

SUE SUTHERLAND LANDSCAPE ARCHITECTS

LANDSCAPE AND VISUAL IMPACT APPRAISAL
OF
PROPOSED 2 NEW DWELLINGS AT LODGE GREEN,
WHITELEY

FOR
WHITELEY DEVELOPMENTS LTD

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CONTENTS

1. INTRODUCTION
 2. DESCRIPTION OF THE SITE
 3. LANDSCAPE CHARACTER
 - Issues and Comments
 4. THE PROPOSAL
 5. LANDSCAPE PLANNING CONTEXT
 6. SITE HISTORY AND ISSUES
 - Settlement Gap
 - Settlement Boundary
 - Landscape Character
 - Community Involvement
 - Landscape Proposals
 7. IMPACT ON VISUAL AMENITY
 8. CONCLUSIONS
- Appendix A Methodology

FIGURES

1. SITE CONTEXT
2. SUGGESTED AMENDMENTS TO GAP AND SETTLEMENT BOUNDARY
3. AERIAL VIEW of SITE AND ZONE OF VISUAL INTEREST
4. COMPARISON AERIAL PHOTOS FROM 1999 AND 2019
5. PHOTOS OF THE SITE OVER TIME
6. CS.647.01 G PLANTING PLAN
7. CS.647.02B CROSS SECTION A-A

1.0 INTRODUCTION

- 1.1 This report is a Landscape and Visual Impact Appraisal (LVIA) of the proposal to build 2 new dwellings on land situated adjacent to Lodge Green, off Whiteley Lane, Whiteley. An original (LVIA) was prepared in 2015 to support and application for 1 dwelling on the same site. It was refused permission in 2016 and the subsequent Appeal was also dismissed in January 2017. A new application was made in response to an approach by the neighbouring properties who wish to see a resolution to the development of the site. This application was accompanied by the same LVIA as produced in 2015 but with an additional addendum which described the changes made to the scheme as a result of comments made at the previous application and appeal.
- 1.2 This new LVIA is a standalone document which first of all identifies the boundaries of the study area in line with guidance from GLVIA 3rd edition in order to describe and evaluate the character and appearance of the area in question. This information is then used to make a judgement on the effects the proposal would have on the character and appearance of the study area.
- 1.3 It has been prepared by Sue Sutherland Landscape Architects (SSLA) who are Chartered Members of the Landscape Institute and a Registered Practice. It considers the potential effects of the proposed new dwellings on:-
- Landscape character and appearance
 - Visual amenity
- 1.4 The main objectives of the LVIA are:-
- To identify, evaluate and describe the current Landscape Character of the study area and any existing important features
 - To determine the sensitivity of the landscape to the type of development proposed

- To identify potential visual receptors (i.e. people who would be able to see the development) and evaluate their sensitivity to the changes proposed
 - To identify and describe any effects of the development on either landscape character or views of it and to evaluate the magnitude of change due to these impacts.
 - To suggest mitigation proposals and then to re-assess any residual impact on either landscape character or visual amenity.
- 1.5 The site has a long history of earlier planning applications dating back to 1990 of which the latest two, both by the current owners are of relevance having both been refused permission and dismissed on Appeal. However, it is important to note that both of the Appeal Inspectors in 2016 and 2021 confirmed that the site **was not in conflict with Settlement Gap Policy CP18**. Furthermore, the Inspectors also awarded Partial Costs against the Council on this point on both occasions.
- 1.6 Although the Appeal was dismissed, the Inspector’s Decision was inconclusive. On the principal planning issue of the Settlement Boundary he “recommended” that this should be examined at the forthcoming Review of the Local Plan. However, the land owners are seeking to re-submit the planning application.
- 1.7 The only other planning issue is the Inspector’s decision that the development was out of character. This is disputed as the Inspector’s judgement was not clear cut and not justified by the evidence.
- 1.8 The methodology I have used to assess character and effects is in line with the Guidelines for Landscape and Visual Impact Assessment (Third edition) (GLVIA) prepared by the Institute of Environmental Assessment and the Landscape Institute, and can be found in the Appendix to this report. The Council’s Landscape witness, at the application stage does not refer to any methodology and his consultation on the effects amounts to 7 paragraphs of unsubstantiated comments.

2.0 DESCRIPTION OF THE SITE AND ITS CONTEXT

- 2.1 The site lies on the eastern side of Whiteley Lane, which, comprises of 0.79 hectares of land, which rises steeply from the Lane to the fence line and is broadly level thereafter. Access to the site is from Whiteley Lane, a newly resurfaced, narrow, private cul-de-sac serving 11 large, detached houses, which predominantly lie to the west of the road, with one property Lodge Green, on the eastern side.
- 2.2 Topographically, the site occupies relatively high ground and slopes down toward the northwest, from 44.5metres AOD in the southeast corner adjacent to Lodge Green and number 11 Skylark Meadows down to 37 metres in the north east corner adjacent to Whiteley Lane and Hazel Coppice. Thus the lane lies between 6-10 metres below the height of the ridge line.
- 2.3 The site currently consists of rough grass and trees, which are primarily located around the perimeter of the site. There are over 60 trees, all of which are protected by a Tree Preservation Order. (TPO) They are predominantly situated along the northern, eastern and western boundaries. These trees have all been surveyed and categorised, details of which are in the arboricultural report, produced by John Parrington in June 2023, which accompanies this application. They are principally Oak with a few Silver Birch on the northern boundary and some Ash and Sycamore along the western boundary to Whiteley Lane.
- 2.4 The Council has served a new Tree Preservation Order 15 December 2021. This does not affect the site directly. It is on the SSSI land that adjoins the northern border of the site (Appendix – TPO No 2305). The TPO comprises a 30-metre strip along the border of the site and to the rear of properties in Skylark Meadow. The southern boundary of the TPO would make a logical settlement boundary to replace Whiteley Lane.
- 2.5 The site has residential development adjoining it to the west, east and south, with Hazel Coppice, a small rectangular shaped area of ecologically important woodland, part of a much larger designated Site of Special Scientific Importance (SSSI), lying immediately to the north.). A two-metre-high fence

has been erected behind the woodland across the width of the site (see Photographs). The land rises appreciably from the Lane and the open area beyond the fence cannot be seen from the Lane. The Council has accepted that the fence did not require planning permission. A planting scheme has been proposed to replace the fence if planning permission was granted.

- 2.6 Three residential properties on Whiteley Lane face the site's western boundary, Chapters, Whiteley Bungalow and Whispers. These properties are all 2 storey, detached houses and of recent construction, with the exception of Whiteley Bungalow, one of only 4 original buildings situated on Whiteley Lane. Lodge Green, an adjacent residential property, is situated adjacent to the site's southern boundary. This too was one of the original 4 dwellings on Whiteley Lane but has been extensively enlarged, with both single storey and two storey extensions, both of which occupy land between the original house and this site, taking property very close to the site's boundary.
- 2.7 Skylark Meadows, a development of 30, very large houses arranged around a central area of open space, lies to the east and south of the site. Two of these properties immediately adjoin the site's eastern boundary, numbers 11 and 15. Permission for the original dwelling, number 11, was achieved in 2003 as part of the original scheme as "enabling development", but the property has since been substantially increased in size, such that it is now approximately 3 times its original size. The boundary between the two properties is marked by a 2m high close boarded fence, with an intermittent native hedgerow and trees. As all the properties within Skylark Meadows have been enlarged to their maximum width, there are no views through or between the houses to this site.
- 2.8 The site lies on the southeastern edge of Whiteley within Winchester District. Topographically the site is **located within the valley of the River Hamble**, which is separated from the Meon Valley by a ridge of high land, reaching over 45 metres AOD. The development of Skylark Meadows, to the south east of the site, occupies the centre of the ridge with 19 dwellings lying to the north of the ridge in the Hamble valley and 11 dwellings to the south of the ridge with the

Meon Valley.(See Fig 2) The two limbs of the Estate are separated by a narrow section of the golf course.

- 2.9 To the north of the site, is a significant area of woodland, much of it, Ancient Semi Natural Woodland of ecological importance, which wraps around the eastern boundary of Whiteley, containing it physically and visually. Hazel Coppice, a small rectangular shaped piece of woodland, situated immediately adjacent to the north of the site, extends this woodland, westwards to Whiteley Lane. There is an area of mature woodland on the Lane frontage with a depth of approximately 25 metres. The mature woodland extends along the northern boundary that adjoins the Site of Special Scientific Interest. All of the trees on site are covered by a Tree Preservation Order. The owners have reached agreement with Natural England to provide a 15 metre buffer to the SSSI if the housing development were permitted. They have also agreed to replace the close boarded boundary fence to the SSSI with a stock proof fence as requested by Natural England.
- 2.10 Whiteley Lane, a narrow, tarmac, cul-de-sac with no designated passing places, changes character northwards beyond Hazel Coppice, where it changes from a vehicular road to a footpath. This continues for a considerable distance, through the Whiteley housing development providing a segregated pedestrian and cycle path to the District Centre. The Solent Business Park, which is mainly located to the west of Whiteley Lane, continues across Whiteley Lane to the north of Hazel Coppice, stretching eastwards to the woodland edge of Lee Ground Coppice. (See Fig 2) The northern end of the Lane is blocked by a gate that only facilitates access to the wider area of Whiteley for pedestrians and cyclists. This means that Whiteley Lane is a cul-de-sac with just eleven detached properties along it . The density is low and most of the houses are set back behind mature trees.
- 2.11 In order to identify the character of the site, one needs to determine the study area and the Zone of Visual Influence ZVI, of the site – the area of land surrounding the site which affects the character of the site and which would be affected by anything which happens on the site. (See Fig 2)

GLVIA states in para 5.2 “ *The study area should include the site itself and **the full extent of the wider landscape around it which the proposed development may influence in a significant manner.** This will usually be based on the extent of Landscape Character Area likely to be significantly affected either directly or indirectly. However, it may also be based on the extent of the area from which the development is potentially visible defined as a zone of theoretical visibility or a combination of the two”*

- 2.12 I feel that the Whiteley Woodland Landscape Character Area as defined by WCC in 2004 is too large to be used to define the study area for this site. The site is very enclosed visually, which limits the size of the study area to those parts which impinge on and have a direct affect on the character of this site. Figure 2 is an aerial photo of the site in its context which defines the Zone of Visual Influence (ZVI) of the site and thus the ‘Study Area’.
- 2.13 Large detached properties face eastwards onto Whiteley Lane. These have been in existence for over 25 years now but have all been extended in size, creating quite a dense built up edge to the west of the site. Lodge Green, originally 2 small pre-fabs,built in 1919 has been almost doubled in size by extensions, which have all taken place between the original bungalow and the site boundary,- now bringing the boundary of the dwelling very close to the site boundary.
- 2.14 To the south and east of Lodge Green, 30 dwellings at Skylark Meadows have been built around a golf course. These properties built since the Landscape Character Area Assessment was carried out in 2004, extend development from Whiteley Lane up to and over the ridge into the Meon Valley. The houses were all a similar size to those along Whiteley Lane when built, but have subsequently been massively extended, in some cases doubling and trebling the original property size. They back onto Lodge Green; the site and onto Hazel Coppice further to the east. There are two lines of dwellings to the rear of the site. This means that there are no views of the site from Skylark Meadows
- 2.15 To the north of the site, Hazel Coppice acts as a buffer between Skylark Meadows and several very large employment businesses which occupy locations to the east of Whiteley Lane, abutting Hazel Coppice and Lee Ground Coppice, both SSSI’s. This buffer is re-inforced by the new TPO 2305.

- 2.16 Whilst the site consists of an open grass area surrounded to the north, east and west by trees, its character is not rural. It is influenced by the surrounding built development, which now separates it from the open countryside further to the east, beyond Skylark Meadows. It is neither woodland nor countryside, lying on the urban fringe of a major settlement. It is a piece of left-over land which currently has no use and little value, especially as the fence that has been erected along the site frontage to Whiteley Lane has severely restricted views in.
- 2.17 The planning history of this site has in the past caused concern for its residents who through negotiations with the client now have decided not to object to this proposal, as a means of determining for good the future of the site, in a form which they find visually and physically acceptable. There are eleven dwellings in the Lane of these households four supported the development; six decided not to object and just one objected to the development. This consultation is fully documented in the Planning Statement by my colleague Mr Bryan Jezeph.
- 2.18 The appeal site is a left-over piece of land that has been isolated by a development of 30 houses. Thus, the only piece of so-called countryside in the vicinity is the appeal site. It's small size and relative remoteness from the nearest undeveloped land means that it has been impossible to find a use that the Council has found acceptable.

LANDSCAPE CHARACTER

- 3.1 In terms of the Landscape Character Assessment (**LCA**) produced by Winchester City Council in 2004, this site lies on the western edge of **Whiteley Woodlands Landscape Character Area** as shown on Figure 1. This is a very large area stretching from just north of Titchfield Park, south of the M27, northwards to just south of Curdridge and from the eastern edge of Whiteley and Swanick, across to Knowle Village and Wickham in the east. Although as the name suggests it consists largely of woodland, it also contains, "*meadows, paddocks, nurseries and smallholdings with a large landfill site at Funtley and many areas of small industrial uses.*"

3.2 Not mentioned in the written description of the Character Area, it now also contains quite a lot of new housing, which has largely been built since the **LCA** was produced. In particular, the new development at Skylark Meadows and the adjacent re-developed Lee Ground. These are all areas of large detached dwellings in large gardens, which have changed the overall character of the area.

3.3 The **LCA** describes the character as predominantly woodland interspersed with typical urban fringe uses "*The topography of the area is gently undulating forming localised ridges and hills..... Generally, however this is an enclosed landscape with only short views as woodland or intact hedgerows bound fields.*

Until the 1980,s when development at Whiteley started this was a remote, inaccessible area dominated by woodland.. However there has been increasing amount of development in the south of the character area during the second half of the twentieth century....."

Whiteley now is a major growth area and supports a large population and arrange of housing shops leisure facilities and employment. It is in effect a large town now and urban in character. A major growth area has been extended to Curbridge and large new housing estates are under construction.

3.4 Under **Landscape Strategies** in the **LCA** are the following relevant items

- *Conserve and restore the structure and condition of the woodland through appropriate management..... thinning coppicing replanting...and removal of invasive species.*

3.5 Relevant **Built Strategies**:-

- *Enhance the local urban edge by planting locally indigenous hedgerows,*
- *Integrate new buildings into the **well treed rural setting** through careful siting and appropriate use of indigenous tree and hedge planting*

- respect the **small scale** nature of existing dwellings in the countryside!

3.6 A more recent Landscape Character Assessment was carried out in 2012 by Hampshire County Council, which places this site within the **Forest of Bere West LCA** and consisting of **Lowland Mosaic Medium Scale Woodland** Landscape type.

3.7 Of the listed Key Characteristics are:-

- low lying landscape with shallow undulations predominantly facing southwards.
- locally popular accessible woodland.
- permanent pasture, plantations and small holdings with secluded heavily wooded, often ancient origin, but replanted away from major towns.
- Strongly associated with the Royal Forest of Bere, a hunting reserve that retains wooded and to a lesser extent open common, assart field and hedgerow patterns.
- Extensive C.20th development including urban expansion and infilling of common edge settlements.
- Rich biodiversity including woodland, heathland and wetland sites.

3.8 The Assessment sums up the **Experiential/Perceptual characteristics** as:-

“this landscape is full of contrasts. The well wooded core Forest of Bere is intimate, remote and secluded but its peripheral landscapes have more development and urbanising influences. These are greatest in the western and southern parts of the character area e.g. M27 and feeder road network, edge of town development, high voltage power lines and horse paddocks”

3.9 The local area within which the site is located is very much in character with the broad characteristics of the LCA, but Whiteley Town, which immediately abuts the site, is now a settlement identified for growth and this has changed the character to urban, within a well treed framework. The scale of development at Whiteley is such that there is inevitably a transition area between the urban

edge and countryside, which is not recognised in the local plan. This site lies within this urban fringe where the character is neither urban or rural. An area of large detached dwellings all of a similar age with pockets of woodland. It is quite different from the real rural countryside beyond Skylark Meadows and Lee Ground.

3.10 ISSUES AND COMMENTS

(i) The Landscape Character Assessment is now well out of date, 17 years have passed with major physical and perceptual changes taking place in the vicinity of the site, namely:-

- Skylark Meadows development of 30 very large, detached houses having been developed between the site and the open countryside.
- Major employment development has taken place to the north of the site and to the east of Whiteley Lane
- The character of Whiteley Lane has changed by re-surfacing of the road; by extensions to all houses fronting the road and by the urbanisation of the front gardens to Whiteley Lane
- A 2 metre fence has been erected over 20 metres into the site, behind the existing trees along the frontage, limiting views in to the treed edge only.
- Trees have been felled within the central part of the site on two occasions in 1999 and 2006 as was witnessed by Mr Sturgess who has lived opposite the site since 1996 and wrote to the council in 2015 confirming **“a systematic felling an removal of protected trees from what was valuable woodland forming part of Hazel Coppice”**. These trees had permission from WCC to be cut down.

This fact is contrary to a statement by Stuart Dunbar Dempsey in his comments of 27/3/2019, *“ From Whiteley Lane the openness of the site is quite striking as it appears as an isolated finger of undeveloped wooded countryside which has endured and survived intact...”* Quite clearly the site has not survived intact and is no longer a piece of wooded countryside

(ii) Whiteley Lane is and has been the settlement boundary for Whiteley for many years, but the above changes make its value as a settlement boundary questionable. It is also the boundary of the Settlement Gap, but the inspector's comments on previous appeals on this site have made this a nonsense. The existing Settlement Gap contains land within the valley of the River Hamble, which if developed would have no effect on the coalescence of settlements, contrary to advice on Settlement Gap boundaries. I have produced a revised suggested boundary for the settlement gap and settlement boundary which is more appropriate. See Fig 2

(iii) The landscape character of any site is determined by the character of its immediate surroundings. It does not and cannot exist in isolation. It is accepted by all parties that the site is contained on 3 sides by residential development which has become more urban in character since 2004. It is also accepted that the site does not adjoin open countryside, which now lies some distance away beyond the ridge between the Hamble and Meon Valleys. The question is to what extent these facts have on the character of the study area?. Mr Dunbar Dempsey the Council's Landscape Architect, whilst accepting the changing character and extent of recent built development surrounding the site, still contends that the character is rural. **I do not agree; the character is determined by its immediate surroundings, which are not rural.**(Fig 2&3)

(iv) The existence of a piece of woodland on the site's northern boundary does not make the land adjoining it rural. Neither does the fact that there are trees on the site make it rural. It is merely a piece of land contained by urban development on three sides. At best, it is urban or rural fringe. Figure 4 shows the site in 1999 compared with 2019 and the difference in its surroundings is striking. In 1999 Lodge Green was half the size it is today as are all the properties in Skylark Meadow. One could have argued back in 1999 that Whiteley Lane was the edge of the urban area, but this is no longer the case. The density of development and character of land use to the south and west of the site is now very similar to that lying to the east of Whiteley Lane. Very noticeable is the vast reduction in green land within the area now, compared to 1999. The quantity of hard surfacing within Skylark Meadows together with the size of properties has totally changed the character.

(v) Then one comes to the crux of the matter the value of the land. Here one needs to consider the value in its fullest sense. GVLIA has much to say on this matter at 5.19

“Value can apply to areas of landscape as a whole, or to individual elements, features aesthetic or perceptual dimensions, which contribute to the character of the landscape”

“GVLIA goes on In Box 5.1 Page 84 to describe the factors which can help to identify valued landscapes

Landscape Quality—	intactness and condition of individual elements
Scenic Quality (perceptual)	Landscapes which appeal to the senses (Visual and perceptual)
Rarity	presence of rare features
Representativeness	whether the landscape contains particular features
Conservation interests	ecological value
Recreational value	recreational activity where landscape is important
Perceptual aspects	e.g. wildness or tranquillity
Associations	landscapes associated with particular writers poets and artists

GLVIA defines **Landscape Quality as “A Measure of the physical state of the landscape” including the extent to which typical character is represented in individual areas, the intactness of the landscape and the condition of individual elements.**

The individual elements of value are the trees which are all to be retained as part of this development and are not under threat. The pasture has been lost and the site has no function at present, it is not grazing land.

(vi) Moving on to Intactness. This is defined as

- not damaged or impaired in any way

- complete and in its original state (Cambridge Dictionary)
- Untouched, unimpaired, entire (Oxford Dictionary)

Clearly the site is not in its original form, all the ground cover vegetation except in the 15 metre protection zone along the northern boundary, has been removed at some stage and the canopy of the trees appears to have been lifted. Many trees have been felled as noted by Mr Sturgess in 2015 and as noted in the Committee Report. page 2

“There are a number of large trees within the site many of which are the subject of Tree Preservation Orders although it appears that historically a substantial part of the site has been cleared of trees”.

It has had a variety of uses over the years as can be seen in Figure 4, including a variety of fences of which Photos 3 and 4 show the site as it is now. The Councils Landscape witness Mr Dunbar Dempsey contends that *“the site appears as an isolated finger of undeveloped wooded countryside which has endured **intact** while modern residential development has grown up around it”.* This is not the case, if considered against the definitions above. (see figure 3) Whilst many of the trees remain and have clearly grown a lot since 1999 there was some felling prior to 1999 when many trees disappeared. The large open area in the centre has had a variety of uses and treatments over the past 20 years and is now fenced off from view. It has no function and cannot be described as a piece of undeveloped countryside.

(vii) The scenic quality is low owing to the fence along the front of the site, which prevents views in other than of the roadside trees and understorey, which would be retained as part of the proposals. The fence also affects the openness of the site which, although appearing to lack development, cannot be described as open.

“It is not rare in any sense and nor representative of the character area. i.e. not “wooded, permanent pasture, paddocks plantations and small holdings with secluded heavily wooded, often ancient origin,”

(viii) No features of ecological value are affected. Natural England is satisfied with the proposed 15 metre buffer to Hazel Coppice. RPA increases this to 18 metres until construction is complete and it then returns to 15 metres.

(ix) The site has no recreational value being a piece of private land with no access or views in.

(x) It is not appreciated for its tranquillity or wildness and has no associations with literary artists.

In conclusion, the site is approximately one third of a hectare of private land within an urban context, with woodland bordering the site's northern boundary. The site contains many trees which are unaffected by the proposal and is now just a piece of waste ground containing some trees, with woodland bordering it to the north. It is not a piece of wooded countryside and does not possess and any of the characteristics of its Landscape Character Area" "*wooded, permanent pasture, paddocks plantations and small holdings with secluded heavily wooded, often ancient origin,*" Neither has it survived "Intact " Many trees were felled in the mid 1990's leaving the site quite open. It is currently fenced off from view, such that from Whiteley Lane only the front sloping strip of land is visible, as such its value must be questionable.

4.0 THE PROPOSAL

4.1 It is proposed to build two, two storey, dwellings on the site with detached double garages to the side. The building line is to be set well back from Whiteley Lane. The dwelling on Plot 1 will be accessed using the north access, and Plot 2 will be accessed using the south access, taking care to protect the ground within tree root zone as set out in the Arboricultural Method Statement prepared by Enviroplant.

4.2 A 15 metre buffer zone has been agreed with Natural England as satisfying their concerns of the impact of the development on the adjacent SSSI. A Habitat Management Plan has been agreed that will secure the management of

this buffer area. It is felt that appropriate management of the land offers the best long-term protection for the SSSI. This proposal for development is the only way to secure the long-term protection of this important boundary. This buffer is extended by 3 metres in order to protect the Root Protection Areas around the protected TPO trees during construction only.

4.3 All the TPO trees on the site will be retained and protected throughout the construction period with fencing in accordance with the British Standard.

4.4 It is proposed to replace the close boarded fence boundary to the SSSI with wooden post and rail fence with high gauge wire mesh. This has been agreed with Natural England and will provide greater connectivity between the woodland areas for plant species and animal species such as mammals, reptiles, amphibians.

The Council raise concerns in relation to the impact of the proposal on the adjoining SSSI. Discussions with Natural England resulted in the proposal for a wide buffer strip, to change the type of boundary material, and the production of a Habitat Management Plan for the management of this area, which satisfied the concerns of Natural England. Based on the this, I see no reason for concern.

4.5 The proposed scheme reflects the scale, form and massing of development currently present along this section of Whiteley Lane and to the rear along Skylark Meadows. The existing housing along Whiteley Lane is characterised by two storey detached housing, and the scheme responds to the context appropriately. The Inspector agrees as much in Paragraph 19 “ *the Appeal scheme has been designed to reflect the prevailing character of Whiteley Lane which consists mainly of large detached properties*”

4.6 A landscape scheme has been drawn up to provide a native buffer screen to Whiteley Lane, which will include all the existing trees and more. Native ground flora are proposed along the wooded bank to the road with larger evergreen and deciduous ornamental and native shrubs at a higher level to provide screening throughout the year. CS. 647.01Rev G. It is proposed that the plants will replace the existing fence that crosses the site in an east west alignment.

Mr Dunbar Dempsey accepts that “The *visual envelope is small and that there is only one public view into the site from the lane*. But goes on to say that the *development as proposed would be visually prominent and intrusive in this view*”. The Section through the site shown on Drawing CS.647.02 Rev B shows visually that the proposed planting will, once established, screen the development, even though it sits at a higher level. It will be neither prominent or intrusive.

4.7 Firstly, it must be pointed out that the existing fence along the site frontage prevents views into the site and secondly, that the landscape proposals show in the section which accompanies them, that the houses will not be visually prominent or intrusive. The landscape scheme is not designed to totally screen the houses, but to provide glimpsed views only through a mix of native and semi native deciduous and evergreen shrubs and new tree planting.

5.0 LANDSCAPE PLANNING CONTEXT

5.1 The site lies outside but adjoining the eastern boundary of Whiteley and is situated within the Whiteley – Fareham settlement MEON GAP off Whiteley Lane. As such, the following policies on landscape character and settlement GAPS are relevant to this application

5.2 Policy CP18 – Settlement GAPS

The Local Planning Authority will retain the generally open and undeveloped nature of the settlement GAPS:

- *Whiteley – Fareham Western Wards (the MEON GAP)*

Within these areas, only development that does not physically or visually diminish the MEON GAP will be allowed.

5.3 The concept of GAPS is employed throughout the PUSH sub region and to ensure a consistent approach is taken the following criteria should be employed:

- *Open nature/sense of separation between settlements cannot be retained by other policy designations.*
- *the land to be included within a GAP performs an important role in defining the settlement character of the area and separating settlements at risk of coalescence.*
- *in defining the extent of a GAP, no more land than is necessary to prevent the coalescence of settlements should be included having regard to maintaining their physical and visual separation.*

5.4 The site lies within the MEON GAP, as defined in the Core Strategy and Local Plan Part II. **However, it lies in the Hamble Valley** not in the Meon valley.

5.5 An earlier development for 1 dwelling on this site in 2016, 16/00142/FUL, was refused permission with one of the reasons for refusal being the effect of the development on the 'Meon Gap'. The scheme was subsequently taken to Appeal, and although it was dismissed, the Inspector having examined the issue of contravention of Policy C18 Strategic Gaps, concluded that:-

*“ The ridgeline and enclosed nature of the Appeal Site means that it cannot be viewed in the context of the separation of the two settlements. The position of the development at Skylark Meadows which is between the settlements has **isolated the Appeal Site** in Strategic Gap terms. The site is **a very small parcel of land** within a large Strategic Gap and it does not assist in the intended role to divide and retain the separate identity of settlements. These are characteristics which seem to be to be very particular to the Appeal Site. As a result of these factors, I consider that the site **no longer performs a role in the visual and physical separation of Whiteley and Fareham** and the proposal would **not diminish the Strategic Gap**. For these reasons, I conclude that the proposal would **not be in conflict with policy CP18 of the LPP1. (12/1/17)***

A Partial Award of Costs was made against the Council on this issue.

- 5.6 This view was further reinforced by a subsequent appeal and comments from the Inspector dated 13/1/2021 Appeal Ref PP/L1765/W/19/3243574 “ I concur with his analysis - *the site is a very small parcel of land within a large strategic gap and it does not assist in the intended role to define and retain the separate identity of settlements.*”

Although the Council argued that the previous scheme was for 1 dwelling and that the current proposal for 2 dwellings would have a significant impact on the gap due to its increased visual impact... the Inspector dismissed this saying

*“however, it seems to me that the size of the scheme is irrelevant in this particular case. It has been established that the **site itself does not play a role in the functioning of the gap** and therefore by definition it follows that the proposal cannot undermine the function of the gap or conflict with LPP1 Policy CP18”*

- 5.7 This realisation was the justification for an application and award of costs against the council in February 2021.

The Inspector stated in paragraph 4:-

The application for an award of costs has two strands, the first of which concerns the settlement gap. The most recent appeal decision addressed this matter specifically, the Inspector finding that

‘the site does not assist in the intended role to define and retain the separate identity of settlements’. This conclusion was clearly directed at the site and not the scheme itself. The Council has argued in this case that the proposal would have a significant impact on the settlement gap due to the increased visual impact of two dwellings over the single dwelling proposed previously. However, it follows from the Inspector’s reasoning that development on the site, regardless of scale, would not physically or visually diminish the gap in conflict with Policy CP18 of the Winchester District Local Plan Part 1 – Joint Core Strategy (LPP1).

It follows that whether or not the site lies within the settlement gap, the development of two dwellings as proposed would have no impact on the function of the gap and that Policy CP 18 is not a valid reason for refusal.

5.8 **Policy CP20** deals with **Heritage and Landscape Character**,

“The Local planning Authority.... will support new development which recognises, protects and enhances the Districts distinctive landscape and heritage assets and their settings..... particular emphasis will be given to conserving:-

- *Recognised built form and designed or natural landscapes that include features and elements of natural beauty, cultural or historic importance*
- *Local distinctiveness, especially in terms of characteristic materials, trees, built form and layout, tranquillity, sense of place and setting*

5.9 This policy is further strengthened by **Policy DP4** of the 2006 Adopted Local Plan and **Policies DM15** of the Local plan part 2 ‘**Local Distinctiveness**’. Both these policies seek to protect local distinctiveness and in the case of DM15 - require new development to *“Conserve and Enhance the landscape and townscape framework, including the “Key Characteristics” identified in the Local Character Assessments and adopted design statements. DP4 “development will not be permitted where it would detract from, or result in the loss of: -*

- *The landscape framework including those ‘Key Characteristics’ landscape and built strategies listed at Appendix 2*

5.10 Policy CP20 requires development to *conserve:-*

“Recognised built form and designed or natural landscapes that include features and elements of natural beauty

The recognised built form of this piece of landscape, is semi urban large detached houses grouped together closely with ornamental vegetated frontages. The housing at Skylark Meadows is less dense but each property is much larger. The distinctive character of the site’s surrounds is semi urban and

the proposal of two detached houses in large gardens will be very much in character with its context.

The landscape features or elements of beauty to be preserved are the trees and the character of the frontage to Whiteley Lane, which this scheme both conserves and enhances.

5.11 Policy **DM23 of LPP2 Rural Character** deals with land outside settlement boundaries.

“Outside development boundaries, development proposals which accord with the development plan will be permitted where they do not have an unacceptable effect on the rural character of the area, by means of visual intrusion, the introduction of incongruous features, the destruction of locally characteristic rural assets, or by impacts on the tranquillity of the environment

- *Visual – intrusion should be minimised, including the effect on the setting of settlements, key features in the landscape, or heritage assets....*
- *Physical- developments will be encouraged to protect and enhance the key characteristics of the landscape and should avoid the loss of key features or the introduction of elements that detract from the special qualities of the place.*
- *Tranquillity – developments should not have an unacceptable effect on the rural tranquillity of the area, including the introduction of lighting or noise occurring as a result of the development, taking account of the relative remoteness and tranquillity of the location....*
- *Developments should not detract from the enjoyment of the countryside from the public realm or public rights of way.*
- *Volume and type of traffic generated will be assessed along with the ability of rural roads to accept increased levels of traffic without alterations that would harm their rural character.*

5.12 The development proposed relates closely in form, scale and massing to the adjacent houses on Whiteley Lane, and also to the large, detached dwellings located immediately adjacent to the site’s southern and eastern boundary, which separate the site from the wider countryside. Whether this character is called urban fringe or rural fringe, it is **not rural** countryside, which all accept

lies to the southeast of Skylark Meadows. This development would have no effect on the enjoyment of the countryside, which lies beyond Skylark Meadows.

- 5.13 The site contains a significant number of trees and a hedgerow along the roadside. There are no proposals to remove or impact on any of these features. New native and semi ornamental tree and shrub planting will integrate the development into the character of the area and add to the bio-diversity value of the site. The natural landform is not changed. The selection of materials and built form are subject to detailed proposals, however the wide range of styles to be found at Skylark Meadows and adjacent to the site along Whiteley Lane has resulted in a limited sense of place and setting in this area. As such the proposal does not conflict with policy CP20.

6.0 SITE HISTORY AND ISSUES

6.1 SETTLEMENT GAP CP18

This issue has been dealt with in section 5.2- 5.7

6.2 SETTLEMENT BOUNDARY

- 6.2.1 It is evident that Whiteley Lane is not the logical position for the Settlement Boundary. The Lane lies in the Hamble Valley and it is situated 10 metres lower than the ridge.(See FIG 2) There are two rows of dwellings that lie within the Skylark Meadows separating the site from the “open” land. . . It is not possible to view the site from within the estate.
- 6.2.2 I believe that the logical alignment of the settlement boundary should follow the road that serves the 19 dwellings on the western side of the Estate and It should then follow the rear of these properties and then along the northern boundary of the site down to the Lane. It should then follow the eastern side of the Lane until it meets the Business Park where it should join the existing boundary.(See FIG 2)

- 6.2.3 The Council has served a new Tree Preservation Order. The logical and preferred boundary should follow the southern side of the new TPO 2305 boundary. This does not affect the site directly. It is on the SSSI land that adjoins the northern border of the site (Appendix – TPO No 2305). The TPO comprises a 30 metre strip along the border of the site and the rear of properties in Skylark Meadow. The southern boundary of the TPO would make a logical settlement boundary to replace Whiteley Lane. There is obviously no prospect of development encroaching the area to the north of the site.
- 6.2.4 Natural England has agreed that the development of the site is acceptable provided that a 15 metre buffer is provided to separate the SSSI from any development. The recently proposed Tree Preservation Order follows the same boundary ensuring that no development can take place to the north of the site.

6.3 LANDSCAPE CHARACTER

- 6.3.1 The effect on the landscape character of the site has been a reason for refusal in both applications and both Inspectors in the two Appeals have concurred with the Council's view by Stuart Dunbar Dempsey 26/3/2019

*“Looking at the site and its context in plan, there appears to be some logic for treating it as a development site. It is **isolated from the open countryside** further to the east and **surrounded by residential development on three sides**: to the west, east and south.*

But, although the wider countryside cannot be seen from Whiteley Lane due to the ridgeline and surrounding woods and trees, the application site does not have the appearance of being urban or suburban. Its openness and backdrop of mature woodland gives rise to a rural character.

And, while some of these areas of housing development are relatively recent and have been built since the Council's Landscape Character Assessment was written in 2004, neither the houses on Skylark Meadows nor Lodge Green itself significantly impinge on the rural character of the application site.”

- 6.3.2 I must take issue with several points above:-

- The majority of the site's boundaries are residential development not woodland, Only the short northern boundary abuts woodland. Woodland exists in both urban and rural contexts and does not imbue a rural character to this site.
- The site is not open, having a 2 metre high closeboard fence along Whiteley Lane, neither does it have a backdrop of mature woodland. The site is only seen from Whiteley Lane where the backdrop of the site is the large housing of Skylark Meadows with an intermittent row vegetation along the boundary, which will be retained in the event of the two houses being allowed. The only view of the site with a wooded backdrop is a private view from Lodge Green.
- Yes, there has been a significant amount of development around the site since the Landscape Character Assessment was written in 2004 and this **does impinge** on the site's character and reduces its relationship to the character of the wider LCA. **The study area is no longer rural in character.** See Fig 4
- The councils analysis looks at the site in isolation, rather than the study area as defined in GLVIA and described in 2.10 of this report. See Fig 3

6.3.3 He goes on to say

From Whiteley Lane, the openness of the site is quite striking as it appears as an isolated finger of undeveloped wooded countryside which has endured and survived intact, while modern residential development has grown up around it. It is considered that while the context is suburban, the application site is lending a strong rural character to the immediate residential area.

I agree with the applicant's landscape consultant that the amount of new development in the area is changing its character, but this just serves to make the remaining pockets of undeveloped open space more valuable, not less.

The visual envelope of the site is small and there is only one public view into the site from the lane, however the development as proposed would be visually prominent and intrusive from this viewpoint. The development would represent further suburbanisation and urban fringe encroachment into this landscape character area and erode rural character, subsequently detracting from the enjoyment of the countryside from the public right of way –Whiteley Lane footpath .

6.3.4 I believe both the context and character are suburban. He accepts that the large amount of new development surrounding the site is changing its character but says that this makes the site more valuable. I would refer you to paragraph 3.10 (iii) (iv) and (v) where I discuss Value of a piece of landscape.

“(v) The prime landscape features of value are the trees which are all to be retained as part of this development and are not under threat.

The openness of the site is **not striking!** The closeboarded fence prevents views into the site. The scenic quality is **low** owing to the fence along the front of the site which prevents views in other than of the roadside trees and understorey, which would be retained as part of the proposals. The fence affects the openness of the site which although appearing to lack development **can not be described as open.**

“It is not rare in any sense and nor representative of the character area. ie not “wooded, permanent pasture, paddocks plantations and small holdings with secluded heavily wooded, often ancient origin,”

No features of ecological value are affected. Natural England is satisfied with the proposed 15 metre buffer to Hazel Coppice.

The site has no recreational value being a piece of private land.

It is not appreciated for its tranquillity or wildness and has no associations with literary artists.

In conclusion, the site is approximately one third of a hectare of private land within an urban context with woodland bordering the site’s northern boundary. It is currently fenced off from view such that from Whiteley Lane only the front strip of land is visible.”

6.3.5 The Inspector in 1998 accepted that *“certainly the changes which have occurred have been extensive; the surroundings of the site are very different from what they were when the development of this site was last considered on appeal. The*

construction of the houses ... is nearing completion” “There is, as you rightly say, residential development to the west, south and east of the appeal site.”

- 6.3.6 The Inspector in 2021 accepted that *“the architecture of the proposed dwellings would be compatible with other properties in the area”*. This architecture was supported by local residents who wanted to see properties comparable to their own. The Inspector stated in paragraph 16 that:-

“The buildings would be set well back from the lane but their height, bulk and raised position would make them prominent structures, visibly taller than the existing fencing. The creation of driveway entrances would further suburbanise the site to the detriment of its rural character. The retention of trees and proposals for landscaping on the site frontage would not provide adequate mitigation for the adverse impacts arising from the erosion of the visual buffer between Lodge Green and Hazel Coppice.

The Inspector recognised that “the buildings would be set well back from the Lane.”

- 6.3.7 The landscape scheme now attached to this application and included in the artwork to this report at Figure 6,(CS.647.01 Rev G) sets out in detail how the new buildings would be integrated into the street scene. The section shown on Drawing CS.647.02 Rev B (Figure 7) shows how a evergreen semi native shrubs and new trees would be planted high up the slope, which would very soon virtually screen the buildings from views from the road. Native ground cover plants are proposed under the existing trees, along the bank adjoining Whiteley Lane, to give a natural spacious feel to the Lane. No longer would the houses be prominent structures but would be seen in glimpsed views through a vegetative screen of native and ornamental trees and shrubs, less intrusive than most of the existing properties along Whiteley Lane. In my opinion the landscape proposals would provide excellent mitigation for the houses proposed and would create a most attractive view to walkers along the road. The proposed planting is set back from the road frontage to take maximum effect from the sites topography and to prevent a claustrophobic sensation walking along Whiteley Lane.

The landscape proposals have been considerably increased from the scheme

put before the Inspector. The revised proposals can be seen in the section line shown, to provide adequate mitigation. I therefore do not agree that

“The retention of trees and proposals for landscaping on the site frontage would not provide adequate mitigation for the adverse impacts arising from the erosion of the visual buffer between Lodge Green and Hazel Coppice.”!

6.3.8 Much has been made of the impact of the development on the landscape character and appearance of the area. In paragraph 2.11& 2.12 of this report I define the Zone of Visual Interest (See Fig 3)

“The site is very enclosed visually, which limits the size of the study area to those parts which impinge on and have a direct effect on the character of this site. Figure 3 is an aerial photo of the site in its context which defines the Zone of Visual Influence (ZVI) of the site and thus the ‘Study Area’.

This fact is recognised by the Councils Landscape Architect “ *The visual envelope is small and there is only one public view into the site*” he goes on to say that “*the development would be visually prominent and intrusive from this viewpoint*” With no existing vegetation and without a comprehensive landscape scheme, this statement could have had some credibility, but the two units, although at a higher level, are set well back from the viewpoint, behind existing and extensive proposed planting. No assessment is made of the efficacy of the landscape proposal in integrating the development into then street scene or substantially reducing any visual impact.

6.3.9 It is useful to consider a recent development for 206 dwellings in Stubbington Fareham. (11 January 2022). This scheme went to Appeal with one of the issues being **“The effects of the proposal on the landscape character and appearance of the area”**

Paragraph 21 of the Inspectors decision letter is relevant to this application;

21. Nevertheless, both (LVIA’s) assessments reach the conclusion that *the impacts of the scheme are localised and limited to the immediate*

environs of the site. I am therefore satisfied that the proposal would not cause harm to wider landscape character.

The same applies to the scheme on land adjoining Lodge Green- ***the impacts of the scheme are localised and limited to the immediate environs of the site.***

6.4.1 COMMUNITY INVOLVEMENT

There has been extensive consultation with all of the local residents since November 2017. This is well documented in the Planning Statement prepared by Bryan Jezeph Consultancy Ltd. There are eleven households along Whiteley Lane. Ten of these households agreed not to object to the application, indeed, four of these households supported the development proposals, as does the Whiteley Town Council. Just one household objected.

The local residents of Whiteley Lane have lived with the uncertainty of what may or may not be about to happen on the site for 30 years and have become so tired of the situation that they have now grouped together to sign an agreement with the landowners to support the development of the site for no more than 2 houses. The previous application in 2019 had letters of support from all but one resident and from the Parish Council but was still refused. The statement of Community Involvement sets out the background. The only parties not to become involved were the Councillors and the officers, however, it clearly indicates the views of the locals, which were not in my opinion, adequately taken into account in the last application or subsequent Appeal.

- 6.4.2 The above views of the residents of Whiteley Lane were reported to the Inspector at the 2021 Appeal and Mr and Mrs Knight attended the appeal in person, to add their support for the scheme and to explain the views of the local residents. Unfortunately, Mrs Knight withdrew from the Hearing as she felt unwell. This subsequently proved to be “Transient Global Amnesia.” She has little recollection of the Hearing.

The inspector commented thus in his Appeal decision:-

- 6.4.3 **Although the proposal has the support of Whiteley Town Council and some residents, other individuals remain opposed to the scheme. A number of neighbours have entered into an agreement with the landowners to ensure that no more than two dwellings can be constructed on the site. However, there has been no formal public consultation outside of the planning application process and this is not a community led scheme in the same way as if the scheme had been proposed under a Neighbourhood Plan. Whilst I have taken full account of all representations from those living nearby, they have not been determinative.**
- 6.4.4 I do not believe that full account of all representations was considered adequately by the inspector. He says that “other individuals remain opposed” when in fact all but one of the residents of Whiteley Lane were in support of the scheme, and were very disappointed with the Inspector’s decision. There is no Neighbourhood Plan for Whiteley and this site is tiny in relation to the whole of Whiteley. I would have thought that an initiative such as has been agreed with all locals concerned would have held more sway in the planning process than has been given.
- 6.4.5 I therefore conclude that the development would **not cause harm to the character and appearance of the area** and would not be in conflict with policy DP3 of the WLPR or CP20 of the Winchester Local Plan Part 1. The local distinctiveness of the immediate surroundings would be retained and the two new landscaped properties would fit comfortably and improve the existing street scene being of a similar scale, density and character to the surrounding buildings with well landscaped frontages.

6.5 LANDSCAPE PROPOSALS

- 6.5.1 Detailed landscape proposals were submitted with the scheme and were reported to the Inquiry Drawing CS 647.01 .This scheme has now been beefed

up and a section line provided, to show how the planting will screen and create a visually attractive view to users of the Lane. They consist of low native ground cover plants, primarily ferns but also with tiarella and epimedium under the existing trees along the bank bordering Whiteley Lane with more substantial evergreen shrubs and trees, which would grow to 7-8 metres at the top of the bank to soften the visual effect of the two properties on the street scene, whilst retaining the spacious natural feel to Whiteley Lane.

- 6.5.2 The Landscape Proposal are mentioned by the Inspector in Paragraph 16 of his Decision.

“The buildings would be set well back from the lane but their height, bulk and raised position would make them prominent structures, visibly taller than the existing fencing. The creation of driveway entrances would further suburbanise the site to the detriment of its rural character. The retention of trees and proposals for landscaping on the site frontage would not provide adequate mitigation for the adverse impacts arising from the erosion of the visual buffer between Lodge Green and Hazel Coppice”

The proposed building line is set back behind the newly erected fence line. The land where the two houses are to be erected is higher than Whiteley Lane by 4 metres, but CS.647.02 Rev B shows an E-W transect through the site, which show the relative levels and the efficacy of the proposed landscape screen. The inspector makes no attempt to determine the degree of adverse effect posed by the new dwellings on users of Whiteley Lane. In terms of scale and size, the buildings are the same as those on the opposite side of Whiteley Lane, which being closer would have more impact than the proposed houses. **The effect on the character of the development as proposed, would in my view, be neutral to beneficial, in that the view into the site would be opened up and the landscaped frontage, with buildings set well back 40 metres behind a well landscaped road frontage, would be attractive and appropriate to the location.**

Mention is also made by the Inspector of the creation of driveway entrances further suburbanising the site. The two site entrances exist today and will not be 'created' See Photos 3 and 4. These existing accesses will be upgraded, but

in order to protect the trees, this work will be done carefully and involve 'no dig'. Special no dig construction details are included in the Arboricultural Report.

7.0 IMPACT ON VISUAL AMENITY

7.1 The enclosed nature of the landscape within which the site is located, severely limits views into the site. There is only 1 public view into the site from Whiteley Lane, which although a private road, is also a public footpath. The remaining views into the site are all private views from adjacent dwellings:-

1. Lodge Green
2. Chapters
3. Whiteley Bungalow
4. Wispers
5. Vistana
6. No 11 Skylark Meadows
7. No 15 Skylark Meadows

7.2 PUBLIC RIGHTS OF WAY

7.2.1 The view of the site from Whiteley Lane can be seen in Figure 5 Photos 3 and 4. There is currently a slight change of level between the road and the site which becomes greater the further north one travels, and which provides a degree of enclosure to the road. This is further strengthened by the 'on site' trees and ground flora, which whilst not screening views into the site, does soften views in.

7.2.2 Views to the west from the Lane are less interesting, looking directly into the front paved forecourts of several houses, with harsh uninterrupted views into the houses.

7.2.3 Users of Whiteley Lane are largely locals, accessing their properties or out walking the dog. As such they are likely to be sensitive to change. The development proposed, especially if planting scheme CS.647.01G (FIG 6) is implemented, would be an improvement on the existing view of a vegetated bank with a closeboarded fence obscuring all views into the site, and therefore the magnitude of impact is small.

7.2.4 In view of the high sensitivity of the receptor but low magnitude of impact the resultant significance of this impact is low to moderate.

7.3 PRIVATE VIEWS

7.3.1 **Lodge Green** has no windows on the side elevation looking directly into the site, only two first floor rear windows which may be able to see the new house by oblique view. The house is also protected, to a certain degree, by the extensions that have been added between the main house and the site boundary, which have no windows overlooking the site. The site boundary is presently quite open, allowing views through from the rear garden, but a new fence and hedgerow is proposed along this boundary which will provide screening within a few years.

The owners of Lodge Green have lived next to an unkempt site for many years now, but as the proposed houses primarily face south west, with only rear first floor windows affected, the visual impact of the proposed new dwellings is moderate. The owners sent letters of support for the proposals.

7.3.2 **Chapters** is a two-storey detached property located opposite the entrance to the site on the west side of Whiteley Lane. This house looks directly out towards the site and has two ground floor windows and three first floor windows looking over the site. The open frontage to the house gives no screening, however the house lies at a lower level than the site and therefore views east

towards the site are limited to a degree by this change in level. However they could still be affected by car headlights at night.

Although there will be views of the development, the current unkempt condition of the site, together with the level difference, with the setting back of the house location and the extensive new landscaped, treed frontage to the new dwellings as seen on the section line Plan means that the impact is considered to be low to moderate.

7.3.3 **Whiteley Bungalow** is set back from Whiteley Lane and faces north west over the corner of the site. It has a narrow entrance off the Lane, with substantial planting in the front garden. It is also at a much lower level than its neighbour Chapters or the site, giving very restricted views out over the site. As a result, it is felt that there will be minimal visual impact on this property.

7.3.4 **Wispers** is a relatively new house built in 1994 lying at approximately 34metres AOD. The house faces north north east over the boundary between the site and Hazel Coppice, where the topography rises steeply from 37metres AOD on the site boundary to 43 metres in the centre of the site and where an 15 metre buffer zone of regenerating woodland is to be established.

The difference in levels makes views into the site difficult now, but they will become virtually impossible when the 15 metre buffer zone is has reverted to woodland. As such, there is not considered to be any adverse visual impact on this property.

7.3.5 **Vistana** also built in 1994 is also a 2 storey detached house with open paved frontage to Whiteley Lane. Situated to the north of Wispers, it lies even lower at approximately 30 metres AOD. The house looks north north east over Hazel Coppice and will have no views of the proposed dwellings.

7.3.6 **11 Skylark Meadows** is an enormous detached property situated on the adjacent Skylark Meadows development to the south east of the site. The property will have only limited ground floor views of the proposed dwelling owing to the distance involved - over 35 metres the intervening 2 metre high

close boarded boundary fence and the existing trees within the site . There will however be oblique views from several first floor windows.

This impact is considered to be low in view of the potential to screen any such view by tree planting in both gardens.

7.3.7 The roof of **15 Skylark Meadows** is just visible over the rear garden fence, but no windows are visible. It may just be possible to see the part of the proposed dwelling from an upper floor window, but owing to the oblique angle and distance involved, together with the intervening vegetation and potential to plant more trees, this property is considered to experience minimal visual impact.

7.4 It is clear from the above that there will be very little visual impact of the proposal on public or private views. Chapters, the property opposite the site entrance, may experience low to moderate impact, but there will be no significant visual impact. It is also worth noting that all residents of Whiteley Lane, with the exception of 1, support this application.

8.0 CONCLUSIONS

8.1 The appearance of the site is that of a fenced plot of land with trees behind and a grassy bank in front down to Whiteley Lane. There are no views into the site, owing to the opacity and height of the fence, resulting in the only view possible being of the short, vegetated bank down to the Lane.

8.2 Owing to its location on the edge of Whiteley urban area, bounded to the north by a piece of woodland and surrounded on three sides by housing, the site has an enclosed, suburban character. The site does not adjoin countryside and does not have a countryside appearance. The woodland to the north is well protected visually, physically and ecologically to the satisfaction of Natural England and does not determine the character of the site.

8.3 The Landscape Character Assessment (**LCA**) produced by Winchester City Council in **2004**, is well out of date now as Whiteley has more than doubled in

size, on the edge of the LCA. The LCA has not been updated since 2004 and still places the site in the **Whiteley Woodlands Landscape Character Area** as shown on Figure 1. Although as the name suggests it consists largely of woodland, it also contains, "*meadows, paddocks, nurseries and smallholdings with a large landfill site at Funtley and many areas of small industrial uses.*"

- 8.4 In reality this description is now out of date and inaccurate, it now also contains quite a lot of new housing and a much enlarged Business Park, which has largely been built since the **LCA** was first written, in particular, the new development at Skylark Meadows and the large commercial development to the north of Hazel Coppice. The site is surrounded on three sides by residential developments of mixed density but generally higher than found in rural areas, which determines the landscape character of the study area.
- 8.5 The proposed scheme will reflect the general scale, form and massing of development currently present along this section of Whiteley Lane. The existing housing along Whiteley Lane is characterised by two storey detached houses sitting in small to medium sized gardens, and the scheme proposed responds to the context appropriately, providing a bridge between the character of Whiteley Lane and housing on Skylark Meadows.
- 8.6 Finally, it is evident that the Inspector's conclusion that the site causes harm to character and appearance is not justified by his own analysis in his Decision. He stated that "**the architecture of the proposed dwellings would be compatible with other properties in the area**".
- 8.7 While the site lies within the currently defined MEON GAP on paper, in reality there are no visual or physical connections between the site and the Meon Valley. There are no views from the Meon Valley into the site, which is located within the Hamble Valley, it doesn't even sit on the valley sides of the River Meon. The Meon GAP is unaffected physically or visually by the development of this site. **This fact was recognised by the Inspector in a recent Appeal decision.**

Paragraph 5.6 of this report

The Inspector having examined the issue of contravention of Policy C18 Strategic Gaps, concluded that:-,

*“ The ridgeline and enclosed nature of the Appeal Site means that it cannot be viewed in the context of the separation of the two settlements. The position of the development at Skylark Meadows which is between the settlements has isolated the Appeal Site in Strategic Gap terms. The site is a very small parcel of land within a large Strategic Gap and it does not assist in the intended role to divide and retain the separate identity of settlements. These are characteristics which seem to e to be very particular to the Appeal Site. As a result of these factors, I consider that the site **no longer performs a role in the visual and physical separation of Whiteley and Fareham** and the proposal would **not diminish the Strategic Gap**. For these reasons, I conclude that the proposal would **not be in conflict with policy CP18 of the LPP1**.*

- 8.8 Even if a Settlement Gap could be justified it is obvious that it shouldn't extend into the Hamble Valley nor should it include any of the housing on the western limb of Skylark Meadows. These are also situated to the west of the ridge that separates the two valleys. Even this seems to be contrary to the Policy CP18 and it is my opinion that the boundary of the gap should be situated beyond all of the dwellings. This is where there is “open” land.
- 8.9 With respect to Policy CP20 Landscape Character, the LCA recognises that "*Suburbanisation and urban fringe encroachment at Whiteley*" as a key issue. Whilst the site in planning terms lies within 'countryside', the urban boundary to Whiteley currently running along the centre of Whiteley Lane, it bears no resemblance to the countryside further to the east, lying beyond the ridge line between the Hamble and Meon valleys, and beyond Skylark Meadows. Whiteley Lane used to be the limit of Whiteley village, but much development has taken place since the 1990's to the east of the lane, largely to the north of Hazel coppice but also to the south, as the original properties on Whiteley Lane and Skylark Meadows have been modernised and substantially increased in size. This has increased the perceived density of development within the study area which affect perceived character. The effect of these changes means that although attractive and well treed, the character of the site and

environs is now suburban rather than rural. It is very rare for character to change along a line and there is frequently an area of suburban fringe around existing built up areas, before reaching the countryside and rural character beyond.

8.10 The Inspectors Decision in November 2016 notes that the site lies with the Whiteley Woods Landscape Character Area which is characterised by “*woodlands, meadows, paddocks and small holdings amongst other things*” and concludes, “*the character of the Appeal site is not at odds with the description of the LCA*” I disagree with this conclusion which I feel looks at the site alone rather than its context. Whilst trees may contribute to a rural character, in this instance the predominant character is medium density residential with some trees. The trees are not threatened by the development and the impact of development to the SSSI along the northern boundary has been satisfactorily dealt with by the exclusion of an 18metre wide strip of land, with the agreement of the Natural England. I believe that the renovation and enlargement of all of the properties surrounding the site, have impinged on the character of the site, which is no longer rural.

8.11 Nor do I agree that “**The retention of trees and proposals for landscaping on the site frontage would not provide adequate mitigation for the adverse impacts arising from the erosion of the visual buffer between Lodge Green and Hazel Coppice.**”

The frontage woodland is 25 metres wide. The existing buffer between Lodge Green and Hazel Coppice has been agreed by Natural England. I believe that new planting would provide adequate mitigation.

8.12 Detailed landscape proposals were submitted with the original scheme and were reported to the Inquiry Drawing CS 647.01. This scheme has now been considerably beefed up (See CS.647.01 Rev G FIG 6) and a section line provided, up (See CS.647.02 Rev B FIG 7) to show how the planting will screen and create a visually attractive view to users of the Lane. They consist of low native ground cover plants, primarily ferns but also with tiarella and epimedium, under the existing trees along the bank bordering Whiteley Lane, with more substantial evergreen shrubs and trees, which would grow to 7-8

metres at the top of the bank to soften the visual effect of the two properties on the street scene, whilst retaining the spacious, natural, feel to Whiteley Lane.

- 8.13 The inspector makes no attempt to determine the degree of adverse effect posed by the new dwellings on users of Whiteley Lane. In terms of scale and size, the buildings are of a comparable size to those on the opposite side of Whiteley Lane, which being closer would have more impact than the houses proposed. The effect on the character of the area of the development as proposed, would, in my opinion, be **neutral to beneficial** in that the buildings are set well back 40 metres behind an attractive wide landscaped road frontage.

Mention is also made by the Inspector of the creation of driveway entrances further suburbanising the site. The two site entrances exist today and will not be 'created' See Photos 3 and 4. These existing accesses will be upgraded, but in order to protect the trees, this work will be done carefully and involve 'no dig'.

- 8.14 The proposal shows a strip of land 18metres wide, along side the SSSI, fenced off and managed under a management plan approved by Natural England and controlled by a Section 106 agreement. The Natural England requirement is 15 metres which is extended to 18 metres where it is necessary to protect the root protection areas There are existing trees outside of this strip, but they are not threatened by the development proposed. The development of the site could improve the quality of the landscape and enable the site to relate better to its surroundings, that of large detached houses in small to medium sized gardens.

- 8.15 In terms of visual impact, the enclosed nature of the landscape within which the site is located severely limits views into the site. There is only 1 public view into the site from Whiteley Lane, which although a private road, is also a public footpath. The remaining views into the site are all private views from adjacent dwellings.

- 8.16 Users of this Whiteley Lane are likely to be sensitive to change. The development proposed, especially once the planting proposed has established, would be an improvement on the existing view, of a derelict site with a closeboarded fence along the front. The **magnitude of impact is considered**

to be small. In view of the high sensitivity of the receptor but low magnitude of impact, the resultant significance of this impact is considered to be **low to moderate**. It is felt that the as the development is in character with the rest of the Lane the users will quickly accept the minimal change proposed once built.

8.17 There will be very little visual impact on private views. Chapters, the property opposite the site entrance, may experience low to moderate impact, but there will be no other significant visual impact to private views.

8.18 In Environmental Impact Assessment, only adverse impacts greater than moderate can be consider as significant. As such the proposal would cause **no significant impacts**.

1.0 APPENDIX A METHODOLOGY

1.1 Landscape and Visual Impact Assessment (LVIA) is a tool used to identify the effects of a specific development on “landscape as an environmental resource in its own right and on people’s views and visual amenity, paragraph 1.1. Guidelines for Landscape and Visual Impact Assessment 3rd Edition(GLVIA), These two elements, although inter-related, should be assessed separately.

1.2 As GLVIA (paragraph 2.23) states; professional judgement is an important part of the LVIA process: whilst there is scope for objective measurement of landscape and visual changes, much of the assessment must rely on qualitative judgements. It is critical that these judgements are based upon a clear and transparent method so that the reasoning can be followed and examined by others.

1.3 This assessment looks in depth at the Landscape and Visual Effects of the developments and I set out below the methodology I have used.

1.4 *Identification of landscape receptors*

In accordance with GLVIA the first stage in assessing landscape effects is to determine the landscape receptors (paragraph 5.34)

“The first step is to identify the components of the landscape, likely to be affected by the scheme, often referred to as landscape receptors, such as overall character and key characteristics, individual elements or features and specific aesthetic or perceptual aspects.”

1.5 GLVIA recommends assessing effects at all different stages of a development, including construction, built scheme and after mitigation, which in the case of planting is usually taken immediately after planting i.e. Year 1 and later once the planting has established and the desired effect has been reached, which can range from 5 to 15 years.

1.6 *Assessing Sensitivity*

An essential part of the baseline information for each site is to assess the **susceptibility** of each receptor to the development proposed and the landscape **value** of each receptor. This information then gives the **sensitivity** of each receptor to the specific development. **Table 1** sets out the identified landscape receptors of the Appeal Site together with my assessment of their value and sensitivity.

1.7 **Assessing Susceptibility of Landscape Receptors to Change**

As set out in GLVIA this means the ability of the landscape receptor to “accommodate the proposed development without undue adverse consequences for the baseline situation and/or the achievement of landscape planning policies and strategies”. Judgement of susceptibility is particular to the specific characteristics of the proposed development and the ability of a particular landscape or feature to accommodate the type of change proposed. Aspects of the character of the landscape that may be affected by a particular type of development include landform, skylines, land cover, enclosure human influences including settlement pattern; and aesthetic and perceptual aspects such as the scale of the landscape, its form, line, texture, pattern and grain, complexity, and its sense of movement, remoteness, wildness or tranquillity. For example, an urban landscape which contains a number of industrial buildings will have a low susceptibility to buildings of a similar scale and character. Conversely, a rural landscape containing only remote farmsteads is likely to have a high susceptibility to large scale built development.

Table A1

Landscape Receptor Susceptibility to Change	
Susceptibility Criteria	
High	The landscape receptor is highly susceptible to the proposed development because the key characteristics of the landscape have no or very limited ability to accommodate it without undue adverse effects taking account of the existing character and quality of the landscape.
Medium	The landscape receptor is moderately susceptible to the proposed development because the relevant characteristics of the landscape have some ability to accommodate it without undue adverse effects, taking account of the existing character and quality of the landscape.
Low	The landscape receptor has low susceptibility to the proposed

development because the relevant characteristics of the landscape are generally able to accommodate it without undue adverse effects, taking account of the existing character and quality of the landscape

1.8 **Assessing Landscape Value**

Although the starting point for assessing value is whether or not the landscape is designated, GLVIA makes clear in para 5.19 page 80

“...A review of existing designations is usually the starting point in understanding Landscape value but the value attached to undesignated landscapes also need to be carefully considered.”

GLVIA helpfully provides a table showing the range of factors that can help in the identification of valued landscape at Box 5.1 page 84

Range of Factors that can help in the Identification of valued landscapes (GLVIA Box 5.1)

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

A term used to describe landscapes that appeal primarily to the senses (primarily but not wholly visual)

Rarity

Presence of rare features or elements 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 to be particularly important examples.

Conservation Interests

Presence of features of wildlife, earth science or archaeological or historical and cultural interest can add value to the landscape as well as having a 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 or tranquillity

Associations

Some landscapes are associated with particular people such as artists or writers, or events in history that contribute to perceptions of the natural beauty of the area

1.9 **Assessing Magnitude of Landscape Change**

The overall effect on a landscape receptor is a judgement of **Sensitivity x Magnitude**, and magnitude of effect has three component parts: - Scale (degree of alteration of component parts), Geographical extent and Duration and Reversibility of effects. These are also shown for each site on Tables A8 and A11 Appendix 2

1.10 **Size and Scale of Change**

The size and/or scale of change in the landscape takes into consideration the following factors:

- *the extent/proportion of landscape elements lost or added, and/or*
- *the degree to which aesthetic/perceptual aspects are altered; and*
- *whether this is likely to change the key characteristics of the landscape.*

1.11 The criteria, used to assess the size and scale of landscape change are based upon the amount of change that will occur as a result of the proposals, as described in the table below.

**Table A2
Magnitude of Landscape Change: Size/Scale of Change
Category Description**

Major level of landscape change	The proposals will result in a large amount of change in landscape character and especially in the key characteristics. There will be major loss of or change to existing elements or aesthetic aspects of the landscape and or the introduction of major new and uncharacteristic elements or major change to aesthetic attributes
Moderate level of landscape change	The proposals will result in a moderate level of change in landscape character. There will be moderate loss of or change to existing elements or aesthetic aspects of the

	landscape and/or the introduction of moderate new and uncharacteristic elements or moderate change to aesthetic attributes
Minor level of landscape change	The proposals will result in only a minor level of change in landscape character. There will be minor loss of or change to existing elements or aesthetic aspects of the landscape and/or the introduction of minor new and uncharacteristic elements or minor change to aesthetic attributes
No or negligible landscape change of	The proposals will result in no, or a barely discernible level of change in landscape character with very little loss of or change to existing elements or aesthetic aspects of the landscape and/or negligible effects from the introduction of minor new and uncharacteristic elements

1.12 Geographical Extent

The geographical extent of landscape change is assessed by determining the area over which the changes will influence the landscape. For example this could be at the site level, in the immediate setting of the site, or over some or all of the landscape character types or areas affected.

**Table: A3
Magnitude of Landscape Change: Geographical Extent**

Category	Description
Large extent of landscape change influence	The changes will extend over a large area and will influence landscape character at some distance from the site of the proposal and covering several landscape character types or areas
Medium extent of landscape change influence	The changes will extend over a moderate area and will influence landscape character at a medium distance from the site of the proposal, including the immediate setting of the site and the landscape character area within which it lies
Small extent of landscape change influence	The changes will extend over a small area and will influence landscape character only within the site itself or within the

1.13 **Duration and Reversibility of Changes**

The duration of the landscape change is categorised **permanent** 25 years or more; **long term** – 10-25 years and reversible; **medium** up to 10 years and reversible and **short term** 0 to 5 years and reversible.

1.14 It is the combination of these three factors which determines magnitude.

1.15 **Significance of Effects**

The significance of effect is produced from a combination of magnitude and sensitivity of each receptor with:-

“those effects indicated as being of Moderate or major significance of effect may be regarded as likely to be equivalent to significant effects when discussed in terms of EIA regulations”

Table A4 – Typical Descriptors of the Landscape Significance of Effect Categories

Neutral maintain	Typically, the proposed changes would (on balance) the character (including value) of the landscape and would: - be in keeping with landscape character and blend in with characteristic features and elements; and - enable a sense of place to be maintained.
Minor Adverse	Typically, the landscape resource has a low sensitivity with the proposals representing a Minor adverse magnitude of change and/or the proposed changes would: - not quite fit the character (including value) of the landscape; - be at variance with characteristic features and elements; - detract from sense of place.
Moderate Adverse	Typically, the landscape resource has a Medium sensitivity with the proposals representing a Moderate adverse magnitude of change and/or the proposed changes would: - conflict with the character (including value) of the landscape;

- have an adverse effect on characteristic features or elements; and
- diminish a sense of place.

Major Adverse Typically, the landscape resource has a High sensitivity with the proposals representing a Major adverse magnitude of change and/or the proposed changes would:

- be at variance with the character (including value) of the landscape;
- degrade or diminish the integrity of a range of characteristic features and elements or cause them to be lost; and
- change a sense of place.

1.16 **Visual Effects**

Visual receptors are the people whose views may be affected by the proposals. They generally include users of public rights of way or other outdoor recreational facilities; travellers who may pass through the study area because they are visiting, or living or working there; residents living in the study area, either as individuals or, more often, as a community; and people at their place of work.

1.17 Viewpoints are chosen, in discussion with the competent authority and other stakeholders and interested parties, for a variety of reasons but most commonly because they represent views experienced by relevant groups of people.

6.18 *Visual Receptor Sensitivity*

Table A5

Sensitivity	Type of Receptor
High	<ul style="list-style-type: none"> - Residents; - People engaged in outdoor recreation where their attention is likely to be focused on the landscape and on particular views; - Visitors to heritage assets or other attractions where views of the surroundings are an important part of the experience; - Communities where views contribute to the landscape setting enjoyed by residents; and

	- Travellers on scenic routes where the attention of drivers and passengers is likely to be focused on the landscape and on particular views.
Medium	Travellers on road, rail or other transport routes, where attention is generally less likely to be focused on views and visual amenity
Low	<ul style="list-style-type: none"> - People engaged in outdoor sport or recreation, which does not involve appreciation of views; - People at their place of work, where the setting is not important to the quality of working life; and - Travellers, where the view is incidental to the journey.

11.19 **Magnitude of Visual change**

The magnitude of visual change is defined by assessing the size or scale of change, the geographical extent of the area influenced and the duration and reversibility of the change.

1.20 **Size and Scale of Change.**

The criteria used to assess the size and scales of visual change (GLVIA 6.39) are as follows:

- *the scale of the change in the view with respect to the loss or addition of features in the view, changes in its composition, including the proportion of the view occupied by the proposed development and distance of view;*
- *the degree of contrast or integration of any new features or changes in the landscape with the existing or remaining landscape elements and characteristics in terms of factors such as form, scale and mass, line, height, colour and texture;*
- *the nature of the view of the proposed development, for example whether views will be full, partial or glimpses or sequential views while passing through the landscape.*

1.21 **Geographical Extent**

The geographical extent of the visual change identified at representative viewpoint is assessed by reference to the defined study area and field work.

The following factors are considered (GLVIA 6.4):

- *the angle of view in relation to the main activity of the receptor;*
- *the distance of the viewpoint from the proposed development;*
- *the extent of the area over which changes would be visible.*

1.22 **Table A6**
Visual Magnitude of Change: Geographical Extent

Category	Description
Large extent of visual change proportion	The proposal is continuously visible across a large of the study area
Moderate extent of visual change the continuous	The proposal is visible across a moderate proportion of the study area and/or visibility is intermittent and not continuous
Slight extent of visual change in	The proposal is visible from a limited number of locations in the study area
	Negligible extent of visual change The proposal is either not visible in the study area or visible only from one or two specific locations

1.23 ***Duration and Reversibility of Change***

The duration of the visual change at representative viewpoints is categorised as permanent; long term reversible; medium term reversible and short term reversible as for Landscape effects.

1.24 Overall Magnitude of Visual Change is determined by combining Geographic extent; size and scale and duration and reversibility.

Table A7 – Magnitude of Change: Visual Receptors

Major Complete or very substantial change in view; change very prominent involving complete or very substantial obstruction of existing view or complete change in character and composition of baseline, i.e. pre-

development view through removal of key elements or addition of uncharacteristic elements.	
Moderate	Moderate change in view: may involve partial obstruction of existing view or partial change in character and composition of baseline, i.e. pre-development view, through the introduction of new elements or removal of existing elements. Change may be prominent but would not substantially alter scale and character of the surroundings and the wider setting. Composition of the views would alter. View character may be partially changed through the introduction of features which, though uncharacteristic, may not necessarily be visually discordant.
Minor	Minor change in baseline, i.e. pre-development view; change would be distinguishable from the surroundings while composition and character would be similar to the pre-change circumstances
Negligible	Very slight change in baseline, i.e. pre-development view; change barely distinguishable from the surroundings. Composition and character of view substantially unaltered approaching a 'no change' situation
No change	No part of the proposed development or work activity associated with it is discernible

1.25 **Significance of Visual Effects**

The significance of effect is produced from a combination of magnitude and sensitivity of each receptor

Table A8 – Typical Descriptors of the Visual Significance of Effect Categories

Major Beneficial:	Typically, the proposed changes would lead to a substantial improvement to a view from a highly sensitive receptor
Moderate Beneficial:	Typically, the proposed changes would lead to an obvious improvement to a view from a receptor of medium sensitivity or perceptible improvement to a view from a more sensitive receptor.
Minor Beneficial:	Typically, the proposed changes would cause limited improvement to a view from a receptor of high or medium

sensitivity or would cause greater improvement to
a view from a receptor of low sensitivity.

Neutral: Typically, the proposed changes would be in keeping with, and would maintain, the existing view or where (on balance) the proposed changes would maintain the quality of the view (which may include adverse effects which are offset by beneficial effects for the same receptor) or due to distance from the receptor, the proposed change would be barely perceptible to the naked eye.

Minor Adverse: Typically, the proposed changes would cause limited deterioration to a view from a receptor of high or medium sensitivity, or would cause greater deterioration to a view from a receptor of low sensitivity.

Moderate Adverse: Typically, the proposed changes would cause obvious deterioration