

APPENDIX 1: LANDSCAPE & VISUAL TECHNICAL NOTE

E21852 - SA12: Land south of 96 Folders Lane, Burgess Hill and SA13: Land south of Folders Lane and east of Keymer Road

for South of Folders Lane Action Group (SOFLAG) and Burgess Hill Town Council

TN 01: Technical note regarding landscape and visual matters

4th November 2021

Background

1. Mid Sussex District Council is currently preparing a Site Allocations Development Plan Document (DPD) that will identify sufficient housing sites to provide a five year housing land supply to 2031. The Site Allocations DPD will also allocate land for employment needs and provide an opportunity to safeguard land for community uses and green infrastructure.
2. The Site Allocations DPD has been submitted to the Secretary of State for Housing, Communities and Local Government, and is currently the subject of an independent public examination by a planning inspector.
3. The Landscape Partnership (TLP) has been instructed by the South of Folders Lane Action Group (SOFLAG) and Burgess Hill Town Council to undertake an independent high-level review of the likely landscape and visual effects of developing two sites identified within the Site Allocations DPD in response to document MSDC-20 (Inspector's Action Point AP-21). The two sites are located within fields to the south of Folders Lane on the southern edge of Burgess Hill and close to the northern boundary of the South Downs National Park; they are beyond the settlement boundary and so within countryside. The sites are referenced as:
 - SA12: Land to the south of 96 Folders Lane (for 40 dwellings); and
 - SA13: Land south of Folders Lane and east of Keymer Road (for 300 dwellings)
4. Specific consideration has been given to the findings of the hearing document *MSDC-20: Statement of Common Ground in relation to SA12: Land south of 96 Folders Lane and SA13: Land south of Folders Lane and East of Keymer Road - Relationship with the South Downs National Park, dated 12.10.2021*, as prepared by Mid Sussex District Council, South Downs National Park Authority, Thakeham Homes (the promoter of SA13), and Persimmon Homes (the promoter of SA13).
5. The Landscape Partnership has reviewed documents and plans relating to landscape and visual matters, as submitted in support of the allocation of the two sites. Reference has also been made to the following:
 - A landscape character assessment for Mid Sussex, 2005
 - South Downs Landscape Character Assessment (LCA), 2020
6. It should be noted that The Landscape Partnership has not undertaken its own Landscape and Visual Impact Assessment (LVIA), and that any comments are made following a site visit and on the basis of information provided within the submitted supporting documents, supplemented with some additional and localised desktop study.

7. The review was undertaken by Simon Neesam, a Technical Director of The Landscape Partnership. He viewed both sites during a site visit in late October 2021, on a clear but overcast day, from adjacent land, local rights of way, and public locations (e.g. areas with recreational access). It was noted that at this time of year, deciduous trees were in leaf, but that ephemeral vegetation such as grasses and herbaceous weeds in verges and field margins was beginning to retreat. As such, vegetation in the surrounding landscape presented a mid to late season scenario in terms of its screening properties. At other times of year, it can reasonably be assumed that the existing deciduous trees, hedges and other vegetation would be less effective in blocking or filtering views.
8. Simon Neesam is a Chartered Landscape Architect with over 25 years' experience. He holds a degree and a postgraduate diploma in Landscape Architecture and became a fully qualified Chartered Member of the Landscape Institute in 1994. Simon has a wide range of experience in landscape architecture and landscape planning, and has undertaken projects for private clients as well as national, regional, and local public sector bodies throughout the UK. He has carried out landscape assessments, visual impact assessments, and acted as expert witness for a variety of projects including major out-of-town retail facilities, highway schemes, renewable energy developments, landfill and mineral schemes, flood alleviations schemes, and new housing, often within sensitive landscapes or at potentially contentious locations.

Landscape context

9. The two sites are located within the parish of Burgess Hill, to the south of Folders Lane.

Site SA12: Land to the south of 96 Folders Lane

10. Site SA12 comprises a single, broadly triangular shaped field that appears to have been grazed in recent times.
11. The north-western corner of the site extends to Folders Lane and the remainder of the northern boundary abuts the rear gardens of three properties that front the lane. The gardens are relatively well vegetated.
12. To the west, the site is separated from an area of recent residential development (Stroudley Drive and Hoadley Avenue) by an established tree belt that provides a robust green edge to this portion of Burgess Hill.
13. A public footpath also follows the western boundary. The northern section of this route takes a course between hedges and so affords filtered views into the site area. The southern section, however, is open and offers close-distance unobstructed views into the site. The footpath provides access from the residential areas of Burgess Hill southward to Frag Barrow and the Ridgeview Wine Estate and then eastward to join Ditchling Common and a comprehensive network of public rights of way within the South Downs National Park
14. A line of mature hedgerow and trees defines the eastern boundary, beyond which is further countryside.
15. Despite its proximity to the town, the site has a rural character with few references to built form or urbanising features save glimpses of the upper portions of the properties on the northern boundary.

SA13: Land south of Folders Lane and east of Keymer Road

16. Site SA13 comprises a collection of small irregular shaped fields. The three northern-most fields abut the southern edge of properties fronting Folders Lane (and associated roads off), and the eastern edge

of gardens fronting Keymer Road. The fields are currently used for grazing and are defined by vegetated boundaries that incorporate lines of impressive mature oak trees.

17. The properties along the northern boundary of SA13 afford some influence on the character of this portion of SA13; however, this is partly mitigated by the presence of a native hedge along the garden boundaries.
18. The five fields that occupy the middle and southern portions of the site have a less managed appearance. Again, they are bound by established and well-treed hedges, but the land within has been subject to extensive encroachment of trees and shrubs over many years. Particularly noticeable is the predominance of self-set oak trees, many of which are of sufficient size to have a strong visual presence and give the area a well-vegetated cover and contained character.
19. Here, any reference to surrounding built form is limited to very occasional glimpses from the outer portions of the site.
20. The historic fields patterns within SA13 remain intact, despite pressures from relatively recent development expanding out from Burgess Hill. A watercourse, with associated ponds, crosses SA13 from south-west to north-east.

Landscape character

21. The importance of understanding the landscape character of all landscapes in England is recognised in the National Planning Policy Framework (NPPF) para 174, which states that planning policies and decisions should contribute to the natural environment by: *“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”*. Landscape character assessment is the process which can identify these intrinsic values and unique characteristics of the diverse landscapes in the UK.
22. Landscape character assessments enable landscapes to be described and understood by mapping natural, physical and cultural features in order to define different landscapes and demonstrate what makes them special. Landscape character types share similar characteristics, such as underlying geology, soil type, topography and landform, the pattern and type of land/field enclosure, historic land use, the pattern of settlements and types of building that these comprise, tree and woodland cover and the general visual experience of the area. Landscape character areas are specific geographic areas that exhibit a particular landscape character type.
23. It is important to note that landscape character assessments can be undertaken at a range of scales. It should also be noted that boundaries are only indicative of the change between areas and therefore when working at a site scale, especially close to boundaries between character types or character areas, users should carefully identify which landscape the land parcel belongs to, based on its characteristics. In addition, it is important to note that while drawn with a line on a map, areas close to boundaries often may be better thought of as an area of transition and may display some of the characteristics and sensitivities of both character areas.
24. Effects on landscape character can be both direct, i.e. on the character area/landscape type that the site is located within, and indirect, i.e. changes to characteristics or perceptions of character that occur beyond the boundary of a character area/landscape type. In addition, effects on landscape character may be positive or negative, i.e. strengthening and enhancing the characteristic patterns and features, or eroding and losing the patterns and features that contribute to landscape character.

25. Two Landscape Character Assessments are of particular relevance to the sites at Folders Lane. These are the district level *A Landscape Character Assessment for Mid Sussex*, and the *South Downs Landscape Character Assessment* of the National Park area.

A Landscape Character Assessment for Mid Sussex

26. A Landscape Character Assessment for Mid Sussex was prepared in 2005 to “*help protect and enhance the distinctive character of the District and to manage change*”. The introduction notes that “*It will provide the basis for guidance on landscape matters for planners, developers, landowners and communities. The Assessment also aims to raise awareness of the value of the diverse landscapes of the District and to assist communities to relate to a sense of place.*”
27. Both site SA12 and site SA13 fall within Landscape Character Area (LCA)4: Hickstead Low Weald, which extends around much of Burgess Hill. The key characteristics of Hickstead Low Weald are noted to include:
- *Alternating west-east trending low ridges with sandstone beds and clay vales carrying long, sinuous upper Adur streams.*
 - *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 including the A23 Trunk Road, 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 timberframing, weatherboarding, Horsham Stone roofing and varieties of local brick and tile-hanging.*
28. In terms of land cover:
- Much of the landscape has a secluded pastoral quality conferred by a mosaic of fields and woodlands, streamside trees, shaws, hedgerows and numerous mature hedgerow and field trees. This wooded effect is all the more surprising as there is a marked absence of woodland networks in general and ancient woodland in particular.*
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- The field pattern is a mix of formal enclosures and irregular informal fields enclosed by hedgerows and shaws, pastureland more common on the heavy clays, mixed arable and pasture in a more open landscape on the lighter, sandier soils.*
29. Forces for change are noted to include the “*Growing impact of development in the east of the area*” [i.e. the area around the sites].

30. Landscape and visual sensitivities include:
- *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.*
31. It is considered that both sites are representative of the character of the Hickstead Low Weald, that they make positive contributions to the distinctive character of the LCA, and that they are potentially subject to the same threats and sensitivities as the wider LCA.
32. **Development at either of the two sites would extend Burgess Hill into what is currently open agricultural land with a rural character. It would result in a wholesale change in landscape character from countryside to urban residential area.**
33. **There would be a loss of features that are noted as characteristic of the landscape, including the “...pastoral rural landscape, a mosaic of small and larger fields, scattered woodlands, shaws and hedgerows with hedgerow trees” and (particularly at SA13) “Biodiversity in woodland, meadowland, ponds and wetland”; all of which are highlighted as landscape and visual sensitivities.**
34. **Development would have adverse effects on the appreciation and intactness of the historic field patterns; the setting and enjoyment of the mature oak trees that divide the northern fields; and the regenerating woodland in the middle and southern parts of the site, including the establishing young oak trees.**
35. **There would also be adverse effects on the sense of tranquillity and the maintenance of dark skies, particularly as appreciated from points to the south.**

South Downs Landscape Character Assessment (LCA) 2020

36. There are 14 National Parks in the UK (plus the Norfolk and Suffolk Broads); designated to protect some of the most important landscapes. Since 1997, each park has been managed by its own national park authority.
37. The Environment Act 1995 defines the role of National Parks as being:
- to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park, and
 - to promote opportunities for the understanding and enjoyment of the special qualities of the National Parks by the public.
38. Para 176 of the National Planning Policy Framework (2021) notes that [TLP emphasis]:
- Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.*
39. The South Downs National Park (SDNP) is the newest of the National Parks, having been designated in March 2010. It covers an area of 1,630 sq km, extending along the south coast from Winchester to

Eastbourne. In doing so, it encompasses the chalk hills of the South Downs and the heavily wooded sandstone and clay hills and vales of the Western Weald.

40. The South Downs Landscape Character Assessment was published by the South Downs National Park Authority in October 2020 as an update of the Integrated Landscape Character Assessment for the South Downs National Park, which was first written in 2005 (before the National Park had been confirmed).
41. The portion of the SDNP to the south and east of SA12 and SA13 falls within Landscape Character Area (LCA) J2: Adur to Ouse Scarp Foothills, which *“form a wide band of lowland at the foot of the northern scarp of the Adur to Ouse Downs Scarp, between Upper Beeding and Lewes”*. The assessment notes that to the north, the character area *“forms a gradual transition to the landscape of the Low Weald”* i.e. the landscape in which the SA12 and SA13 are located.
42. The assessment includes a set of key characteristics that typify LCA J2. Many of these features are present within the portion of the SDNP close to the sites, and extend across the designation boundary so as to be present at site SA12 and particularly at site SA13. These include:
 - *Complex geology comprising bands of chalk, mudstones and sandstones giving rise to a locally undulating lowland landscape at the foot of the northern scarp of the Adur to Ouse Downs Scarp.*
 - *Small irregular fields of pasture on the less productive clay soils, which originated as woodland assarts, represent a largely intact late medieval landscape.*
 - *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.*
 - *Streams, arising from springs at the foot of the chalk flow northwards in narrow, hidden stream valleys, some enshrouded in woodland. Field ponds, mill ponds and designed water bodies are common features of the clay.*
 - *A consistent palette of building materials (a mixture of flint, brick, rendering and half timber, with clay tile roofs) provides unity across the area.*
 - *Visually dominated by the steep chalk scarp to the south, which forms a backdrop to views. Impressive panoramic views from adjacent scarp and downs reveal a pleasingly balanced woodland and farmland mosaic.*
43. Key issues and trends for the Scarp Foothills Landscape Type are noted to include the *“Spread and urbanisation of settlements outside the National Park boundary but adjoining the Scarp Foothills, introducing overt human features and light pollution into the landscape.”* Such settlements could include Burgess Hill, which would expand in the direction of the SDNP were the two sites developed, with the consequential impacts noted such as the introduction of urbanising features and adverse effects on dark skies.
44. **As the sites are located within the tract of land between the SDNP and the settlement edge of Burgess Hill, they can be considered to form part of the buffer that safeguards the setting of the National Park. Further, the sites themselves display many of the key characteristics that are typical of the SDNP, they contribute to the land that *“forms a gradual transition [from the National Park] to the landscape of the Low Weald”* and are subject to the same identified sensitivities.**
45. **Since development of the two sites would result in a wholesale adverse change to landscape character within the buffer, and a loss of typical features, it follows that allocation of SA12 and SA13**

would result in direct adverse effects on the setting of the South Downs National Park, and therefore be contrary to the aims of para 176 of the NPPF, which requires that development within the setting of National Parks be sensitively located and designed to avoid or minimise adverse impacts.

Views

46. As is a noted characteristic of the landscape to the south of Burgess Hill, the sites are relatively well contained and secluded, and views into the site areas are limited.

Site SA12

47. Views of development at site SA12 would be available from the following points:
- Folders Lane, where the removal of mature trees and vegetation (that currently contribute to the green streetscape) is likely to be required to accommodate the site entrance.
 - Public footpath on western boundary, where close-proximity and unobstructed views would be available from the open southern section of the path. The footpath currently has a rural aspect, and such views would be experienced by users of the route accessing Ditchling Common and the network of public rights of way within the National Park from residential areas in Burgess Hill.

Site SA13

48. Views of development at the site would be available from the following points:
- Broadlands, where the new entrance would likely require highway upgrades and introduce signage, etc., so urbanising the character of the view.
 - Keymer Road, where the proposed entrance would require (at least) resurfacing and signage.
 - Folders Lane and associated roads, where glimpses of new dwellings are likely between existing properties.

Opportunities and Constraints Plan

49. As part of the preparation of the Statement of Common Ground in relation to SA12 and SA13, it was agreed that an Opportunities and Constraints Plan should be prepared to *“set out the particular sensitivities of the site and how it changes across the site towards the SDNP”*. NB: Reference is only made to site SA13, and no similar plan is provided for SA12.
50. The following comments are made regarding the Opportunities and Constraints Plan submitted with the Statement of Common Ground.
- The plan does not provide information as to the sensitivity of features within the site nor the sensitivity or capacity of different parts of the site to accommodate residential development.
 - The plan does not acknowledge the setting of the SDNP nor the role and contribution that SA13 makes to the character of this setting.
 - The plan does not identify where, within the various parts of the site, development is proposed.
 - It is not clear which vegetation would be retained or removed, e.g. the regenerating oak.

- No indication is given as to what buffers or offsets would be provided to existing retained vegetation, e.g. the mature lines of oak, in order to ensure their setting, appreciation and long-term viability is not compromised.
- The plan does not reflect the intactness of the historic field patterns.
- The plan does not illustrate the likely route of access, service or drainage arrangements within the site, and the consequential effects these routes would have on the features of the site.

Conclusion

51. Having reviewed the documentation supporting the allocation of site SA13, and undertaken a site visit, The Landscape Partnership concurs with the judgement made by the South Downs National Park Authority in the Statement of Common Ground, who:

remain concerned by a proposed yield of 300 units for site SA13. SDNPA do not consider sufficient evidence has been provided to demonstrate that the quantum of 300 can be accommodated while addressing landscape matters raised reflecting paragraph 176 of the NPPF, which requires development within the setting of the National Park should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

52. Similarly, The Landscape Partnership considers that it would not be possible to develop site SA12 without loss of land and features that contribute to the buffer between the National Park and Burgess Hill, nor without compromising the visual amenity of users of the public footpath that provides access between Burgess Hill and Ditchling Common and the South Downs National Park.