

<p>Development description</p> <p>Erection of 38 no. dwellings; Multi-use Community Building. New public open spaces incorporating additional footpath links and landscape enhancements; soft and hard landscaping; access; car and cycle parking; and associated works.</p>	<p>App. Ref 2019/2976/FUL</p>
<p>Site address Fortescue Fields, Norton St Philip, Frome, Somerset</p>	<p>Response date 30th March 2020</p>
<p>Environment Team response by Charles Potterton (Landscape Architect)</p>	<p>Case Officer James U'Dell</p>
<p>Summary response</p>	
<p>No Objection</p>	
<p>No Objection – subject to conditions described below</p>	
<p>Object in principle</p>	<p>✓</p>
<p>Not acceptable in its current format</p>	
<p>Generally</p> <p>This application (red-line boundary) is sub-divided into 4 separate parcels -</p> <p>East site South site Existing 'country park / attenuation area' West site</p> <p>In addition, there is the MUGA / Allotment area noted as within 'blue-line' land although this element was consented as part of the original permission (2016/2141/CLE). This application is located outside the development boundary of the village.</p> <p>There have been planning appeals on the 'East' (2013/2052) and 'West' (2013/2033) sites. These were both dismissed and I refer to the inspectors' decision notice where appropriate. The 'South' site was not included in the original appeal.</p> <p>East site.</p> <p>This is a relatively small parcel of land on the north-eastern corner of the application. It is the most elevated parcel of land (circa 117m AOD) and has roads on two sides (Mackley Lane to the south and the B3110 to the north). It sits at a very important and sensitive location at the entrance to the village. The land also sits some 1.5m above the outer road level, thereby increasing potential visibility.</p> <p>Even in winter, the existing buildings of the Fortescue development, although they sit further downhill and further away than the proposed dwellings, are already visible above the perimeter vegetation. I consider that the proposed buildings, which are</p>	

higher and closer to the road, will cause visual harm to those entering the village. They will also cause visual harm to those passing along Mackley Lane.

There will be a loss of amenity space to those residents living at this end of the existing development. The existing open grass field will be replaced by a very small oval entitled 'east green'.

A significant area of existing planting will also be removed. This was planted as part of the discharge of condition process for the original scheme, thereby further reinforcing the premise that this area was never intended for development. This loss of open space (by 'open' I mean 'not developed') will itself cause harm to the setting of the village and harm to the setting of the existing development.

Southern site.

This is accessed via the east site as described above. This development will cause significant visual harm to users of Mackley Lane – there are houses and garages within some 15m of the lane.

There will be harm to the residents of the existing development where they look out their windows across open fields, they will see houses, garages and access road.

Western site.

Most importantly, this site lies immediately adjacent to the NSP Conservation Area and a number of important Listed Buildings contained within it.

Whilst parts of this site might benefit from additional or increased management, there is no doubt that the proposed scheme will cause significant visual harm to users of the adjacent community play space. It will cause significant harm to the setting of the Conservation Area and the various Listed Buildings within it. This is borne out in the Inspectors original decision notice and the applicants own LVIA.

The original appeal (2013/2033) was dismissed for a number of reasons. At para 54 of her decision notice, the Inspector stated *'I consider that the development proposed would have a considerable adverse impact on the setting and significance of the Conservation Area, completely altering its historic development pattern and plan form, with significant consequences for one of the most important and clearly cherished views into and out of the Area. To my mind, the scale of that harm verges on substantial. There would be corresponding harm to the established character and appearance of the area more generally'*.

Even if the exact configuration may have changed with the current application, I consider this judgement to still be valid.

Existing 'country park / attenuation area'

I note the proposed landscape works in and around the existing attenuation area. Whilst they may be welcomed, they could happen without the proposed development so should not be seen as benefits per se.

Landscape and Visual Impact Assessment (LVIA).

Looking at the submitted LVIA, I would make the following observations.

At 5.5.4 it notes that no specific viewpoints were included. Figure 10 of the NSP Character Appraisal shows the range of 'important views into and out of NSP'. I think that 6.19 of GLVIA3 would confirm these to be 'specific viewpoints' as they are noteworthy. I suggest that some 13 of these views will be adversely affected by the scheme.

The LVIA accepts adverse harm to landscape character. It is accepted that this harm may be restricted to the local area (generally the NSP area), but this area does include a Conservation Area and a number of Listed Buildings. These elements were specifically noted by the Inspector in her original Decision Notice.

The value, sensitivity and importance of these assets has not changed, so the harms would remain as – '*real and serious*' (in regard to the East) and would have a '*considerable adverse impact on the setting and significance of the Conservation Area*' (in regard to the West).

The Inspector goes on to confirm that both applications are contrary to Local Plan Policies DP1, DP4 and DP7. The west site was also considered to be contrary to DP3.

I note that in 6.2, site fabric, it notes that '*7m of hedgerow will be removed*'. In 6.3 it notes '*All of the existing hedgerows on site would be retained*'.

P 29 of the LVIA lists receptors R1-R9. Of these 7 will experience adverse impacts in the medium term and 5 (50%) will remain as adverse on a permanent basis. None are assessed as being beneficial.

P 32 (2nd last para) includes the confusing conclusion that 'Proposed houses within the West Site (NSP2) and the South Site (NSP3) would be screened from view by the existing and proposed built development' – the proposed houses will hide the proposed houses ?

Table 2 summary is also revealing in that, of the 12 receptor groups, 10 are adversely affected.

Overall, the development will cause adverse visual harms and harms to landscape character that cannot be mitigated.

Accurate Visual Representations.

The proposed photo-montages are useful but I have some observations.

Generally, all views are in summer with full leaf cover and include already mature vegetation although this is not made clear in that document. It only states '*to give images of the final scheme*'. It would have been more useful to include a 'Year 1' or even a 'Year 5' view.

It is highly improbable that the screen planting will ever be that dense or effective as a screen (especially not conifers – the planting scheme shows 3 No 'Ps' which I understand to be *Pinus sylvestris* (Scots Pine). These are naturally very tall and thin with few lower branches at all i.e. of limited screening value.

Even if it did mature to provide some degree of cover, this would take some 15-20 years, during which time harmful visual impacts would persist.

During the winter, this outer hedge is much more transparent than when in leaf.

View 1. This does show how the proposed houses will be clearly visible from the CA / Recreation Area.

View 2. This view along Mackley Lane includes un-trimmed hedges. In March 2020 the hedges were much lower and allow more open views to the field and buildings behind. The proposed view also focusses on views to the east site and totally ignores any views of the south site, which are to the immediate left.

View 3. This clearly indicates the visibility of the proposed scheme.

View 4. I do not understand how it is that the proposed houses that are only half the distance away from the viewpoint and set on higher ground are not visible at all. In addition, in winter it is possible to see both 'ends' of the existing houses so I find it hard to believe that I won't have any view of any buildings within the east site. The proposed landscape scheme in this corner includes 3 Scots Pine trees and some grass. I do not think this will provide the level of screening shown in this montage.

Conclusion.

One of the key reasons why the original scheme was successful was that it did not necessarily extend out to its own boundaries. It left sufficient space between itself and the important buildings and spaces around it. It respected the 'setting' of these spaces and This scheme seeks to now infill those spaces and I consider this to be harmful. The applicants own LVIA accepts adverse impacts in almost every facet of the study.

I consider that the proposed scheme is harmful whether viewed as individual parcels or as a whole. It will cause harm to landscape character, harm to the setting of the conservation area and a number of very important listed buildings. It will also preclude the proposer implementation of those landscape proposals which were secured as part of the original planning permission.

There will be additional light in these currently dark areas and this will inevitably have a harmful effect on the wildlife in the area.

Overall, I find the scheme to be harmful and consider that permission should not be granted