

Planning Inspectorate Ref: 6002030

Mid Sussex District Council Ref: DM/23/2866

Land East of Ansty, Cuckfield Bypass

Landscape and Visual Proof of Evidence
Volume 3: Summary

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on behalf of

Fairfax Acquisitions Limited and The Norris Family

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- Appendix LP2: ZTV mapping for development parcels
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- Appendix LP4: Mid Sussex representation to extend AONB boundary
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Summary (This Volume)

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Section 1: Introduction

Introduction of the Witness

- 1.1 I am Clare Brockhurst, Director of Leyton Place Limited. I have had a career in landscape architecture and landscape planning spanning more than 35 years. Within my technical area of expertise, I specialise in landscape and visual planning matters and the design of strategic Green Infrastructure (GI).
- 1.2 I completed and passed my professional practice examinations and became a Chartered Member of the Landscape Institute (CMLI) in 1997. In 2007, I was invited to apply for, and was awarded, Fellowship of the LI (FLI) in recognition of my contribution to the profession in the field of landscape planning.
- 1.3 My qualifications and relevant experience are set out in Volume 1 of my evidence:
- 1.4 My evidence will be structured as follows:

Volume 1: Text

- Section 1: Introduction
- Section 2: Scope of my evidence relating to the Council's decisions.
- Section 3: Context and general observations
- Section 4: Character, appearance, and design response
- Section 5: The National Landscape and its setting
- Section 6: Analysis of the propositions
- Section 7: Summary and conclusions

Volume 2: Plans and Appendices

- 1.5 The evidence I have prepared represents my informed professional opinion on the objective and subjective aspects of the development for the Appeal Site and the local planning authority's reasons for refusal so far as they relate to the landscape and visual effects of the Appeal proposals. Based on my knowledge, I believe the facts stated in this evidence are true and accurate and I have complied with my professional Code of Conduct.

Key Matters

- 1.6 Within my evidence I examine four propositions, namely:

Proposition 1: Settlement is not distinctive of the area; the character of the area is currently rural.

Proposition 2: Perceived coalescence arising from intervisibility of the appeal proposals and Cuckfield, and the extent to which this is a harmful consequence of the proposals.

Proposition 3: The development would harm the setting of the High Weald National Landscape.

Proposition 4: That the proposals for the development would result in an urbanising incursion into the rural landscape.

- 1.7 Following consideration of these matters I conclude that settlement is a distinctive element of the area. Furthermore, the council is seeking to provide more housing in the district to meet its housing requirement.
- 1.8 The Appeal Site not located in the Cuckfield/Haywards Heath gap.
- 1.9 There will be no physical coalescence between Ansty and Cuckfield. There will be some intervisibility from limited and localised locations on the southern edge of Cuckfield and a small part of the school site and village centre of the proposed new community. However, this will not result in visual or perceptual coalescence of Ansty and Cuckfield.
- 1.10 The proposals will not affect the core character components for which the HWNL is valued and designated. Whilst development is located in the setting, harm does not result. The case officer made clear that impacts on the setting of the HWNL did not represent a strong reason to refuse the application.
- 1.11 I accept that the Appeal Site will become urban, a situation which arises from all greenfield development, and one that the Council has accepted elsewhere in bring forward the Local Plan. The extent to which urbanisation occurs is geographically limited by the landform and vegetation. As demonstrated by my Appendix LP3, the proposals have been landscape led.

Overall conclusions

- 1.12 Importantly, the Council's officer recommended that the appeal proposals be granted consent following a detailed consideration of the issues, a position reaffirmed in the updated committee report.
- 1.13 In reaching this judgement the officer did not rely on the conclusions of the LVIA, the planning balance was made assuming greater landscape effects than reported by Fabrik (**CD 3.2**):

Officers consider that there will be significant adverse residual effects on landscape. As discussed earlier in this report, Officers consider that there are errors and omissions in the approach to the LVIA assessment, which means that the effect on the landscape and its function are underestimated. The magnitude of effects are likely to be greater than concluded by the ES in this regard. (Para 12.371)

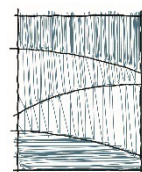
Officers agree with the overall conclusions of the ES, apart from with regard to landscape and visual effects which Officers believe are underestimated within the ES. (Para 12.375)

- 1.14 Mr Brown gives evidence on the planning balance, from my perspective the Council's officer did assume greater adverse effects, some impact to the HWNL and perceived coalescence and still did not find that the harms (including landscape) would significantly and demonstrably outweigh the benefits of the proposals.
- 1.15 Furthermore, the Council has previously considered the Appeal Site as a suitable location for housing, taking account of the constraints such as the HWNL.

- 1.16 In respect of the natural environment, as a point of fact, the Appeal Site is not subject to specific polices listed in the NPPF, §11, footnote 7, including:
- SSSI;
 - Habitat Sites;
 - Area of Outstanding Natural Beauty;
 - National Park;
 - Heritage Coast;
 - Irreplaceable habitats;
 - Areas at risk of flooding or coastal change; and
 - Designated heritage assets.
- 1.17 In respect of NPPF §187b) the landscape character of the area has been recognised in the development of the proposals. The Appeal Site is not a valued landscape (NPPF 187 a), this paragraph was not referenced in the Committee Report (CD 3.1 and 3.2), and the officer made no claim that the landscape qualifies as being a 'Valued Landscape'.
- 1.18 The locational benefits of the Appeal Site can be summarised as:
- Located adjacent to the settlement edge, utilising the existing infrastructure;
 - Out with any national statutorily designated landscape;
 - Not within or near other designated landscapes, such as Ancient Woodland or Registered Historic Parks and Gardens;
 - Not within a Conservation Area, no objection is made by the Council in this regard;
 - Not within an NPPF 'valued landscape;'
- 1.19 I consider that the Appeal Site is:
- Physically, visually, and perceptually associated with the settlement character in this part of the district.
 - Capable of being designed in a manner which reflects the townscape and landscape context.
 - Capable of accommodating housing within an area of extensive and varied multifunctional green space.
- 1.20 The landscape has been subject to independent professional scrutiny over a number of years for the Council. With that scrutiny being undertaken in a 'neutral' planning environment . This analysis has been adopted and relied upon by HBC and its advisors in formulating the emerging Local Plan and making planning decisions.
- 1.21 In light of this analysis MSDC has:
- Previous conferred a draft allocation on the site for strategic development; and
 - Through its officers, recommended that the appeal proposals be granted planning permission
- 1.22 Regardless of the appellant's analysis, including my evidence, the Council's evidence base and scrutiny of the appeal proposals is clear and persuasive in its own right.

Landscape character and appearance.

- 1.23 The appeal proposals will result in some, localised and long-term significant adverse effects. These are contained to the Appeal Site and its immediate setting.
- 1.24 Alongside the adverse effects the proposals increase GI Functionality in respect of:
- Climate change adaptation
 - Water management
 - Food Production
 - Biodiversity enhancement
 - Recreation and health
 - Building stronger communities
- 1.25 The weighting of harm should be properly calibrated, as placing the harm at the highest part of the spectrum of effects (i.e. substantial) means that a larger scale of change, across a greater area, impacting on a more sensitive site cannot give rise to any greater effect. Contextually this cannot be the correct outcome of the assessment process.



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