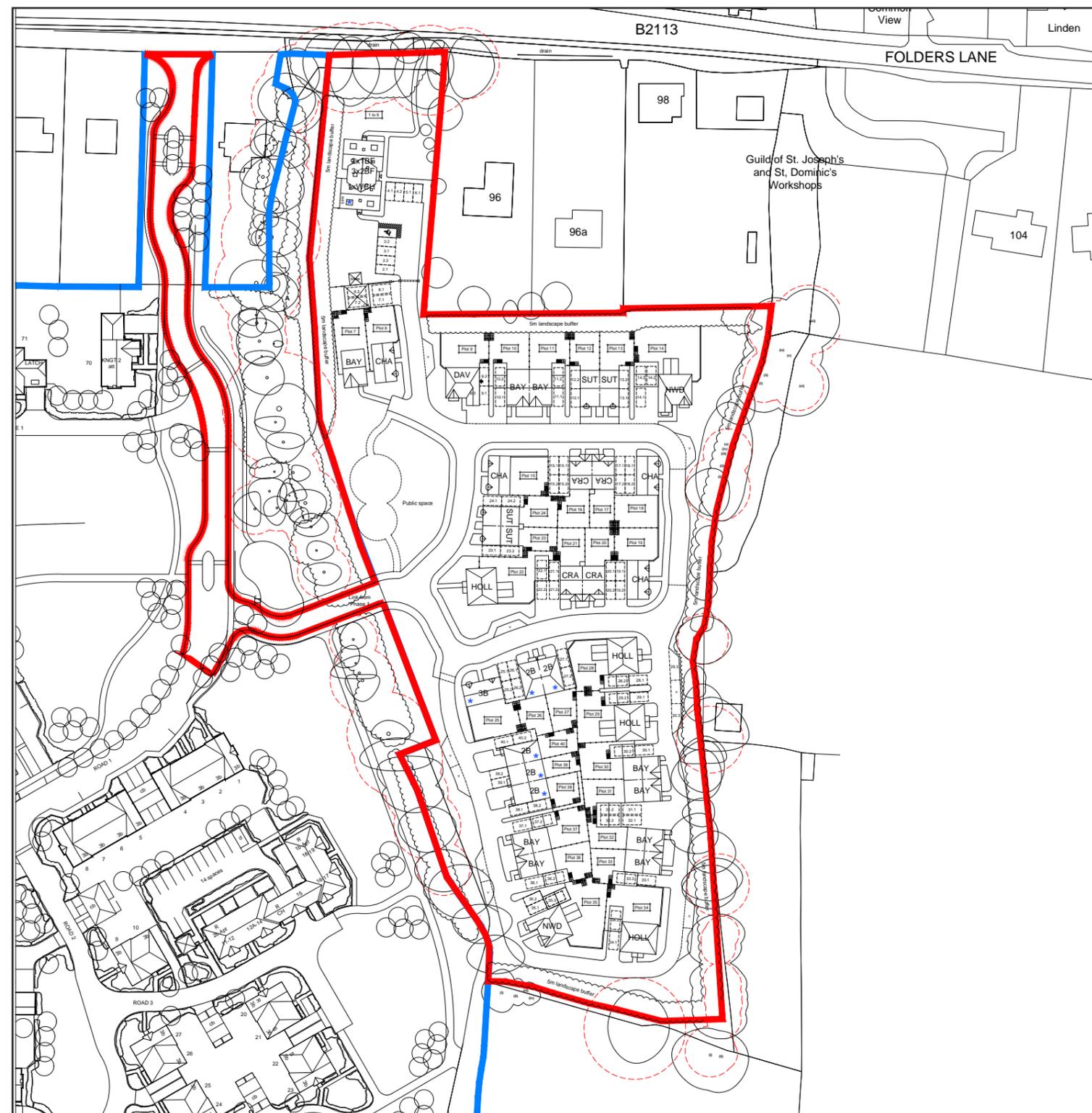
- 1.1 Lizard Landscape Design and Ecology, (LLD) has been commissioned by Jones Homes, (Southern) Ltd to undertake a Landscape and Visual Impact Assessment, (LVIA) for land at Folders Lane, Burgess Hill, West Sussex, (NGR TQ 32972 17937).
- 1.2 The LVIA has been undertaken by Joshua Peacock, an Associate Landscape Planner at LLD and a Chartered Landscape Architect with over 18 years of professional experience in LVIA. The purpose of the LVIA is to inform suitability for residential development in general and the development parameters for residential development of the Site, whilst assessing anticipated landscape and visual effects.
- 1.3 Preliminary Stages of the LVIA have informed the approach taken to the layout of the Scenario, as highlighted within the primary mitigation identified within **Section 7.0**.

The Site

- 1.4 The proposed development site, (*The Site*) is some 1.7 hectare, (4 acres) of previous agricultural land located to the south of Folders Lane, Burgess Hill. The Site is edged with wooded shaws to east and west and both properties along Folders Lane to the north and a residential property to the south. The Jones Homes development at Folders Grove in nearing completion beyond the shaw to the west, which forms part of the Site, (See **Figure 1.1**).

The Development Scenario / Scheme

- 1.5 The Scheme comprises a medium density of forty units, including eleven detached dwellings, twenty-one semi detached or terraced properties with six flats within an apartment building to the north. A reinforced green corridor would be provided along the western edge of the Site through which vehicular access is proposed off the recently completed housing development at: 'Land rear of 88 Folders Lane, Burgess Hill'. A 5m landscape buffer would be provided offset from the eastern boundary. The design of the Scheme is understood through reference to OSP Architects Drawing number: P101 J, (see **Extract A**).



Extract A. OSP Architects Drawing number: P101 J.

Report Structure

- 1.6 Following this introduction, relevant landscape planning policy and landscape planning designations are outlined within **Section 2.0**. The assessment methodology is defined within **Section 3.0**.
- 1.7 Existing conditions are described in both **Section 4.0**, which presents published evidence, and **Section 5.0** which presents the field survey, with a descriptive identification of the landscape and visual baseline and the identification of landscape and visual components.
- 1.8 **Section 6.0** undertakes an appraisal of the susceptibility of the Site for the Scheme, regarding landscape and visual matters and an assessment of anticipated landscape and visual effects from the proposed Scheme. The assessment makes reference to the constraints and opportunities identified within **Section 7.0**. A summary and recommendation is provided within **Section 8.0**. An executive summary is provided at the head of this document.

Planning Background

- 1.9 Land to the west of the Site at: 'Land rear of 88 Folders Lane, Burgess Hill', was consented on the 15 June 2017 for development of 73 dwellings (a mix of 2, 3, 4 and 5 beds), including 30 percent affordable housing and associated infrastructure under Planning Appeal Reference: AP/16/0040 of Planning Application Reference: 14/04492/FUL and PINS reference: APP/D3830/W/16/3149456.
- 1.10 The Appeal decision of June 2017 identified the main issue being: 'the effect of the proposal on the character and appearance of the area, including any effect on the landscape and scenic beauty of the South Downs National Park.'

- 1.11 The following conclusion on this main issue was provided within page 9 of the Appeal decision:
- '47. The proposals would result in the loss of a site which has moderate landscape value. Significant mitigation would be included in the design and layout of the scheme and most of the important landscape features of the site would be retained. The most significant visual effects would be those experienced from a relatively short length of the public footpath where it passes through the south east corner of the site. Views from locations outside the site would be very limited. There would be no material harm to the landscape and scenic beauty of the SDNP. My overall assessment is that moderate weight should be attached to the landscape and visual impacts of the appeal scheme.*
- 48. The design represents a considered and coherent response to the site context. It would create an attractive residential environment which would accord with the design principles set out in MSDP Policy DP24. There would be no conflict with NP Policy H3.'*
- 1.12 The overall conclusion provided by the Planning Inspector within the Appeal decision of June 2017 was provided on page 12 as follows:
- '64. The proposal would conflict with LP Policies C1 and C3. It would accord with other policies of the LP, including those dealing with residential amenity, noise, infrastructure, transport and affordable housing. It would also accord with NP Policy H3. Nevertheless, I consider that the conflict with Policies C1 and C3 is such that the proposal should be regarded as being in conflict with the development plan as a whole. It is therefore necessary to consider whether there are material considerations which indicate that permission should be granted, notwithstanding this conflict.*
- 65. For the reasons given above, I consider that LP Policies C1 and C3 are out-of date and I attach limited weight to the conflict with these policies.*

66. With regard to emerging policies, the proposal would accord with MSDP Policy DP24 (character and design). Taking a balanced view of the social, economic and environmental consequences of the scheme, I consider that it would accord with Policy DP1 (sustainable development). However, the proposal would conflict with Policy DP10 (protection of the countryside) and there would be some degree of conflict with Policy DP16 (setting of the SDNP). I attach limited weight to the conflict with Policy DP10 because the geographic extent of this policy is related to a housing requirement which has yet to be settled through the local plan process. I attach limited weight to the conflict with Policy DP16 because this is an emerging policy which is subject to unresolved objections.

67. Turning to paragraph 14 of the Framework, it is important to note that I have not identified any conflict with the policies of the Framework in relation to National Parks. This is not a case where there are specific policies in the Framework which indicate that development should be restricted.

68. The adverse effects of the proposal are the conflicts with the policies referred to above, to which I attach limited weight for the reasons given above, and the landscape and visual effects of the scheme, to which I attach moderate weight. On the other hand, I attach significant weight to the social benefits of additional housing (including affordable housing) and some weight to the associated economic benefits.

69. The proposal would not accord with the development plan. However, this is a case where application of the Framework leads me to conclude that the adverse impacts would not significantly and demonstrably outweigh the benefits. I therefore consider that the proposal would represent sustainable development, as that term is used in the Framework. This is a material consideration which indicates that the appeal should be allowed, notwithstanding the conflict with the development plan.'

2.0 PLANNING POLICY CONTEXT

General

2.1 The following relevant policy has been taken into account by the assessment:

- *National Planning Policy Framework, (February 2019);*
- *Mid Sussex District Plan 2014-2031, (March 2018);*
- *South Downs Local Plan: Adopted 2 July 2019 (2014-33)*
- *Burgess Hill Neighbourhood Plan 2015-2031 (January 2016).*

2.2 The Statutory development plan for Mid Sussex District consists of the Mid Sussex District Plan 2014-2031 (*adopted 28th March 2018*), which replaces the Mid Sussex Local Plan 2004 (*other than saved Local Plan policies*).

2.3 The Site falls within the Parish of Burgess Hill but outside of the boundary of the Burgess Hill Neighbourhood Plan Boundary, which is drawn tightly around the existing suburban extent of Burgess Hill. The Neighbourhood Plan is a material planning consideration where consistent with local and national planning policy.

2.4 The District (*and County*) boundary is located some 300m to the east where this runs longitudinally and some 200m to the south of the Site where this runs latitudinally. The South Downs National Park Authority are the Regulatory Authority beyond both boundaries. The key planning policies considered relevant to the Scheme's landscape and visual considerations are summarised below:

Planning Policy

National Planning Policy Framework (February 2019)

2.5 The Government's current planning policies on land use planning in England are set out in the National Planning Policy Framework, (*NPPF*).

2.6 Regarding making effective use of land, Paragraph 118 within Chapter 11 identifies that planning policies and decisions should:

'a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;

b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;...

2.7 Paragraph 122 identifies that: *'planning policies and decisions should support development that makes efficient use of land, taking into account: ... d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change and; e) the importance of securing well-designed, attractive and healthy places.'*

2.8 Regarding achieving well-designed places, Paragraph 124 within Chapter 12 identifies that: *'...the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities....'*

2.9 Paragraph 127 identifies that planning policies and decisions should ensure that developments: *'a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place, [...].'*

2.10 Paragraph 130 identifies that: *'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.'*

2.11 With regards conserving and enhancing the natural environment, Paragraph 170 within Chapter 15 identifies that: *'planning policies and decisions should contribute to and enhance the natural and local environment by:*

a) protecting and enhancing valued landscapes, Sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;[...].'

Mid Sussex District Plan 2014 – 2031 (March 2018)

2.12 Policy DP12 (*Protection and Enhancement of Countryside*) - Identifies that:

'...the countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and:

- *[...] it is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan. Built-up area boundaries are subject to review by Neighbourhood Plans or through a Site Allocations Development Plan Document, produced by the District Council.'*

2.13 Policy DP15 (*New Homes in the Countryside*) - Identifies that:

'...the countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and:

- *[...] it is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan. Built-up area boundaries are subject to review by Neighbourhood Plans or through a Site Allocations Development Plan Document, produced by the District Council.'*

2.14 Policy DP22 (*Rights of Way and other Recreational Routes*) - Identifies that: *'Rights of way, [...] will be protected by ensuring development does not result in the loss of or does not adversely affect a right of way [...].'*

2.15 Policy DP26 (*Character and Design*) - Identifies that:
'... All development and surrounding spaces, [...] will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development: is of high quality design and layout and includes appropriate landscaping and greenspace; [...] creates a sense of place while addressing the character and scale of the surrounding buildings and landscape; protects open spaces, trees and gardens that contribute to the character of the area; [...].'

2.16 Policy DP29 (*Noise, Air and Light Pollution*) - identifies that:
'The environment, including nationally designated environmental sites, nationally protected landscapes, areas of nature conservation or geological interest, wildlife habitats, and the quality of people's life will be protected from unacceptable levels of noise, light and air pollution [...].'

2.17 Policy DP37 (*Trees, Woodland and Hedgerows*) - Identifies that:
'The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. [...].'

Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.

Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of [...] a size and species that will achieve this purpose.

Trees, woodland and hedgerows will be protected and enhanced by ensuring development:

- *incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and*
- *prevents damage to root systems and takes account of expected future growth; and*
- *where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and*
- *has appropriate protection measures throughout the development process; and*
- *takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance green infrastructure and increase resilience to the effects of climate change; and does not sever ecological corridors created by these assets.'*

2.18 Policy DP38 (*Biodiversity*) - Identifies that:

'Biodiversity will be protected and enhanced by ensuring development:

- *Contributes and takes opportunities to improve, enhance, manage and restore biodiversity and green infrastructure, so that there is a net gain in biodiversity, including through creating new designated sites and locally relevant habitats, and incorporating biodiversity features within developments; and*
- *Protects existing biodiversity, so that there is no net loss of biodiversity. Appropriate measures should be taken to avoid and reduce disturbance to sensitive habitats and species. Unavoidable damage to biodiversity must be offset through ecological enhancements and mitigation measures (or compensation measures in exceptional circumstances); and*
- *Minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience; and*
- *Promotes the restoration, management and expansion of priority habitats in the District; and*
- *Avoids damage to, protects and enhances the special characteristics of [...] nationally designated Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty; and locally designated Sites of Nature Conservation Importance, Local Nature Reserves and Ancient Woodland or to other areas identified as being of nature conservation or geological interest, including wildlife corridors, aged or veteran trees, Biodiversity Opportunity Areas, and Nature Improvement Areas.[...].'*

South Downs Local Plan: Adopted 2 July 2019 (2014-33)

2.19 Strategic Policy SD4: Landscape Character, identifies that:

'1. Development proposals will only be permitted where they conserve and enhance landscape character by demonstrating that:

a) They are informed by landscape character, reflecting the context and type of landscape in which the development is located;

b) The design, layout and scale of proposals conserve and enhance existing landscape and seascape character features which contribute to the distinctive character, pattern and evolution of the landscape;

c) They will safeguard the experiential and amenity qualities of the landscape; and

d) Where planting is considered appropriate, it is consistent with local character, enhances biodiversity, contributes to the delivery of GI and uses native species, unless there are appropriate and justified reasons to select non-native species.

2. Where development proposals are within designed landscapes, or the setting of designed landscapes, (including historic parkscapes and those on the Historic England Register of Historic Parks and Gardens) they should be based on a demonstrable understanding of the design principles of the landscape and should be complementary to it.

3. The settlement pattern and individual identity of settlements and the integrity of predominantly open and undeveloped land between settlements will not be undermined.

4. Green and blue corridors will be safeguarded. Development proposals should identify and take opportunities to create and connect green and blue corridors.

5. The restoration of landscapes where features have been lost or degraded will be supported where it contributes positively to landscape character.'

2.20 Strategic Policy SD5: Design highlights that:

'1. Development proposals will only be permitted where they adopt a landscape-led approach and respect the local character, through sensitive and high quality design that makes a positive contribution to the overall character and appearance of the area. The following design principles should be adopted as appropriate:

- a) Integrate with, respect and sympathetically complement the landscape character by ensuring development proposals are demonstrably informed by an assessment of the landscape context;*
- b) Achieve effective and high quality routes for people and wildlife, taking opportunities to connect GI;*
- c) Contribute to local distinctiveness and sense of place through its relationship to adjoining buildings, spaces and landscape features, including historic settlement pattern;*
- d) Create high-quality, clearly defined public and private spaces within the public realm;*
- e) Incorporate hard and soft landscape treatment which takes opportunities to connect to the wider landscape, enhances GI, and is consistent with local character;*
- f) Utilise architectural design which is appropriate and sympathetic to its setting in terms of height, massing, density, roof form, materials, night and day visibility, elevational and, where relevant, vernacular detailing;*
- g) Provide high quality, secure, accessible, and where possible, integrated storage for general and recycling waste, heating fuel, and transport related equipment;*
- h) Provide high quality outdoor amenity space appropriate to the needs of its occupiers or users;*
- i) Ensure development proposals are durable, sustainable and adaptable over time, and provide sufficient internal space to meet the needs of a range of users;*
- j) Give regard to improving safety and perceptions of safety, and be inclusive and accessible for all; and*
- k) Have regard to avoiding harmful impact upon, or from, any surrounding uses and amenities.'*

2.21 Strategic Policy SD6: Safeguarding Views, highlights that:

'1. Development proposals will only be permitted where they preserve the visual integrity, identity and scenic quality of the National Park, in particular by conserving and enhancing key views and views of key landmarks within the National Park.

2. Development proposals will be permitted that conserve and enhance the following view types and patterns identified in the Viewshed Characterisation & Analysis Study: [...]

3. Development proposals will be permitted provided they conserve and enhance sequential views, and do not result in adverse cumulative impacts within views.'

2.22 Strategic Policy SD7: Relative Tranquillity highlights that:

'1. Development proposals will only be permitted where they conserve and enhance relative tranquillity and should consider the following impacts:

- a) Direct impacts that the proposals are likely to cause by changes in the visual and aural environment in the immediate vicinity of the proposals;*
- b) Indirect impacts that may be caused within the National Park that are remote from the location of the proposals themselves such as vehicular movements; and*
- c) Experience of users of the PRow network and other publicly accessible locations.*

2. Development proposals in highly tranquil and intermediate tranquillity areas should conserve and enhance, and not cause harm to, relative tranquillity.

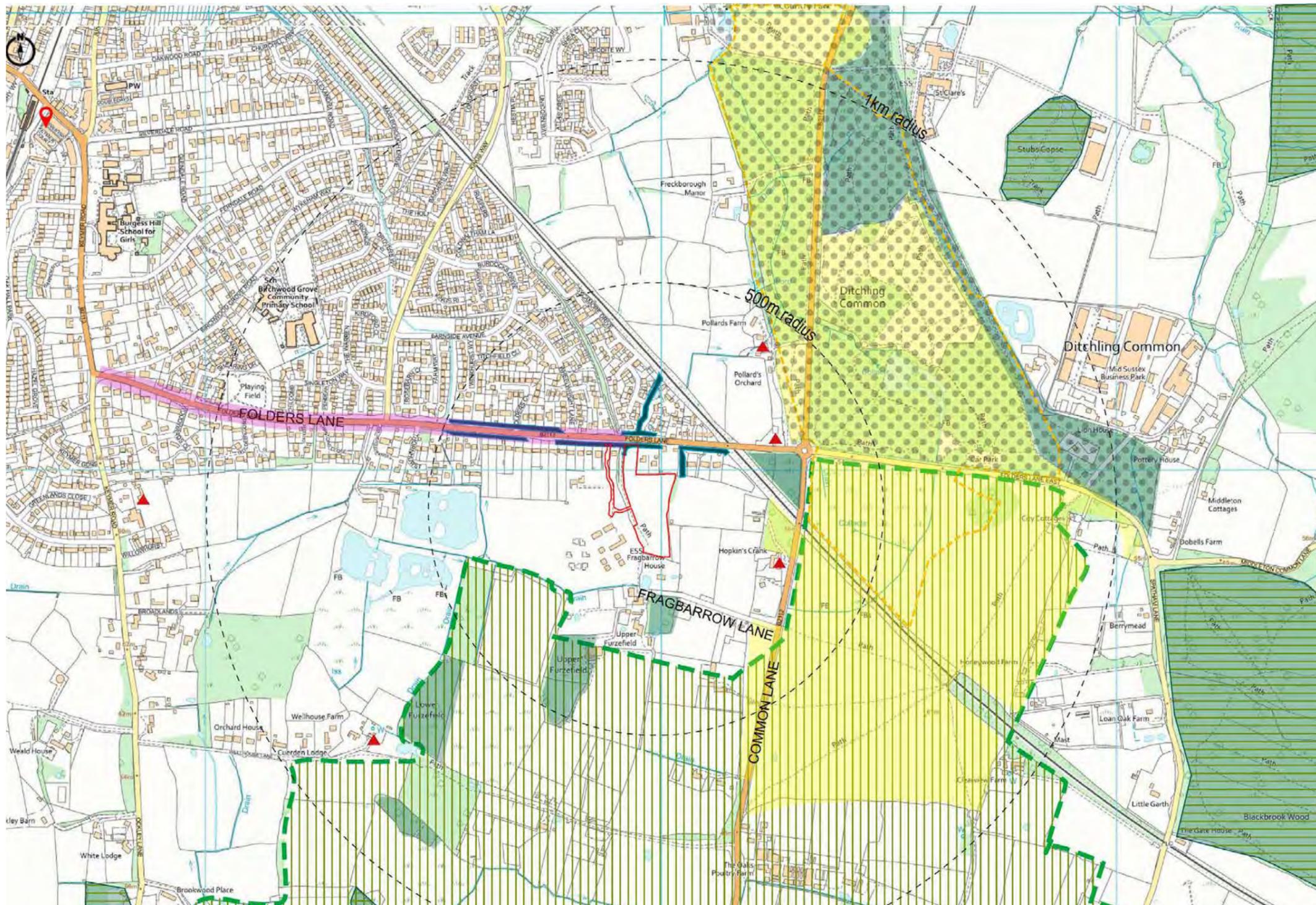
3. Development proposals in poor tranquillity areas should take opportunities to enhance relative tranquillity where these exist.'

2.23 The descriptive text for Policy SD7 highlights that in order to assess impacts on relative tranquillity the South Downs Tranquillity Study (South Downs National Park Authority, 2017), should be used as a baseline from which to assess changes in the aural and visual environment which are likely to result from the proposals.

Burgess Hill Neighbourhood Plan 2015-2031 (January 2016)

- 2.24 Mid Sussex District Council resolved to 'make' the Burgess Hill Neighbourhood Plan in January 2016 part of the Development Plan for Mid Sussex.
- 2.25 The aims of the plan are to: deliver improved civic and community facilities; protect and enhance existing open spaces; and, improve the residential environment.
- 2.26 Policy H3 (*Protect Areas of Townscape Value*), seeks to preserve and enhance the existing character of the area. One such area is located along Folders Lane from the junction with Keymer Road (B2113) some 1.2km to the west and ends at the north western edge of the Site. The policy states that:

'Proposals for development and redevelopment within Areas of Townscape Value will require special attention to be paid to preserving and enhancing the existing character of the area in terms of spaciousness, building heights, building size and site coverage, building lines, boundary treatments, trees and landscaping.



Legend

- Site Boundary.
- South Downs National Park.
- ▲ Listed Building.
- Tree Preservation Order.
- Ditchling Common Country Park.
- Priority Habitat - Deciduous Woodland.
- Priority Habitat - Wood Pasture and Parkland.
- Ancient Woodland.
- Ditchling Common Site of Special Scientific Interest.
- Policy H3 (Protect Areas of Townscape Value): No.1 Folders Lane.

Figure 2.1. Planning Designations

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NTS



Landscape Planning Designations

2.28 The following landscape planning designations includes both those within the Study Area and those without. Those described including the Neighbourhood Plan Policy H3 along Folders Lane are shown on **Figure 2.1**.

National Parks

2.29 National Parks have the highest status of protection in relation to landscape and scenic beauty, designated under the National Parks and Access to the Countryside Act 1949, as amended within the Environment Act 1995. The South Downs National Park boundary is located some 300m to the east and some 200m to the south of the Site.

2.30 The statutory purposes and duty of the South Downs National Park are described within the The South Downs Partnership Management Plan (December 2013) as follows:

- *'Purpose 1: To conserve and enhance the natural beauty, wildlife and cultural heritage of the area.*
- *Purpose 2: To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.*
- *Duty: To seek to foster the social and economic wellbeing of the local communities within the National Park in pursuit of our purposes'*

2.31 The Special Qualities (SQ) of the South Downs National Park comprise:

- *SQ1 - 'Diverse, inspirational landscapes and breath-taking views;*
- *SQ2 - 'A rich variety of wildlife and habitats including rare and internationally important species';*
- *SQ3 - 'Tranquil and unspoilt places';*
- *SQ4 - 'An environment shaped by centuries of farming and embracing new enterprise';*
- *SQ5 - 'Great opportunities for recreational activities and learning experiences';*
- *SQ6 - 'Well-conserved historical features and a rich cultural heritage';*
- *SQ7 - 'Distinctive towns and villages, and communities with real pride in their area.' (Ibid)*

Country Parks

2.32 Country Parks are statutorily declared and managed by local authorities in England and Wales under the Countryside Act 1968. They are primarily intended for recreation and leisure opportunities close to population centres and do not necessarily have any nature conservation importance. Country Parks are defined by Natural England as *'public green spaces often at the edge of urban areas which provide places to enjoy the outdoors and experience nature in an informal semi-rural park setting'*. Ditchling Common Country Park is located some 300m to the north east

Listed Buildings

2.33 Listed buildings have statutory protection under the Planning (Listed Buildings and Conservation Areas) Act 1990.

2.34 Within the National Planning Policy Framework (February, 2019) the following description for the Setting of a heritage asset is provided within Annex 2 Glossary: *'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.'*

2.35 There is a Grade II Listed Building named 'Hopkin's Crank' some 240m to the east of the southern part of the Site, accessed off Common Lane (B2112). The National Heritage List for England (NHLE) identifies that Hopkin's Crank was first listed in 1979. The List Entry Description provides the following details:

'Early C19. Two storeys and attic. Two windows. Two dormers. Originally faced with grey headers, now painted, with red brick dressings and quoins. Tiled roof. Glazing bars intact. Single-storeyed addition at the back, originally a workshop. Eric Gill, sculptor and letter-designer lived here from 1917 to 1924. The ground floor addition behind was his workshop. To the south-west is a single-storeyed block, also built by Gill as workshops, which are now the separate dwellings of "Little Crank" and "Crank's Barn". While living here Gill founded the Christian Workers' Guild, which is still in existence and has its workshops in the adjoining road, Furner's Lane, Burgess Hill. Attached to this is the chapel built by Gill in 1921 and containing a rood carved by him.'

2.36 Through reference to Estate Agents photographs from 2017 for Hopkins Crank, visible online at: <http://www.rightmove.co.uk/property-for-sale/property-68634827.html> (accessed 15/12/2017) there are no upper floor windows facing west.

Protected Trees

2.37 Tree Preservation Orders are made under the Town and Country Planning Act 1990 and the Town and Country Planning (Tree Preservation) (England) Regulations 2012 by a local planning authority to protect trees which bring significant amenity benefit to the local area.

2.38 There is a tree group which extends along the northern boundary of the Site where this abuts Folders Lane, protected under BH/02/TPO/00 – G1. Overlying the eastern extent of this is an oak tree protected under BH/01/TPO/02 - T81. South-west of this area is a hornbeam tree, located along the western boundary adjacent to an existing building to the west, protected under BH/02/TPO/00 – T1.

2.39 There is a further tree group which extends south to the north-easterly point of the Site only from its substantive extent along Folders Lane further to the north east, protected under BH/03/TPO/91 – G11.

Protected Habitat

2.40 Protected habitats including Deciduous Woodland and Ancient Woodland are recognised as a material consideration in the planning process by the National Planning Policy Framework, but do not have statutory protection.

2.41 There is an extensive area of Woodpasture and Parkland Priority Habitat located from some 300m to the east of the Site, from where this extends to the north and south, largely consistent with the area of Ditchling Common Country Park, but extending further south. The northern part of this area is also designated as a Site of Special Scientific Interest primarily related to the presence of acidic heath grassland.

2.42 Dispersed patches defined as regenerated woodland occur to the south of the large farmstead to the south of the Site and beyond to the south west, which are identified as UK Priority Habitat of Deciduous Woodland. The nearest area of Ancient Woodland is located some 1km to the east at Blackbrook Wood.

3.0 METHODOLOGY

General

- 3.1 This assessment has been prepared with reference to the following guidance:
- *An approach to landscape sensitivity assessment – to inform spatial planning and land management. (Natural England, June 2019);*
 - *Landscape Character Assessment - Guidance for England and Scotland (Scottish Natural Heritage and The Countryside Agency, 2002); An Approach to Landscape Character Assessment, (Natural England, 2014);*
 - *Guidelines for Landscape and Visual Impact Assessment, Third Edition, published by the Institute of Environmental Management and Assessment and the Landscape Institute, 2013 (GLVIA3);*
 - *Photography and photomontage in landscape and visual impact assessment, Advice Note 01/11, published by the Landscape Institute, 2011;*
 -
- 3.2 In accordance with GLVIA3, the following distinct but inter-related assessments are undertaken:
- *Assessment of landscape character effects – assessing effects of the proposal on landscape as a resource through: ‘changes to physical areas/features of the landscape and/or the aesthetic, perceptual and experiential characteristics that make different landscapes distinctive...’;*
 - *Assessment of visual amenity effects – assessing effects of the proposal on views available to people and their general visual amenity through: ‘changes in the context and character of views as a result of the change or loss of existing elements of the landscape and/or the introduction of new elements’.*

The Study Area

- 3.3 The extent of the Wider Study Area is defined by the Scheme's Zone of Theoretical Visibility (ZTV). The ZTV defines the potential visibility of the Scheme based on landform, determined during the desktop survey and analysis from reference to Ordnance Survey mapping and Google Earth Viewshed output. The ZTV is primarily used to identify viewpoints or areas to be visited during the field survey.
- 3.4 Through reference to the field survey and review of resulting photographs a Zone of Visual Influence (ZVI) is identified, which identifies the extent of land that is visually connected with the Site, viewed from the public realm, taking into account landform, vegetation, built structure and distance.
- 3.5 Viewpoints not considered to comprise any visibility towards the Site are scheduled within **Appendix E**, without any further assessment of impact.
- 3.6 The Study Area is subsequently defined to enable a proportionate evaluation of likely effects on landscape and views.
- 3.7 The field survey work was carried out in clear weather conditions on the 5th December 2017, when vegetation was out of leaf. The Site and Viewpoint photographs were subsequently revisited on the 23rd June 2020 to confirm the baseline, which remained substantively consistent, albeit the housing development to the west was nearing completion.

Field Survey

Landscape Character

- 3.8 Existing landscape character assessments are reviewed to inform the baseline in advance of the field survey work. This informs the description of landscape character across the study area, which through reference to landscape planning designations provides the baseline of qualitative and quantitative information against which the potential landscape effects of the Scheme can be predicted.
- 3.9 Within this Study the term ‘landscape’ is synonymous with its definition within the European Landscape Convention as: ‘An area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors’. The Convention is very wide in scope and covers: ‘natural, rural, urban and peri-urban areas, which include land, inland water and marine areas.’

Visual Amenity

- 3.10 Viewpoints are selected to represent a range of potential visual effects which may occur from the proposed development and demonstrate long, medium and short distance views. Short distance views are categorised based on the viewpoint being within 500m of the Site, mid-distance (500m-1km) or long-distance views (beyond 1km).
- 3.11 Viewpoints are identified as either representative, illustrative or specific. Representative viewpoints are selected to best represent the nature of a view and where the effects are unlikely to differ across an area. Illustrative viewpoints are otherwise used to demonstrate an effect restricted to that particular location. Where a viewpoint is particularly noteworthy and sometimes promoted, associated with a designated landscape or feature, then this may be identified as a specific viewpoint.
- 3.12 The photographs have been taken using a Canon EOS 650D Digital SLR Camera with an 18-55mm lens, which was manually set to the 35mm film camera equivalent focal length of 50mm, (approximately 31mm at 1.6x conversion) at each shot.
- 3.13 The viewpoint images, (See **Appendix E**) have been taken at approximately 1.7m above ground for consistency and in order to replicate the view an average sized person would experience in that location. The date, time, weather, lighting conditions and direction of view has been recorded including the approximate ground level and Ordnance Survey grid coordinates.
- 3.14 A series of single shot photographs have been composed to form panoramic photographs using the cylindrical projection function in Adobe Photoshop. The images are marginally cropped to remove white space from the surrounding edges, to enable the composition of the visual components to be clearly presented.
- 3.15 The viewpoint photographs are presented to be viewed upon an A3 size of paper (420 x 297mm), held at arms length. Based upon variables introduced from differing arm length of between 300mm - 500mm, the resulting relative scale of visual components are presented to approximate with the extent of that visible to a viewer within the landscape.

Assessment Criteria

General

3.16 The framework shown in **Table 1** is used as a guide to inform the identification of adverse or beneficial effect thresholds from the differing combinations of levels of landscape and visual receptor sensitivity and magnitude of change:

Table 1 – Effect Thresholds Framework			
Magnitude	Sensitivity (<i>Nature of receptor</i>)		
	High	Medium	Low
High	Significant	Major	Moderate
Medium	Major	Moderate	Minor
Low	Moderate	Minor	Negligible

3.17 Note: **Table 1** is only a framework to aid consistency of reporting and provide an initial indication of the likely effect from a consideration of the nature of the receptor and the magnitude of change, undertaken as part of the assessment of effects. Given that the respective effects represent levels on a continuum or continuous graduation, awareness and consideration of the relative balance of importance between the nature of the receptor and magnitude of change leads the application of professional judgement in assessing effect.

3.18 Within The Guidelines for Landscape and Visual Impact Assessment (GLVIA3) Sensitivity is defined as: ‘A term applied to specific receptors, combining judgements of the susceptibility of the receptor to the specific type of change or development proposed and the value related to that receptor’, (p158). It is recommended within GLVIA3, that the ‘nature of receptor’ should be used as shorthand in place of the term ‘sensitivity’, (p37). As such Sensitivity is not specifically defined within this methodology and assessment, other than through the narrative used within the assessment of effects and an attention to describing the nature of the receptor.

3.19 Regarding allocation of Sensitivity to landscape receptors GLVIA3 identifies that: ‘Since landscape effects in LVIA are particular to both the specific landscape in question and the specific nature of the proposed development, the assessment of susceptibility must be tailored to the project. It should not be recorded as part

of the landscape baseline but should be considered as part of the assessment of effects.’ (p89).

3.20 Within GLVIA3 Susceptibility is defined as: ‘The ability of a defined landscape or visual receptor to accommodate the specific proposed development without undue negative consequences’, (p158). Natural England, (2019) provide a definition within the Annex 1: Glossary, through reference to the Oxford University Press (2005) as follows: ‘likely to be influenced or harmed by a particular thing’. And regarding Landscape Susceptibility: ‘within the context of spatial planning and land management, landscape susceptibility is the degree to which a defined landscape and its associated visual qualities and attributes might respond to the specific development type / development scenario or other change without undue negative effects on landscape character and the visual resource.’

3.21 This definition is understood by LLD to comprise a consideration of the resilience, (or capacity) of the landscape component / area to the proposed change, taking into account the reversibility of the change, or whether the receptor could be easily recreated or substituted elsewhere. It would follow that the Sensitivity of the landscape receptor is Low, (low susceptibility / high resilience) if undue negative consequences were not likely. The opposite being that Sensitivity would be High if negative consequences were likely (high susceptibility / low resilience to the Scenario / Scheme).

Landscape Impact Assessment

Nature of Landscape Receptor - Indicators of Relative Susceptibility

3.22 LLD identifies landscape components as Indicators of Relative Susceptibility, which function within the assessment as receptors against which the proposed change can be assessed. The identification of components is informed by a consideration of planning policy, designations, and published landscape characterisation, including aspects such as scenic quality and tranquillity amongst other considerations such as settlement pattern and landform, where relevant.

3.23 Reference is made to Box 5.1, (p84, GLVIA3) which provides a range of factors that can assist in the identification of valued landscapes as follows:

- **‘Landscape quality (condition):** A measure of the physical state of the landscape. It may include the extent to which typical character is represented in individual areas, the intactness of the landscape and the condition of individual elements;
- **Scenic quality:** The term used to describe landscapes that appeal primarily to the senses (primarily but not wholly the visual senses);
- **Rarity:** The presence of rare elements or features in the landscape or the presence of a rare Landscape Character Type;
- **Representativeness:** Whether the landscape contains a particular character and / or features or elements which are considered particularly important examples;
- **Conservation interests:** The presence of features of wildlife; earth science; archaeological; historical or cultural interest can add to the value of the landscape as well as having value in their own right;
- **Recreation value:** Evidence that the landscape is valued for recreational activity where experience of the landscape is important;
- **Perceptual aspects:** A landscape may be valued for its perceptual qualities, notably wildness and / or tranquillity;
- **Associations:** Some landscapes are associated with particular people, such as artists or writers.’

3.24 In addition, where the scale of change resulting from a development Scenario, (rather than defined Scheme) requires Study Area landscape characterisation, the respective areas identified may be provided with a rough indication of Overall Landscape Sensitivity, (Natural England, May 2019) taking into account the following criteria within **Table 2:**

Overall Landscape Sensitivity	Definition
High	The proposed Scenario would be out of scale with the landscape or at odds with the local pattern and landform; Cause a noticeable deterioration to a landscape of recognised quality / scenic qualities and/or visual amenity. Occasional, very small scale development may be possible, providing it has regard to the setting and form of existing settlement and the character and the sensitivity of adjacent landscape character areas.
Medium / High	The proposed Scenario would not quite fit into the landform and scale of the landscape; Likely cause a barely perceptible deterioration to an area of recognised landscape character / scenic qualities and/or visual amenity. A low amount of development can be accommodated only in limited situations, providing it has regard to the setting and form of existing settlement and the character and the sensitivity of adjacent landscape character areas.
Medium	The proposed Scenario would complement the scale, landform and pattern of the landscape; maintain existing landscape quality. Certain landscape and visual features in the area may require protection. There are landscape and visual constraints and therefore the key landscape and visual characteristics must be retained and enhanced.
Medium / Low	The proposed Scenario has the potential to improve the landscape quality and character; fit in with the scale, landform and pattern of the landscape; enable the restoration of valued characteristic features partially lost through other land uses. Likely cause an improvement to scenic qualities and/or visual amenity.
Low	The proposed Scenario would have the potential to fit very well with the landscape character; improve the quality of the landscape through removal of damage caused by existing land uses. Cause an improvement to scenic qualities and/or visual amenity.

Magnitude of Landscape Impact

- 3.25 Impacts are defined through considering the magnitude of change anticipated, taking into account size and scale, geographic extent, duration and reversibility.
- 3.26 The criteria in **Table 3** are used to identify magnitude of landscape change:

Magnitude	Criteria
High	Notable change in key landscape characteristics and features over an extensive area ranging to a very intensive change over a more limited area.
Medium	Partial changes in key landscape characteristics and features over a wide area ranging to notable changes in a more limited area.
Low	Minor or virtually imperceptible change in any area of landscape characteristics and features.

- 3.27 The magnitude of change to landscape character depends upon the nature, scale and duration of change. Duration is judged on a scale as follows: short, (0-5 Years) medium, (5-10 years) and long, (10-25 years). This is based on the timeframe within which it is considered likely that any specific proposed tree and shrub planting or habitat creation would reach a satisfactory height or maturity to reinforce or provide appropriate landscape structure.

Landscape Effect

- 3.28 Effects are defined as the consequences of impacts taking into account the nature of the receiving landscape receptors, which requires a judgement of the Susceptibility of the Indicator of Relative Susceptibility to the specific type of change or development proposed. **Table 4** is used to inform consideration of this.

Susceptibility	Criteria
High	Landscape area or feature of generally distinctive character in good condition, highly valued and considered resilient to relatively small changes.
Medium	Landscape area or feature of generally moderate condition and value and considered reasonably tolerant of change.
Low	Landscape area or feature of generally poor condition and low value and considered potentially tolerant of substantial change.

- 3.29 The criteria in **Table 5** are used to define the nature of the landscape effect:

Effect	Definition
Significant Major adverse	The proposed scheme would result in effects that are at a complete variance with the landform, scale and pattern of the landscape; would permanently degrade, diminish or destroy the integrity of valued characteristic features, elements and/or their setting; would cause a very high quality landscape to be permanently changed and its quality diminished.
Major adverse	The proposed scheme would result in effects that are at a considerable variance to the landscape scale, landform and pattern degrading the integrity of the landscape; would be substantially damaging to a high quality landscape.
Moderate adverse	The proposed scheme would be out of scale with the landscape or at odds with the local pattern and landform; would be damaging to a landscape of recognised quality.
Minor adverse	The proposed scheme would not quite fit into the landform and scale of the landscape; would affect an area of recognised landscape character.
Negligible	The proposed scheme would complement the scale, landform and pattern of the landscape; maintain existing landscape quality.
Minor beneficial	The proposed scheme has the potential to improve the landscape quality and character; fit in with the scale, landform and pattern of the landscape; enable the restoration of valued characteristic features partially lost through other land uses.
Moderate beneficial	The proposed scheme would have the potential to fit very well with the landscape character; improve the quality of the landscape through removal of damage caused by existing land uses.

Visual Impact Assessment

3.30 The visual effect of any proposal depends on both the nature of the visual receptor and susceptibility to the magnitude of change anticipated.

Nature of Visual Amenity Receptor

3.31 The people whose visual amenity is defined are referred to as visual amenity receptors. Visual receptors are commonly grouped based on either the nature of the visibility which they are afforded towards the Site, which may be further subdivided based upon distance and orientation.

3.32 To enable a description of the nature of the visual amenity afforded to people, the nature of use and any values associated with the visual amenity are identified. This includes the identification of any landscape features within the view, which may emphasise the value associated with the features contribution to the views compositional balance.

3.33 The compositional balance of the view is initially described, taking into account considerations of form, scale, mass, line, height, colour and texture as appropriate, which is often defined by the association between horizontal elements such as the skyline and vertical elements such as tree groups and built form. The contribution or presence of elements associated with the Site are then described, to enable their present contribution to the view to be identified.

3.34 Landscape quality, (*condition*) may also be identified as part of the description of the view, with susceptibility to change subsequently informed by this.

Magnitude of Visual Impact

3.35 The magnitude of change to visual amenity depends upon the size and scale, geographic extent, duration and reversibility of the proposed change.

3.36 Duration is judged on a scale as follows: short, (*0-5 Years*) medium, (*5-10 years*) and long, (*10-25 years*). This is based on the timeframe within which it is considered likely that any specific proposed tree and shrub planting would reach a satisfactory height and density to filter or reduce intervening views.

3.37 The criteria in **Table 6** are used to identify magnitude of visual change:

Table 6 – Magnitude of Visual Change Criteria	
Magnitude	Criteria
High	Where the proposed scheme or elements of the scheme will dominate the view and fundamentally change its composition in terms of form, scale and mass, line, height, colour and texture.
Medium	Where the proposed scheme or elements of the scheme will be noticeable in the view, affecting its composition in terms of form, scale and mass, line, height, colour and texture.
Low	Where the proposed scheme or elements of the scheme will be perceptible as a minor element within the composition, likely to be missed by the casual observer and/or scarcely appreciated.

Visual Amenity Effect

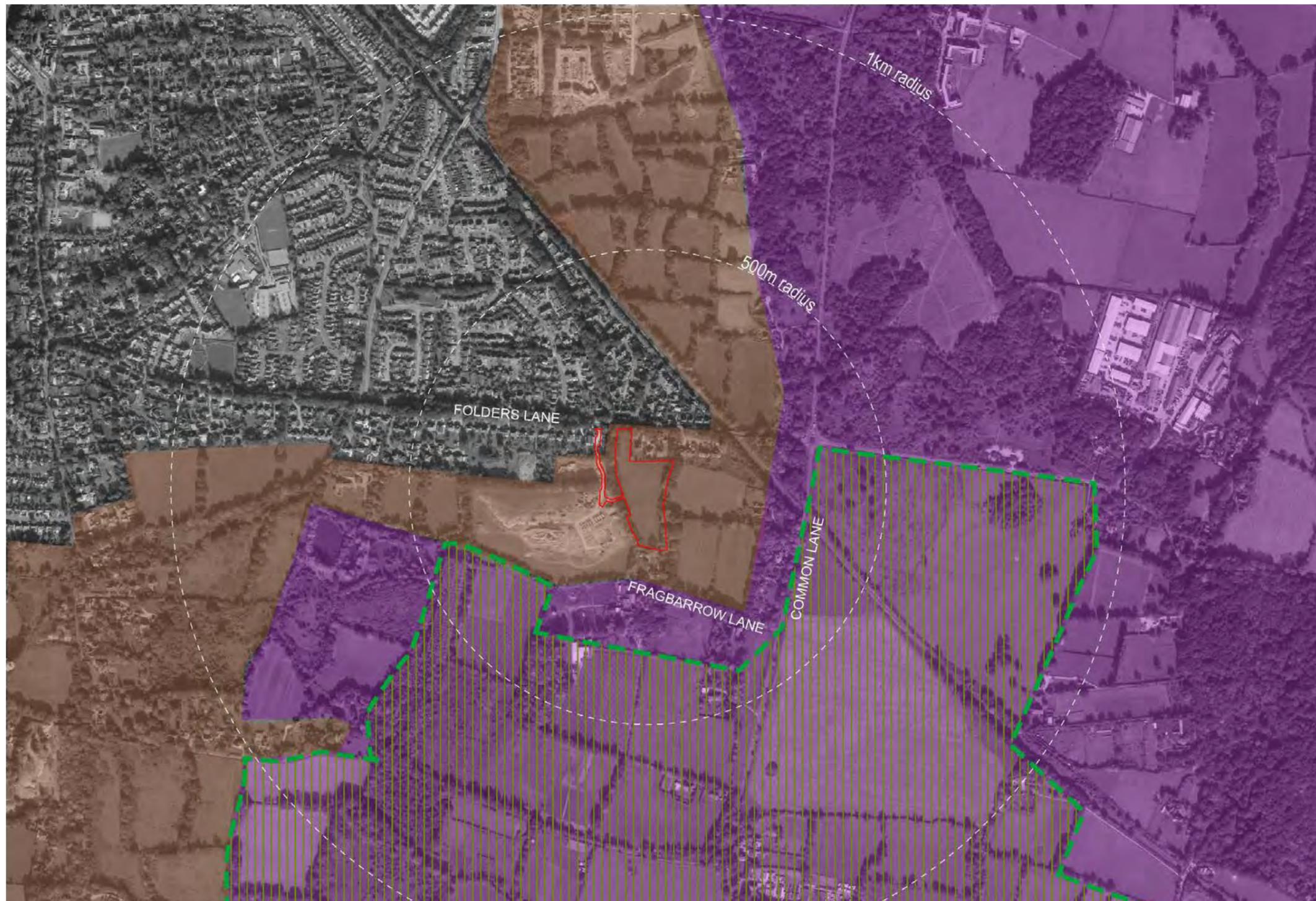
3.38 Whilst landscape value associated with the components of a view is taken into account within the visual amenity assessment, the focus is upon the overall pleasantness of the view in terms of the compositional balance.

3.39 The following criteria in **Table 7** are used to identify the likely susceptibility of visual receptors:

Table 7 – Visual Susceptibility Criteria	
Susceptibility	Type of Viewer
High	Receptors experiencing views of high value importance and/or who will notice any change to visual amenity by reason of the nature of use and their expectations. Such as those who are engaged in outdoor recreation, including users of public rights of way and visitors to heritage assets.
Medium	Receptors experiencing incidental views not critical to amenity and / or the nature of the view is not a primary consideration of the users. Such as travellers on road, rail or other transport routes.
Low	Receptors where the changed view is unimportant / irrelevant and / or users are not sensitive to change. Such as vehicular users on road, rail or other transport routes.

3.40 The criteria in **Table 8** are used to define the nature of the visual effect:

Table 8 – Visual Effect Criteria Definitions	
Effect	Definition
Significant adverse	Where the scheme would cause a significant deterioration to the character of an existing promoted view.
Major adverse	Where the scheme would cause a significant deterioration to the character of the existing view.
Moderate adverse	Where the scheme would cause a noticeable deterioration to the character of the existing view.
Minor adverse	Where the scheme would cause a barely perceptible deterioration to the character of the existing view.
Negligible	No discernible deterioration or improvement in the existing view.
Minor beneficial	Where the scheme would cause a barely perceptible improvement to the character of the existing view.
Moderate beneficial	Where the scheme would cause a noticeable improvement to the character of the existing view.



MAP DATA ©2020 GOOGLE. IMAGERY: LANDSAT / COPERNICUS. IMAGE CAPTURE OCTOBER 2018. SOUTH DOWNS INTEGRATED LANDSCAPE CHARACTER AREA KML LAYER SHOWN.

NTS



Legend

- Site Boundary.
- A Landscape Character Assessment for Mid Sussex (2005)**
- Hickstead Low Weald (LCA 4)
- East Sussex County Landscape Character Assessment (2016)**
- Western Low Weald (LCA 14)
- South Downs Integrated Landscape Character Assessment (2011)**
- Adur to Ouse Scarp Footslopes (LCA 12)

Figure 4.1. Relevant Landscape Character Areas (Various)

4.0 EXISTING CONDITIONS - PUBLISHED EVIDENCE

Published Landscape Character and Capacity Studies

4.1 A review of published Landscape Character Assessment information within the Study Area has been undertaken to provide an understanding of the landscape character context for the Study Area. This includes the following relevant documents:

- *National Character Areas (September 2014);*
- *Landscape Character Assessment of West Sussex (November 2003);*
- *A Strategy for the West Sussex Landscape (2005);*
- *East Sussex County Landscape Character Assessment (LUC, Updated 2016);*
- *South Downs National Park Integrated Landscape Character Assessment (LUC for the South Downs Joint Committee, 2005, Updated 2011);*
- *A Landscape Character Assessment for Mid Sussex (November 2005);*
- *Mid Sussex Landscape Capacity Study (HDA, July 2007);*
- *The Capacity of Mid Sussex to accommodate Development (LUC, June 2014);*
- *Mid Sussex District SHLAA: Review of Landscape and Visual Aspects of Site Suitability (LUC, January 2015);*
- *Draft Site Allocations Document (Regulation 18 - Issues and Options Consultation) (September 2019).*

National Character Areas (September 2014)

4.2 The Site falls within the Low Weald National Character Area (NCA 121), which is described as a: ‘... broad, low-lying clay vale which largely wraps around the northern, western and southern edges of the High Weald. It is predominantly agricultural, supporting mainly pastoral farming owing to heavy clay soils, with horticulture and some arable on lighter soils in the east, and has many densely wooded areas with a high proportion of ancient woodland...’

Landscape Character Assessment of West Sussex (November, 2003)

4.3 The 2003 Study identified 42 landscape character areas of West Sussex with subsequent land management guidelines for each character area.

4.4 The north western part of the Study Area outside of the built fabric of Burgess Hill is located within the Eastern Low Weald Landscape Character Area (LCA LW10) of the Low Weald Landscape Character Type (LCT).

4.5 The overall character description for LCA LW10 is provided as follows: ‘[...] comprises a lowland mixed pastoral and arable landscape with a strong hedgerow pattern. It lies over low ridges and clay vales drained by the upper Adur streams. In the east, the area has experienced high levels of development centred on Burgess Hill.’

4.6 Key characteristics identified for LCA LW10 includes:

- ‘Gently undulating low ridges and clay vales;
- Views dominated by the steep downland scarp to the south and the High Weald fringes to the north;
- Arable and pastoral rural landscape, a mosaic of small and larger fields, scattered woodlands, shaws and hedgerows with hedgerow trees;
- Quieter and more secluded, confined rural landscape to the west, much more development to the east, centred on Burgess Hill;
- Biodiversity in woodland, meadowland, ponds and wetland;
- [...]Mix of farmsteads and hamlets favouring ridgeline locations, strung out along lanes;
- Crossed by north-south roads with a rectilinear network of narrow rural lanes;
- London to Brighton Railway Line crosses the area through Burgess Hill;
- Varied traditional rural buildings built with diverse materials including timber-framing, weatherboarding, Horsham Stone roofing and varieties of local brick and tile-hanging.’

4.7 Key issues for LCA LW11 are identified including:

- ‘Growing impact of development in the east;
- Continuing amalgamation of small fields, severe hedgerow loss, and the ageing and loss of hedgerow and field trees;
- Visual impact of new urban and rural development including modern farm buildings, horse riding centres and paddocks;

- [...] Increasing pervasiveness of traffic movement and noise, particularly around Burgess Hill, and busy use of some rural lanes;
- [...] Gradual loss of locally distinctive building styles and materials;
- Gradual suburbanisation of the landscape including the widespread use of exotic tree and shrub species.’

4.8 Key Landscape and Visual Sensitivities for LCA LW11 are identified including:

- ‘Woodland cover and the mosaic of shaws and hedgerows contribute strongly to the essence of the landscape’;
- Pockets of rich biodiversity are vulnerable to loss and change;
- Parts of the area are highly exposed to views from the downs with a consequently high sensitivity to the impact of new development and the cumulative visual impact of buildings and other structures.’

4.9 Land Management Guidelines for LCA LW11 are identified including:

- ‘Maintain and restore the historic pattern and fabric of the agricultural landscape including irregular patterns of smaller fields;
- Plan for long-term woodland regeneration, the planting of new small and medium-sized broad-leaved farm woodlands, and appropriate management of existing woodland;
- Promote the creation of arable field margins and corners including alongside the sides of streams;
- Avoid skyline development and ensure that any new development has a minimum impact on views from the downs and is integrated within the landscape;
- [...] Where appropriate, increase tree cover in and around villages, agricultural and other development and on the rural urban fringe of suburban areas and Burgess Hill, including along the approach roads to settlements[...];
- Conserve and replant single oaks in hedgerows to maintain succession and replant parkland trees;
- Conserve, strengthen and manage existing hedgerows and hedgerow trees, especially around irregular fields, and re-plant hedgerows where they have been lost.’

A Strategy for the West Sussex Landscape (2005)

- 4.10 The 2005 Strategy seeks to guide and direct landscape change and development. The 'guidelines for residential development on the rural urban fringe' includes the following guidelines:
- 'ensure that buildings and infrastructure are located to avoid loss of important on-site views, and off-site views towards features such as church towers, fine buildings, historic and archaeological monuments or the wider landscape, as well as avoiding intrusion onto sensitive ridgelines, prominent slopes, and damage to settlement settings;
 - seek new development of high quality which fits well within the landscape and reflects local distinctiveness and characteristics in terms of settlement form, height, scale, plot shape and size, elevations, roofline and pitch, overall colour and texture and boundary treatment (walls, fences, hedges, gates);
 - make the most of opportunities for conservation, restoration and enhancement of existing buildings in keeping with local and historic character;
 - retain where possible on new development sites key landscape features such as woodland, watercourses and hedgerows, as a basis for the new landscape structure and setting of the site;
 - conserve and enhance green corridors into settlements when development is being considered and retain where possible existing wildlife habitats, hedgerows, shelterbelts, orchards, and trees and shrubs;
 - ensure that the design, layout and ground modelling of new development takes account of the nature (grain) of the adjoining landscape;
 - integrate new development on the edges of settlements into the wider landscape. Use open space and planting in keeping with local character to provide a visual link to the countryside and an attractive backdrop and foil to new development;
 - incorporate where possible intact historic landscape and visible archaeological features within landscaping schemes.'

East Sussex County Landscape Assessment (Updated 2016)

- 4.11 The Site lies within the Western Low Weald Landscape Character Area (LCA 14), which is described as comprising: 'gently undulating and low lying topography with highest points on the green sand ridges and lowest in the river and stream valleys...'

South Downs National Park Integrated Landscape Character Assessment (2005, Updated 2011)

- 4.12 The Site is located beyond the northern extent of the Adur to Ouse Scarp Footslopes Landscape Character Area (LCA I2) of the Scarp Footslopes Landscape Character Type I (LCT I). LCT I is described as a lowland shelf that lies at the foot of the steep northern scarp of the South Downs east of the Arun Valley, dominated by the chalk scarp which forms a dramatic backdrop, whilst the footslopes themselves form a transition between the scarp to the south and the Low Weald to the north.
- 4.13 Integrated key characteristics of LCA I are identified to include: 'Forms a transition between the steep chalk scarp to the south and the Low Weald to the north; ... Varied building materials consisting of a mixture of flint, brick, sandstone, clunch, rendering and half timber; ... Impressive panoramic views onto the footslopes from the adjacent scarp and downs reveal a balanced woodland and farmland mosaic.'
- 4.14 Integrated key characteristics of LCA I2 are identified to include: '... Hedgerows with mature hedgerow oaks link closely with the woodland, forming an interlocking network that is of high biodiversity value as well as creating a sense of seclusion and enclosure.'
- 4.15 Key landscape sensitivities of LCA I2 are described as including: 'The intact medieval landscape on the clay, particularly the fields originating as woodland assarts.'

A Landscape Character Assessment for Mid Sussex (November 2005)

- 4.16 The Site falls within the eastern extent of the Hickstead Low Weald Landscape Character Area (LCA 4). This is described as a lowland mixed arable and pastoral landscape with a strong hedgerow pattern. Key characteristics are identified including: 'Arable and pastoral rural landscape, a mosaic of small and larger fields, scattered woodlands, shaws and hedgerows with hedgerow trees; Quieter and more secluded, confined rural landscape to the west, much more development to the east, centred on Burgess Hill.'

- 4.17 Key issues for LCA 4 include the: 'Pressures for further urban development in the east of the area; Visual impact of new urban and rural development including modern farm buildings, horse riding centres and paddocks; Gradual loss of locally distinctive building styles and materials; Gradual suburbanisation of the landscape including the widespread use of exotic tree and shrub species.'
- 4.18 Landscape and visual sensitivities identified within the 2005 Study for LCA 10 include that the: 'Woodland cover and the mosaic of shaws and hedgerows contribute strongly to the essence of the landscape.'
- 4.19 Land management guidelines identified within the November 2005 Study for LCA 10 include to:
- '... Maintain and restore the historic pattern and fabric of the agricultural landscape including irregular patterns of smaller fields;
 - ... Avoid skyline development and ensure that any new development has a minimum impact on views from the downs and is integrated within the landscape;
 - ... Conserve and replant single oaks in hedgerows to maintain succession;
 - Conserve, strengthen and manage existing hedgerows and hedgerow trees, especially around irregular fields, and replant hedgerows where they have been lost;
 - ... Minimise the effects of adverse incremental change by seeking new development of high quality that sits well within the landscape and reflects local distinctiveness.'

Mid Sussex Landscape Capacity Study (HDA, 2007)

- 4.20 The aim of the Hankinson Duckett Associates produced Mid Sussex Landscape Capacity Study was to: 'inform the Core Strategy by identifying where strategic development might be accommodated within the District without an unacceptable impact on landscape character in general...'

- 4.21 The 2007 Study identifies broad Zones within which areas surrounding settlements are defined. The Site falls within Zone 5, 'Burgess Hill and Surrounding Areas'. The study describes the area around the Site as follows:
- 'Small pastoral fields with thick continuous boundary vegetation provide a distinctive setting to the south east of Burgess Hill. These fields separate Burgess Hill from the wider landscape to the east, including Ditchling Common.'*
- 4.22 The development parameters within which the susceptibility of the landscape character are considered include that:
- 'buildings would be largely 2 or 3 storeys in height with occasional landmark buildings of 4-5 storeys. There would be open space provision and a strong landscape framework with tree planting of appropriate scale, area and design to ensure that the development achieves a good fit in the landscape.'*
- 4.23 The 2007 Study undertook a landscape character assessment to identify landscape character types and areas, focused on areas surrounding existing settlement, to provide a framework for the subsequent identification of landscape sensitivity, value and capacity.
- 4.24 The Site is located within an area characterised as the *Furzefield Low Weald Landscape Character Area (LCA 68)*. Sensitivity criteria and their description, (*with Sensitivity Score*) within the 2007 Study for LCA 68 are identified as follows:
- *Inherent Landscape Qualities: 'Pastoral landscape with dense hedgerow network and low boundary loss.'* (Moderate);
 - *Contribution to distinctive landscape settlement: 'Boundary vegetation along urban edge. Very low intervisibility.'* (Moderate);
 - *Inconsistency with existing settlement form / pattern: 'Gently undulating plateau top/ Similar topography to residential areas along Folders Lane.'* (Negligible);
 - *Contribution to rurality of surrounding landscape: 'Moderate. Very enclosed. Little intervisibility with surrounding landscape.'* (Moderate);
 - *Contribution to separation between settlements: 'Minor contribution to wider gap between Burgess Hill and Ditchling.'* (Slight).
- 4.25 As a result of these factors the 2007 Study identifies LCA68 as having overall moderate sensitivity to new development. This results in a medium capacity being identified further to consideration of moderate value on page 44 of the report, from identification of the following components: *'contribution to the setting of Ditchling Common; glimpses of the South Downs; Intact easily post medieval and medieval; moderate scenic beauty, fairly tranquil due to enclosure.'*
- 4.26 Medium Capacity is generically described as indicative of: *'..a landscape character area with the capacity for limited development, in some parts of the character areas, having regard for the setting and form of existing settlement and the character and sensitivity of adjacent landscape character areas.'* (*Ibid*, p49)
- 4.27 Through reference to Figure HDA13 of the 2007 Study, (See **Appendix A**) out of the 75 character areas assessed, there were only 4 in the District identified within the 2007 Study with greater than medium capacity to accept new development.
- 4.28 Figure HDA13 of the 2007 Study shows that LCA68 has the second highest capacity to accept development of any of the areas identified around Burgess Hill, with only an area to the west of the town (*LCA 58, West Burgess Hill Low Weald*) judged to have higher capacity. It can be determined through reference to this that the area which includes the Site is located is the second most suitable area around Burgess Hill in landscape terms for accommodating development.
- 4.29 The Furzefield Low Weald character area extends southwards for about 1km south of the urban edge into the South Downs National Park, the boundary of which runs laterally some 80m to the south of the Site and longitudinally some 200m to the east to where the boundary with Ditchling Common is met.
- 4.30 It is likely that the components of value, identified for LCA68 within the 2007 Study are largely focused away from the northern part of LCA68 adjacent to the suburban edge. It follows that the northern part of LCA 68 adjacent to the suburban edge is likely to have greater capacity to accommodate development in comparison to those parts of LCA68 which are either located within the National Park or adjacent to Ditchling Common.
- 4.31 The 2007 study includes a series of maps showing the main structural components of the landscape for each zone. The map for Zone 5 (*Extract provided within Appendix A*), shows a latitudinal local ridge line some 300m to the south of the site, dividing the wider, more open landscape further to the south, within the National Park, from that adjacent to the suburban extent of Burgess Hill to the north.
- 4.32 The 2007 Study provides a caveat within its conclusions that:
- 'Where capacity for development within the identified character areas varies, proposals would need to respond to site-specific constraints. In such cases development proposals should respond to the character areas inherent landscape sensitivity and take account of its setting and potential impacts on the surrounding landscape'* (*Ibid*, p54)
- The Capacity of Mid Sussex to accommodate Development (LUC, June 2014)***
- 4.33 Mid Sussex District Council (*MSDC*) produced an updated capacity study to form part of the evidence base for the emerging district plan. The Land Use Consultants (*LUC*) produced 2014 Study aim was to:
- 'provide a detailed and robust assessment of the constraints to development in Mid Sussex District, in order to understand the capacity of the District to accommodate development and identify the most sustainable areas for development.'*
- 4.34 The 2014 Study follows the findings of the 2007 Study in identifying the sensitivity and value of the Furzefield Low Weald Landscape Character Area (*LCA 68*) as moderate, with a resulting medium capacity to accept change. Consistent with the 2007 Study, this results in LCA68 having the second highest capacity of any of the areas around the edge of the town of Burgess Hill.



Legend

- Site Boundary.
- Sussex Historic Landscape Character (Broad Type / HLC Type)**
- Fieldscape / Informal Fieldscape; (Regular / piecemeal enclosure).
- Horticulture - Nursery with Greenhouses.
- Fieldscape / Assarts; (Cohesive Assarts Ponds).
- Unimproved/Unenclosed - Common; (Ponds).
- Settlement / Expansion - other; (Ribbon development / Small farmstead / cottage and Infill).
- Settlement / Expansion - suburbs; (Planned estate).
- Settlement / Historic dispersed; (Large Farmstead / Common edge settlement).
- Settlement / Non-historic isolated; (Small farmstead / cottage).
- Recreation - Sports Field.
- Woodland / Plantation Broadleaved.

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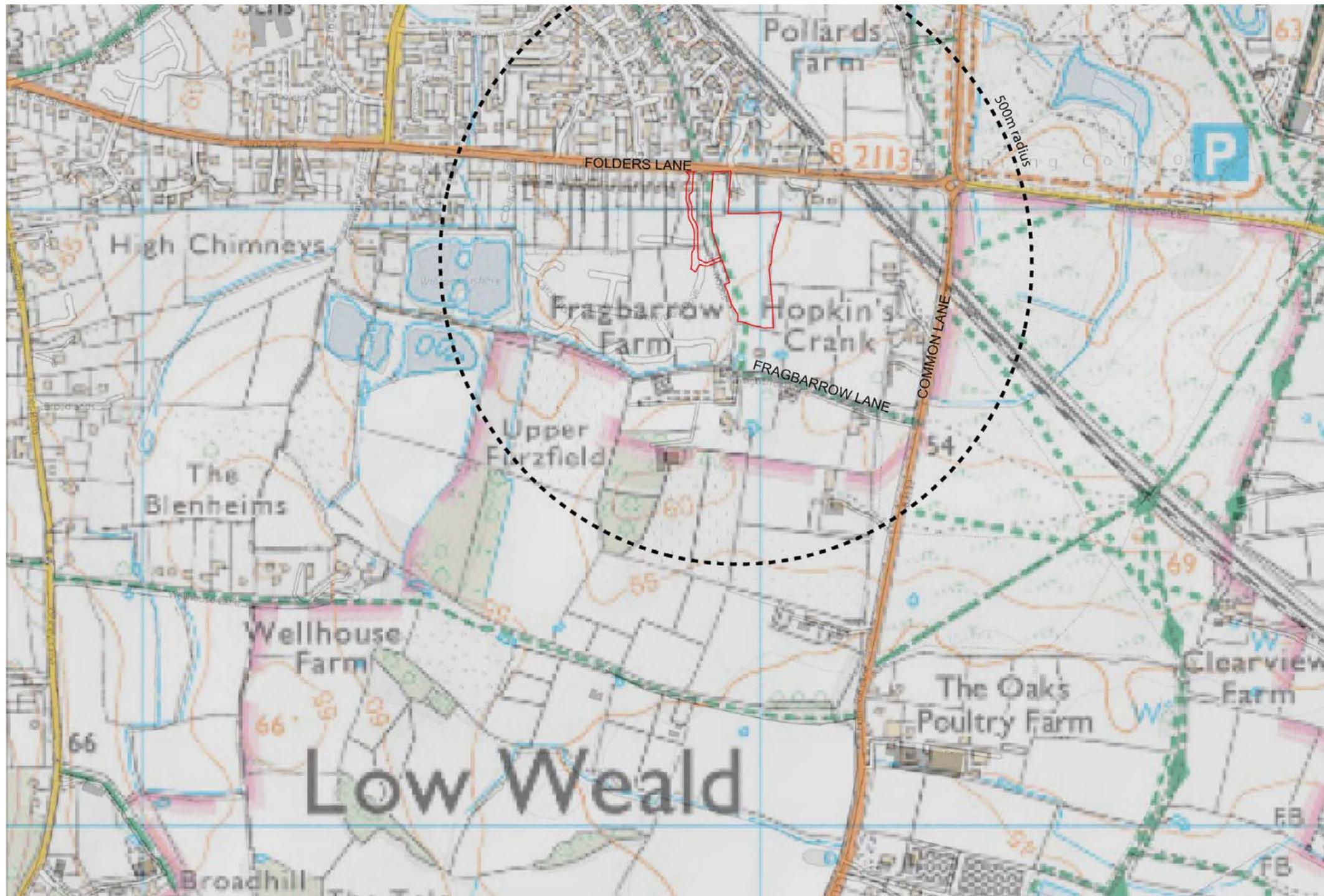
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Figure 4.2. Sussex Historic Landscape Character Types (2010)

Mid Sussex District SHLAA: Review of Landscape and Visual Aspects of Site Suitability (LUC, January 2015)

- 4.35 The Land Use Consultants (LUC) produced 2015 Study aim was to: 'review selected site appraisals undertaken for the Strategic Housing Land Availability Assessment (SHLAA). The purpose was to provide a detailed and robust assessment of the potential for development, with a focus on landscape and visual impact considerations.' The focus of the review was to provide further evidence regarding the capacity of the District to accommodate development on greenfield sites.
- 4.36 The 2015 Study uses the criteria applied in the 2014 LUC Study to assess landscape sensitivity and value at the Site level, but with a refinement of definitions to suit site-level assessment and the additional criterion of visual receptors included as follows: 'Visual receptors - 'The extent to which the landscape contributes to views from sensitive visual receptor locations, or to which development in this area would intrude on sensitive views. Locations such as tourist attractions, promoted viewpoints and national trails will be more sensitive than local footpaths. Private views have less sensitivity than public viewpoints'.
- 4.37 The Site is located to the east of SHLAA Site 534, named: 'Land south of Folders Lane (to the east of Wintons fishing lakes), Burgess Hill'. SHLAA Site 534 substantively comprises the area which has recently been subject to planning consent under 'Land rear of 88 Folders Lane, Burgess Hill', described within **Section 1.0**. It does however extend further to the east to comprise the Site area. Through reference to the relevant extract for SHLAA Site 534 (LUC, 2015) provided within **Appendix B**, this site is divided into three sub areas, which can be summarised as follows:
- Sub Area A, comprises the main part of the SHLAA Site 534, extending into the southern half of the Site area. This sub area is identified as having a Low-Medium landscape suitability with a recommended Medium-High yield of development;
 - Sub Area B, comprises the majority of the Site area outside of the southern end of the Site, but does not extend to Folders Lane. This sub area is identified as having a Medium landscape suitability with a recommended Low-Medium yield of development;
 - Sub Area C is located to the north east of Sub Area A and outside of the Site area, with a Medium-High landscape suitability with a recommended Low yield of development.
- 4.38 Sub Area A is described as the most sensitive part of Site 534, in terms of rural character, settlement form and proximity to the National Park, with a generous buffer zone (such as a woodland block) recommended along the southern boundary.
- 4.39 Sub area B is described as comprising a more urban-edge character than the rest of the site which could accommodate dwellings, which if stand alone without development across Sub Area A would represent an incongruous settlement pattern.
- 4.40 Sub Area C is described as the least sensitive with development form and scale recommended to be in keeping with either the adjacent settlement of 'Thornhurst' or 'Folders Close'.
- 4.41 Further commentary identifies that: 'In terms of settlement form, if area A were developed alongside the two sites to the east (4 and 557) that also have strong hedgerow boundaries this would not represent a major change in terms of the form and setting of the settlement' [Note - It is understood that this should say to the west - These sites are the land over and to the west of the fishing lakes].
- 4.42 Additional commentary recommends that it would be: 'desirable to keep the hedgerows outside of private ownership, adjacent to access routes (for public use but also to facilitate management), and with wide buffer strips appropriately managed for biodiversity value.'
- Draft Site Allocations Document (Regulation 18 - Issues and Options Consultation) (October 2019)**
- 4.43 The Draft Site Allocations Document is due for adoption in Summer 2021. It includes consideration of land for residential needs.
- 4.44 Through reference to the relevant extract, which coincides with the Site as Land South of 96 Folders Lane, Burgess Hill (Site ID: 827), provided within **Appendix C**, the Site is proposed for allocation.
- 4.45 Under Part 1 - Planning Constraints, the Site is identified as comprising a medium landscape constraint, with the following commentary: 'This site has moderate landscape sensitivity and moderate landscape value. This site could be visible from the South Downs National Park.'
- 4.46 Under Part 5 - Summary Conclusion, the following commentary is provided: 'The site performs well in the assessment and the SA, with no biodiversity, heritage, townscape or access constraints identified. Additionally, the site's location near to services, facilities and transport suggest it is a sustainable location for growth. Furthermore, input from the Highways Authority identifies an opportunity for development of the site to contribute towards improvements to the bus and rail interchange at Burgess Hill.'
- Sussex Historic Landscape Characterisation (August 2010)**
- 4.47 The Sussex Historic Landscape Characterisation (2010) comprises a GIS data set together with a set of supporting reports and technical guides. The data provides a broad-brush approach to interpreting the historic time-depth of areas, which was based on a desk-based exercise with no checking in the field.
- 4.48 The Site and area to the east are identified as comprising an historic landscape character of informal fieldscapes derived from piecemeal enclosure, with more regular piecemeal enclosure to the south west. This continues to the north of Folders Lane. To the south west of this is an area defined as nursery with greenhouses, whilst to the west is an area of fields formed of cohesive assarts, with modern ponds within. Further to the east of the Site beyond the B2112 is an expansive area defined as an unimproved / unenclosed Common with ponds
- 4.49 A combination of settlement extension from ribbon development and infill is identified as occurring along primarily the southern edge of Folders Lane, including infill to the north east of the Site and a small farmstead / cottage to both the immediate north and further to the east beyond intervening fields. Beyond Folders Lane to the north west is an expansive suburban area described as a planned estate.
- 4.50 Dispersed historic settlement occurs both beyond the settlement extension to the north of the Site and Folders Lane and to the south along the Site's southern boundary comprised of Large Farmsteads. Some 240m to the east along the western boundary of the historic Ditchling Common are further areas of settlement defined as common edge, with the settlement beyond the intervening field to the south east of the Site (Grade II Listed Hopkin's Crank), identified as being probable common edge settlement. South of this is an area of non-historic isolated small farmstead / cottages with planned / private Formal enclosure south-west of this.



Legend

 Site Boundary.

Figure 5.1. Terrain

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5.0 EXISTING CONDITIONS - FIELD SURVEY AND REVIEW

Landscape

5.1 The description of Landscape Character across the Study Area and Site is made through reference to **Figures 5.1 and 5.2**, photographs provided within this section and **Key Viewpoint Photographs** provided within **Appendix E**.

Terrain

5.2 The Landform surrounding the Site falls gradually from the Site's eastern boundary at some 57m aOD towards Common Lane some 280m to the east at some 55m aOD and beyond to a large pond within Ditchling Common to the north east. The landform falls marginally more steeply towards fishing lakes located some 300m to the west at some 50m aOD. Through reference to **Figure 4.3** some 500m south from the Site is an area of higher ground at some 60m aOD, with further localise higher areas of ground at some 65m aOD some 1km to the south west and south east.

5.3 Through reference to the relevant extract provided in **Appendix A** from the Landscape Structural Analysis undertaken by Hankinson Duckett Associates (HDA) within the Mid Sussex Landscape Capacity Study (HDA, 2007), it can be seen that these areas of higher ground correlate with the alignment of the local ridgeline identified by HDA. The ridgeline functions to divide the wider, more open landscape further to the south, within the National Park, from that adjacent to the suburban extent of Burgess Hill to the north. The ridgeline can be observed in the mid ground through reference to **Photograph A**, which shows a southerly view from the eastern end of Fragbarrow Lane.

Settlement Pattern and Form

5.4 Through reference to the Sussex Historic Landscape Character Types (Bannister, 2010) provided within **Figure 4.2** cross referenced against the Ordnance Survey map from 1950, (provided in **Appendix D**) it can be seen that ribbon development and infill extended along Folders Lane in the early 20th Century to the north of the Site comprised of low density detached properties within large plots, densely enclosed within hedge line and tree lined boundaries, (see **Photograph G**).



Photograph A. The nearest point identified from which publicly accessible views can be gained towards the downland scarp to the south are from the eastern extent of Fragbarrow Lane adjacent to Common Lane.



Photograph B. More recent development off Fragbarrow Lane south of Hopkin's Crank.



Photograph C. Victorian built Fragbarrow House.



Photograph D. Large shed associated with the more recent Ridgeview Wine Estate.



Photograph E. Bungalow associated with the more recent Ridgeview Wine Estate.



Photograph F. Wooded copse to the western end of Fragbarrow Lane.



Photograph G. Mixed vegetation and mature oak trees along the Folders Lane.



Photograph H. Double line of oak trees, which is subject to Tree Preservation Order No.BH/03/TPO/91.



Photograph I. Larger property to the east of 'Asbrook' is more secluded with a deciduous hedge.



Photograph J. Tree belt with understorey is some 5m wide about the south-eastern corner of the Site.



Photograph K. The substantive part of the northern boundary is shared with existing properties accessed off Folders Lane. 'Asbrook' to the west comprises a large detached property tile hung to the first floor, with a boundary with the Site on two sides defined by a cleft post and rail fence with dispersed small trees.



Photograph L. The western boundary comprises a range of species and ages of trees with dense understorey of blackthorn scrub and a field ditch. The Public Footpath no.59BH is partially enclosed with a hedgeline along this boundary.

- 5.5 Development has also resulted along the south of Fragbarrow Lane including a detached property south of Hopkin's Crank, (see **Photograph B**). Fragbarrow House is Victorian built, (see **Photograph C**). Both comprise large detached properties with red tiled upper storey and steep rooflines. Further more modern development comprised of a large shed and a small bungalow associated with the Ridgeview Wine Estate are located at the western end of Fragbarrow Lane, (see **Photograph's D and E**), about a wooded copse, (see **Photograph F**).

The Site

- 5.6 The Site comprises an irregularly shaped field of some 1.7 hectares (4 acres) of previous agricultural land, edged with wooded shaws to east and west and properties to the north and south. Public Footpath no. 59 BH runs along the western boundary, (see **Viewpoints No. 3 to 6 within Appendix E**).
- 5.7 The Site is some 180m in length from north to south and tapers from a width of some 120m where adjacent to existing properties along the substantive northern boundary southwards to some 60m along the southern boundary. There is an extension to the Site of some 65m in length and 30m in width, which occurs to the north-western corner of the Site within a gap remaining between existing properties along Folders Lane.
- 5.8 Landform across the Site falls from a high of some 58m aOD in the south east to a low of some 53m in the north west, with intervening levels to the centre of the western boundary at 54m aOD and north eastern corner at 53.6m aOD.
- 5.9 Residential development associated with the recently consented 'Land rear of 88 Folders Lane, Burgess Hill', (PINS reference: APP/D3830/W/16/3149456) is nearing completion beyond the wooded shaw along the western boundary as an extension to the ribbon and infill development off Folders Lane, (see **Viewpoint No.11, within Appendix E**).
- 5.10 Soil type across this area is understood to comprise slowly permeable, seasonally wet, slightly acid but base-rich loamy and clayey soil, through reference to the Soils Map developed by Cranfield University and sponsored by the Department for Environment, Food and Rural Affairs, (Defra).

Site Boundaries and Features

- 5.11 The substantive part of the northern boundary is shared with existing properties accessed off Folders Lane. 'Asbrook' to the west comprises a large detached property tile hung to the first floor, with a boundary with the Site on two sides, defined by a cleft post and rail fence with dispersed small trees, (See **Photograph K**).
- 5.12 The larger property to the east of 'Asbrook' is more secluded with a formal deciduous hedge and variety of coniferous and deciduous trees growing within the garden and along the boundary, (See **Photograph I**).
- 5.13 The remainder of the northern boundary comprises of a mature oak tree line, which is subject to Tree Preservation Order No. BH/02/TPO/00 – G1, (See **Viewpoint No.2 in Appendix E**) with dense scrub underneath comprised of a high percentage of evergreen holly and ivy. Underlying the scrub is a ditch, adjacent to Folders Lane which drains under the road and north eastwards towards the large pond on Ditchling Common some 500m north east of the Site.
- 5.14 Through reference to the 1938 OS a dense shaw can be observed to the southern part of the eastern boundary in particular, which extends at irregular width north to a wider belt between houses bordering Folders Lane. The northern part of this can be observed in place as a double line of oak trees, which is subject to Tree Preservation Order No. BH/03/TPO/91 – G11, (See **Photograph H**). The southern end of the shaw adjacent to the Site comprises of younger trees growing out from an older rootstock, (See **Photograph J**).
- 5.15 The western boundary comprises a range of species and ages of trees with dense understorey of blackthorn scrub and a field ditch, (See **Photograph L**). The Public Footpath no.59BH is partially enclosed with a hedgeline along this boundary. An access gate into the Site is located within the north western corner of the Site off Folders Lane, (See **Viewpoint No.3 in Appendix E**).

Nature of Landscape Receptors - Indicators of Relative Susceptibility

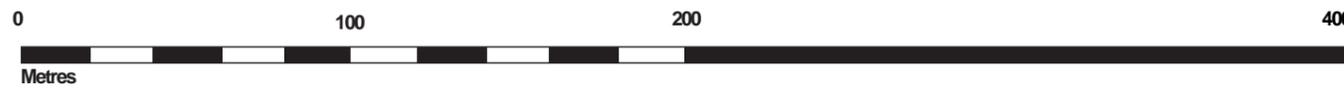
- 5.16 The application Site in general is not considered to comprise a valued landscape in relation to Paragraph 170 of the National Planning Policy Framework.
- 5.17 The Site is considered to be in moderate condition, with no conservation interests or known associations. The Site is not considered to be of a rare or particularly representative landscape character. Perceptually the tranquillity of the Site is limited due to the proximity of built development along the northern and southern boundaries and the busy Folders Lane beyond to the north.
- 5.18 Whilst of similar physical character as a field to those beyond the Site to the south east, albeit smaller in size, the field in this location is enclosed from the south west, clockwise to the north east by areas of residential character. This associates the field more with the suburban edge residential character of Burgess Hill, than as part of a buffer to the National Park. The fields to the south and east, both of which have subsequent intervening associations with more dispersed residential character do function to contribute to this buffer. There is no visibility to the Site from within the South Downs National Park.
- 5.19 The nearest point to the Site from which publicly accessible views can easily be gained towards the downland scarp to the south are from the eastern extent of Fragbarrow Lane adjacent to Common Lane, shown in **Photograph A**.
- 5.20 Landscape components against which the susceptibility of the Site to the proposed development might be appraised are identified by LLD through reference to planning policy, designations, and landscape characterisation as follows.

- Tree belts with understorey along the boundaries as part of surrounding landscape structure and rural character to the edge of Burgess Hill, recognised through Tree Preservation Orders which extend along the western edge of the northern boundary and to the north eastern corner;
- Contribution of the north-western corner of the tree line along the western part of the northern boundary to the adjacent Area of Townscape Value along Folders Lane, recognised within the Burgess Hill Neighbourhood Plan (2016) under Policy H3;
- Contribution of field pattern and tree lined boundary vegetation to the wider setting of the South Downs National Park, the boundary of which runs laterally some 200m to the south of the Site and longitudinally some 300m to the east;
- Contribution of the tree belt along the eastern boundary to the wider semi rural setting of the Grade II Listed 'Hopkin's Crank', located some 240m to the east, likely experienced from the far western end of Hopkin's Crank garden only;
- Contribution of the semi-rural character of irregular shaped fields and tree lined boundary vegetation to experience of rural character and visual amenity experienced from Footpath 59BH, which runs south from Folders Lane to Fragbarrow Lane, with the main extent located along the western boundary of the Site.



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Legend

-  Site Boundary.
-  Public Footpath
-  Viewpoint Location and Direction.
-  Zone of Visual Influence (ZVI) for direct visibility into part of the Site.
-  Zone of Visual Influence (ZVI) for glimpsed visibility into part of Site area through vegetation when out of leaf with very limited filtered visibility from some locations when in leaf.

Figure 5.2. Viewpoint Locations and Indicative Zones of Visual Influence

Visual Receptors

- 5.21 The Viewpoint Photographs referred to below are provided within **Appendix E**. Viewpoint locations can be identified through reference to **Figure 5.2**.
- 5.22 Visual receptors primarily comprise local users of Public Footpath no. 59BH, which runs south from Folders Lane (B2113) to Fragbarrow Lane along the edge of a wooded shaw, through a landscape of semi-rural character. The nature of the short distance views for these receptors is represented by **Viewpoints No. 03 - 07**.
- 5.23 Local users of Public Footpath no. D18, which extend along Fragbarrow Lane to join with PF No. 59BH to the west, and local residents or those visiting the Ridgeview Wine Estate off Common Lane, (B2112). Fragbarrow Lane is a semi rural lane, bordered by houses and garden boundaries to the south and vegetated field boundaries to the north. The nature of the short distance views for these is represented by **Viewpoints No. 08 - 10**.
- 5.24 Future residents of the Jones Homes development named Folders Grove, along the main access along Stroudley Drive, at the point and at which the proposed access into the Scheme would be gained, are respectively represented and illustrated by **Viewpoint No.11**.
- 5.25 Visual receptors are otherwise identified as pedestrians and to a lesser extent road users adjacent to Folders Lane using the pavement along the northern side of the road, and includes those exiting from Public Footpath No. 59BH to the north side of Folders Lane. Folders Lane is well used by vehicular traffic, with dense vegetation and mature oak trees enclosing the detached properties which extend along its length. The nature of the short distance views for these receptors is represented by **Viewpoints No. 01 - 02**.

Zone of Visual Influence

- 5.26 The Zone of Visual Influence (ZVI) was determined as part of the field assessment and desktop analysis of Ordnance Survey mapping and photographs and is shown alongside of Viewpoint locations on **Figure 5.2**.
- 5.27 The Zone of Visual Influence (ZVI) is indicative of the area from which built development on the Site is likely to be visible from the public realm, taking into account landform, built form, vegetation and distance.
- 5.28 The Site's ZVI is limited to the surroundings of the Site due to intervening landform, builtform and vegetation. There is no visibility of the Site from within the South Downs National Park.
- 5.29 The ZVI is defined as two separate zones on **Figure 5.2** as follows:
- *The zone defined in orange is indicative of areas of publicly accessible land from which direct visibility into part of the Site can be gained;*
 - *The zone defined in yellow is indicative of areas of publicly accessible land from which glimpsed visibility into part of Site area through vegetation can be gained when out of leaf with very limited filtered visibility from some locations when in leaf.*

6.0 ASSESSMENT OF IMPACTS

General

- 6.1 This section assesses the landscape and visual impacts which are likely from the Proposal described in **Section 1.3**.
- 6.2 The assessment considers the likely effects from the Scheme alone through a consideration of receptor sensitivity and magnitude of impact, using the methodology provided in **Section 3.0**.
- 6.3 Separate assessments of operational impact on landscape character, planning designations and visual amenity are provided.
- 6.4 Opportunities are identified through reference to **Section 7.0** to both avoid and reduce impacts and deliver enhancement. Where secondary mitigation is referenced the resulting residual effects are identified within this section.

Overall Landscape Sensitivity of the Site for Residential Development

- 6.5 The landscape capacity for residential development is considered in line with that recommended for the Site as part of SHLAA Site 534, within the LUC 2015 Study and for the Furze field Low Weald Landscape Character Area, (LCA 68) within the HDA 2007 Studies, outlined earlier in this section. These studies identify overall moderate sensitivity, with a resulting medium capacity to accept change.
- 6.6 The recommendations regarding the respective capacity of parts of the Site alone and in combination with that to the west provided within the LUC 2015 Study for SHLAA Site 534 are also considered to remain valid. In line with this, (*and through reference to Appendix B*) the Site is considered to be suitable for a medium yield of development in keeping with the surrounding built form, as supported by the Draft Site Allocations Document, (*October 2019*) for Land South of 96 Folders Lane, Burgess Hill, (*Site ID: 827*).

Landscape Character

- 6.7 With reference to the description of landscape character and identification of landscape components against which the susceptibility of the Site to the proposed development might be assessed, summarised in **Section 4.0**, the overall landscape sensitivity is considered to be medium to the proposed Scheme. This is reinforced relative to the Scheme proposals being at 2 storeys, which is well under the development parameters used by HDA, (2007) of: *'largely 2 or 3 storeys in height with occasional landmark buildings of 4-5 storeys'* to derive an understanding of medium capacity.
- 6.8 A medium magnitude of change is anticipated from the introduction of built form and road layouts to the field in previous agricultural use, limited by the prominent aspect of built form adjacent to the Site, particularly along the northern boundary which provides a suburban edge character in this location. The change is subsequently likely to be more pronounced across the narrower southern part of the Site leading towards the Victorian built large property of Fragbarrow House, but this is limited through proposed density, which is lowest to the south, with development drawn back from the edges of the Site.
- 6.9 The minor ridge along the eastern edge of the Site, beyond which land falls towards Ditchling Common to the east, defined with a tree line with dense understory, presents a natural feature aligned with landform which would effectively define the settlement boundary in this location. The Scheme includes adequate space for the retention of both the treeline and underlying scrub, which would be thinned and diversified with a mixture of native scrub including hazel and holly alongside of the existing blackthorn. A Detailed Planting Plan would define this for approval.
- 6.10 Vegetation surrounding the Site is largely proposed for retention, with only a limited area proposed for removal along the western boundary to enable the access road into the Site from the adjacent consented development at: *'Land rear of 88 Folders Lane, Burgess Hill'*. It is considered that this is likely to represent a notable change to vegetation across a very limited area.

- 6.11 There would be a further impact on the largely natural surface of Public Footpath No. 59Bh, which would subsequently be required to cross the metalled surface of the access road. However, within the context of an extended settlement it is not out of keeping for this Footpath to occasionally cross a metalled surface, for example Folders Lane, albeit that this crossing would be over a quiet cul-de-sac access road within a semi rural character. A low magnitude of change is considered likely to result to the surface of the footpath over a very limited extent.

- 6.12 There is anticipated to be an overall **short term Moderate adverse effect** from the Scheme on local landscape character, which subject to the recommendations identified within **Section 7.0** is likely to reduce to a **mid to long term Minor adverse effect**.

Landscape Planning Designations

- 6.13 There is not likely to be an impact on the Tree Preservation Orders along part of the northern boundary of the Site relative to the proposed layout and access being gained from the west. Further to this it is not considered that there would be any impact on the adjacent area of Townscape Value along Folders Lane to the north west of the Site, recognised within the Burgess Hill Neighbourhood Plan (2016) under Policy H3.
- 6.14 Whilst of similar physical character as a field to those beyond the Site to the south east, albeit smaller in size, the field in this location is enclosed from the south west, clockwise to the north east by areas of residential character. This associates the field more with the suburban edge residential character of Burgess Hill, than as part of a buffer to the National Park. The fields to the south and east, both of which have subsequent intervening associations with more dispersed residential character do function to contribute to this buffer, which would not be compromised by this Scheme.
- 6.15 The contribution of the field pattern and tree lined boundary vegetation to the wider setting of the South Downs National Park, the boundary of which runs laterally some 200m to the south of the Site and longitudinally some 280m to the east is not considered to have interconnectivity, other than through the boundary vegetation which would substantively remain, with a resulting **Negligible effect** anticipated to the wider setting of the National Park.

6.16 The limited contribution from the densely vegetated and mature eastern boundary on the wider semi rural setting of the Grade II Listed 'Hopkin's Crank', located some 240m to the east, likely experienced from the far western end of Hopkin's Crank garden only, is not considered likely to be substantively changed from the introduction of roof lines and built mass, which may be glimpsed through the woody vegetation when out of leaf, but with very limited impact, with a resulting **Negligible effect** anticipated to the wider setting of the Listed Building.

Visual Amenity

6.17 For visual receptors comprising the local users of Public Footpath no. 59BH, which runs south from Folders Lane (B2113) to Fragbarrow Lane along the western edge of the Site and eastern edge of a wooded shaw, through a landscape of semi-rural character, there is likely to be a High / Medium magnitude of change on the pattern and composition of the view.

6.18 For receptors along the north of the Public Footpath, this is likely to be noticeable in the view through boundary vegetation in winter, (**Viewpoint No.04**) and in glimpses when vegetation is in leaf, (**Viewpoint No.03**).

6.19 For receptors within the central part of the PF, where there are currently unfiltered views across the Site, (**Viewpoint No.05 and No.06**) there is likely to be a moderate magnitude of change, with built mass and rooflines dominating the view and fundamentally changing the composition across a limited area in the short term

6.20 This is likely to result in a **short term Moderate adverse** effect for receptors within a limited area, awaiting the maturing of reinforcement planting along the western boundary at which point a **Minor adverse** effect when out of leaf and **Negligible** effect is likely in the mid-long term. The nature of the surrounding boundary vegetation and its reinforcement is otherwise likely to result a **Negligible effect** on visual amenity in the short term for receptors along the northern part of the footpath.

6.21 For visual receptors comprised of local users of Public Footpath no. D18 and local residents or those visiting the Ridgeview Wine Estate along a semi rural lane, bordered by houses and garden boundaries to the south and vegetated field boundaries to the north, the magnitude of change is likely to be low when vegetation is out of leaf only, with a resulting **Negligible effect** anticipated when vegetation is both in and out of leaf.

6.22 Visual receptors comprised of pedestrians and to a lesser extent road users along Folders Lane, which is well used by vehicular traffic, with dense vegetation and mature oak trees enclosing the detached properties which extend along its length, the magnitude of change is likely to be low with a potential minor adverse effect in the short term when vegetation is out of leaf reducing to a **Negligible effect** in the mid-term further to the maturing of reinforcement planting, about the northern edge of the Site.

6.23 For future residents of the Jones Homes development named Folders Grove, along the main access along Stroudley Drive, at the point at which the proposed access into the Scheme would be gained, (*represented by Viewpoint No.11*) the introduction of the access road would be noticeable, primarily resulting from the gap which would result from the removal of vegetation to enable this, and the glimpses of built form within the Site beyond which would result. However, this is not considered to be out of keeping with the character of the view, with a **Negligible effect** anticipated.

7.0 LANDSCAPE DESIGN STRATEGY

Landscape Constraints

7.1 Landscape constraints and opportunities are identified to communicate the relevant aspects derived from the study and develop these alongside the supporting Lizard Landscape Design (LLD) produced Landscape Strategy (LLD1338-LAN-REP-00) and Landscape Masterplan (LLD1338-LAN-FIG-001).

7.2 The key landscape constraints identified for the Site are:

- *Tree belts with understorey along the northern, eastern and western boundaries as part of surrounding landscape structure and rural character to the edge of Burgess Hill, recognised through Tree Preservation Orders which extend along the western edge of the northern boundary and to the north eastern corner;*
- *Contribution of the semi-rural character of irregular shaped fields and tree lined boundary vegetation to experience of rural character and visual amenity experienced from Footpath 59BH, which runs south from Folders Lane to Fragbarrow Lane, with the main extent located along the western boundary of the Site.*

Landscape Opportunities

7.3 Landscape opportunities are defined both to respond to the constraints identified for the Site through either recommending approaches which avoid or reduce potential impacts from the Scheme, but also to define Site specific enhancement measures which will assist in achieving high quality design.

7.4 Primary mitigation is identified through reference to Britch & Associates Chartered Architects Drawing number: 3631/3.02. Following this, secondary mitigation is identified to respond to the subsequent residual impacts defined through the assessment within **Section 6.0**.

Primary Mitigation

- *Include adequate space for the retention of both the treeline and underlying scrub, along the boundaries as part of surrounding landscape structure and rural character to the edge of Burgess Hill;*
- *Site layout is both well set back from the root protection areas of surrounding trees and places the wooded shaw and hedgerow along the western boundary of the Site outside of private ownership with a wide buffer strip adjacent to reinforce green infrastructure and biodiversity;*
- *Medium density of housing establishes a sympathetic urban edge to Burgess Hill.*

Secondary Mitigation

- *Conserve, strengthen and manage existing hedgerow along the eastern edge of Public Footpath no. 59BH, through reinforcement with native hedgerow shrub and tree species, including a proportion of feathered trees planted at initial heights of up to 2.4m, which would grow to form an effective filter to break views of built form in the short term;*
- *Extending tree planting into the Site away from the Public Footpath to maintain succession, but not totally enclosing the footpath, with views out from it across the site;*
- *Maintain the wooded shaw and hedgerow along the western boundary of the Site outside of private ownership with a wide buffer strip adjacent, which is appropriately managed for biodiversity value;*
- *Maintain the treeline and underlying scrub along the eastern boundary of the site, which would be thinned and diversified with a mixture of native scrub including hazel and holly alongside of the existing blackthorn. A Detailed Planting Plan would define this for approval.*

- *Use of high quality materials considered distinctive to the location adjacent to the Area of Townscape Value along Folders Lane to the north west, including traditional facing bricks, tile hanging and weatherboarding, with some limited use of render. Roof detailing comprise of tiled roofs with barn hips and exposed rafter feet to provide variety and interest;*
- *Integrate built form into the well tree'd context through planting native tree species throughout the layout where appropriate and planting shrubs and hedges to enclose and delineate private space and front gardens through reference to the Landscape Masterplan (LLD1338-LAN-FIG-001);*
- *Reinforcement of boundary vegetation about the perimeter of 'Asbrook' with a continuation of the existing deciduous hedge about the property adjacent to both reinforce landscape structure and prevent loss of privacy; Planting of a mixed, native hedge incorporating a high percentage of evergreen species such as holly, with standard trees planted adjacent would provide an immediate sense of privacy further to the west of No.96a, alongside of the proposed 1.8m fence line adjacent to the boundary of Asbrook. The hedge and tree line would mature to provide a more complete sense of privacy in the short to mid - term which would additionally contribute to the sense of privacy for No.96a;*
- *The existing deciduous hedgeline adjacent to No.96a would be backed with a 1.8m high fence, inside of which a suitable species of deciduous tree could be specified to further filter perceived overlooking for No.96a from upper floor windows of the proposed units, some 27m distant.*
- *Regarding the buffer between the Site and Fragbarrow House to the south, an appropriate mix of vegetation would be specified as part of a detailed planting plan to ensure that the existing physical and visual vegetative buffer provided by mature trees and underlying scrub would be maintained and enhanced between Fragbarrow House and proposed units.*

8.0 SUMMARY AND CONCLUSIONS

Overall Landscape Sensitivity of the Site for residential development

- 8.1 The landscape capacity for residential development is considered in line with that recommended for the Site as part of SHLAA Site 534, within the LUC 2015 Study and for the Furzefield Low Weald Landscape Character Area (LCA 68), within the HDA 2007 Studies. These studies identify overall moderate sensitivity, with a resulting medium capacity to accept change.
- 8.2 The recommendations regarding the respective capacity of parts of the Site alone and in combination with that to the west provided within the LUC 2015 Study for SHLAA Site 534 are also considered to remain valid. In line with this (and through reference to **Appendix B**), the Site is considered to be suitable for a medium yield of development in keeping with the surrounding built form, as supported by the Draft Site Allocations Document (October 2019) for Land South of 96 Folders Lane, Burgess Hill (Site ID: 827).

Conclusions

Landscape Character

- 8.3 The overall landscape sensitivity is considered to be moderate with respect to the proposal. A medium magnitude of change is anticipated from the introduction of built form and road layouts to the field in previous agricultural use, limited by the prominent aspect of built form adjacent to the Site, particularly along the northern boundary, which provides a suburban edge character in this location. The change is subsequently likely to be more pronounced across the narrower southern part of the Site leading towards the Victorian built large property of Fragbarrow House, but this is limited through proposed density, which is lowest to the south, with development drawn back from edges.
- 8.4 Vegetation surrounding the Site is largely proposed for retention, with only a limited area proposed for removal along the western boundary to enable the access road into the Site from the adjacent consented development at: 'Land rear of 88 Folders Lane, Burgess Hill'.

8.5 It is considered that this is likely to represent a notable change to vegetation across a very limited area. There will be a further impact on the largely natural surface of Public Footpath No. 59Bh, which will subsequently be required to cross the metalled surface of the access road. However, within the context of an extended settlement it is not out of keeping for this Footpath to occasionally cross a metalled surface, for example Folders Lane, albeit that this crossing will be over a quiet cul-de-sac access road within a semi rural character. A low magnitude of change is considered likely to result to the surface of the footpath over a very limited extent.

8.6 The minor ridge along the eastern edge of the Site, beyond which land falls towards Ditchling Common to the east, defined with a tree line with dense understory, presents a natural feature aligned with landform which would effectively define the settlement boundary in this location. The Scheme includes adequate space for the retention of both the treeline and underlying scrub, which would be thinned and diversified with a mixture of native scrub including hazel and holly alongside of the existing blackthorn. A Detailed Planting Plan would define this for approval.

8.7 There is anticipated to be an overall **short term Moderate adverse effect** from the Scheme on local landscape character, which subject to the recommendations identified within **Section 7.4** is likely to reduce to a **mid to long term Minor adverse effect**.

South Downs National Park

8.8 Whilst of similar physical character as a field to those beyond the Site to the south east, albeit smaller in size, the field in this location is enclosed from the south west, clockwise to the north east by areas of residential character. This associates the field more with the suburban edge residential character of Burgess Hill, than as part of a buffer to the National Park. The fields to the south and east, both of which have subsequent intervening associations with more dispersed residential character do function to contribute to this buffer, which would not be compromised by this Scheme.

8.9 The contribution of the field pattern and tree lined boundary vegetation to the wider setting of the South Downs National Park, the boundary of which runs laterally some 200m to the south of the Site and longitudinally some 280m to the east is not considered to have interconnectivity, other than through the boundary vegetation which would substantively remain, with a resulting **Negligible effect** anticipated to the wider setting of the National Park.

Visual Amenity

- 8.10 For visual receptors comprising the local users of Public Footpath no. 59BH, which runs along the western edge of the Site, south from Folders Lane, (B2113) to Fragbarrow Lane and eastern edge of a wooded shaw, through a landscape of semi-rural character, there is likely to be a High / Medium magnitude of change on the pattern and composition of the view.
- 8.11 For receptors along the north of Public Footpath no. 59BH, this is likely to be noticeable in the view through boundary vegetation in winter (**Viewpoint No.04**) and in glimpses when vegetation is in leaf (**Viewpoint No.03**). For receptors within the central part of the PF, where there are currently unfiltered views across the Site (**Viewpoint No.05 and No.06**) there is likely to be a moderate magnitude of change, with built mass and rooflines dominating the view and fundamentally changing the composition across a limited area in the short term.
- 8.12 This is likely to result in a **short term Moderate adverse effect** for receptors within a limited area, awaiting the maturing of reinforcement planting along the western boundary at which point a **Minor adverse effect** when out of leaf and **Negligible effect** is likely in the mid-long term.
- 8.13 The nature of the surrounding boundary vegetation and its reinforcement is otherwise likely to result a **Negligible effect** on visual amenity in the short term for receptors along the northern part of the footpath and to the south along Fragbarrow Lane and for future residents of the Jones Homes development named Folders Grove to the west.