

22.11.2018.

Dear Sirs,

Objection to: 18/04288/OUTMAJ, Outline application for the erection of up to 48 dwellings with access considered. Spring Lane Farm, Yew Tree Lane, Harrogate, HG3 1NR.

In August 2017 I prepared a Landscape and Visual Impact Appraisal (LVIA) on behalf of the Spring Lane SLA Defence Group to examine the potential landscape implications of a draft housing allocation being considered as part of the emerging Harrogate district local plan, and identified as Site PN17. As I noted at that time the Smeeden Foreman LVIA benefited from my experience over 30 years in preparing LVIA for projects ranging in scale from local to nationally significant proposals throughout the UK including those subject to formal assessment to produce an Environmental Statement.

The conclusion of our report was that the proposed allocation would result in a major adverse impact on landscape character and we also recorded the potential for major adverse visual impacts. The report identified significant conflicts with Policy C9 with respect to the designated Special Landscape Area; Policy R11 with respect to public rights of way (PROW), and Policy HD3 which seeks to protect Conservation Areas. Our assessment of the proposed allocation and conclusions were applied to our previous objection (dated 19.12.2017) to a now withdrawn application 17/05136/OUTMAJ, *Outline application for the erection of 52 dwellings at land adjoining Spring Lane Farm, Pannal with access considered.*

Since the previous application for development on this site was submitted and subsequently withdrawn there has been an appeal allowed with respect to a development of up to 14 dwellings on the north side of the Special Landscape Area at Rosset Green Lane HG2 9LH (App Ref: APP/E2734/W/17/3177793). This appeal decision is referenced in the Planning Case Report prepared in October 2018 on behalf of the applicants by their planning consultants Johnson Mowat. This decision is cited by Johnson Mowat as a '*material consideration*', however this report includes the caveat,

"5.41 The Rossett Green Lane and Spring Lane residential proposals are different in scale and thus a direct comparison in terms of landscape impact cannot be made. However they are located less than 1 mile from each other and within the same Special Landscape Area."

I have examined the allowed Appeal Decision for the Rosset Green Lane site and also a previous dismissed Appeal Decision (APP/E2734/W/16/3164715) for a larger application in this area which

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included the allowed site. I have also examined a dismissed Appeal Decision for an application within a Special Landscape Area at Cornwall Road, Harrogate of July 2017 (Appeal Ref. APP/E2734/W/16/3160792).

The withdrawn planning application for the Spring Lane site (17/05136/OUTMAJ) included a Landscape and Visual Impact Appraisal (LVIA) prepared by Rosetta Landscape Design. This document has been revised in September 2018 and submitted to support the current application. I have considered this revised assessment in the context of my previous report and of extant planning policy. The LVIA as it appears on the planning authority website is incomplete (without appendices) and I have commented on a copy provided directly to me by Rosetta.

The Rosetta document (Section 2) does not consider Policy R11 (PROW) nor Policy HD3 with respect to Conservation Areas. I have considered these areas in the context of their report and the SLA designation, below.

Special Landscape Area.

Rosetta have correctly identified (4.2.12) the high quality of the landscape within the SLA and the importance of this area as *“especially important because it serves to separate Harrogate from Pannel and Spacey houses”*. The report then records at 7.2.4 with respect to the SLA *“....it is assessed that the new development has the potential to provide a much clearer distinction between Harrogate and Pannel than exists at the present time. Far from being an adverse impact on the SLA, it would therefore safeguard and enhance the landscape buffer between the two settlements.”* The first part of this assessment is in complete contradiction to the earlier statement in this report with respect to the boundary between the SLA and the adjacent edge of Pannel where the report at 5.3.27 notes, *“In particular the Spring Lane boundary comprises typical suburban development to one side of the road and open, arable fields to the other with a sharp visual discontinuity between the two”*, in other words a ‘clear distinction’.

The SLA is also to be considered a valued landscape in terms of the current NPPF as expressed at paragraph 170 a). In a recent appeal decision of 6th September 2017 (Appeal ref APP/E2734/W/16/3160792, Cornwall Road, Harrogate) the inspector noted in his decision (Para.36) *“....the simple fact of SLA designation is evidence of value having been placed on its qualities in a formal, documented and spatially defined sense”*. The Local Planning Authority (LPA) reviewed the SLA designation in 2011, updated in 2016 and confirmed the designation in this area. Rosetta have not sought to suggest that the application site should not have been included within the SLA designation and the Inspectors decision (referenced above) (Para 31.) recorded with respect to Policy C9 *“....it is nevertheless clear, inter alia, that major extensions to existing development which would have an adverse impact on the character of the landscape or the landscape setting of Harrogate will not be permitted”*.

In considering the value of the Special Landscape Area with respect to previous dismissed Appeal Decision (APP/E2734/W/16/3164715) for a larger application on Rossett Green Lane the inspector noted at Paragraph 21 *“.....extending southwards, beyond the existing building line of the dwellings on the south side of Rossett Green Lane, into the area of attractive open countryside which provides a rural setting to the southern edge of Harrogate and serves to separate Harrogate from Pannal. These are key objectives of the SLA.”* In further considering her reasons for dismissing the appeal the inspector recorded at paragraph 26 *“.....I conclude that the appeal proposal would cause substantial harm to the character and appearance of the area, having regard to the Crimple Valley Special*

Landscape Area (SLA), the public rights of way and the trees and hedgerows on the site. Accordingly, it would be contrary to Core Strategy policy EQ2 and policies C2 and C9 of the Local Plan as a development that would harm local landscape character and the Crimple Valley SLA. It would also be contrary to policy HD13 of the Local Plan which seeks to ensure the retention of trees or woodland which contribute the character and setting of a settlement and policy R11 of the Local Plan as it would harm the character and amenity of nearby public rights of way."

At present Spring Lane forms a clear boundary between established development to the south of the lane and an attractive rural landscape to the north of the lane. The rural landscape is attractive and without any factors which could diminish its function as a clearly distinct landscape between Harrogate and Pannel, an identified function of the SLA in this area. This distinction is clearly discernible by travellers on Spring Lane to the south (on the edge of Pannel) and from Rosset Green Lane to the north (on the edge of Harrogate). Within the SLA the landscape is appreciated from a network of PROW and from local roads connecting Pannel to Harrogate.

The development of the application would replace a strong boundary to the SLA where the distinct landscape types can be appreciated from the public highway with rows of houses where the rear boundaries for each plot are illustrated presented to the edges of the site, resulting in a landscape of rear garden fences and domestic paraphernalia seen from the surrounding areas. This effect will be especially appreciable from Spring Lane where the existing hedge which forms the boundary to the SLA is annotated on the Illustrative Masterplan submitted by PRA Architects (Drwg. No. Y81; 1055.05 as *"Existing Hedgerow (over length of road widening) to be removed/realigned as advised by others."* This hedge on the boundary of Spring Lane is identified by the applicants ecological consultant in their report at Paragraph 25 as follows *"This hedgerow supports at least 6 native woody species per 30m of length and thus would score as being an 'Important hedgerow' under the guidelines of the Hedgerow Regulations 1997"*. This vegetation removal is understated by Rosetta (Para 6.2.1) as 'a short section of hedge'.

The diminution of the extent of the SLA and the reduction in the available opportunities to perceive the SLA from the surrounding area is completely at odds with the proposition made by Rosetta (Para 9.13) that development could *".....therefore safeguard and enhance the landscape buffer between the two settlements."*

The submitted LVIA makes no reference to the potential impact of introducing illumination within the night scene. The SLA is currently dark and the surrounding roads have very limited street lighting (there are currently four small scale street lamps on Spring Lane and non on Yew Tree Lane in the vicinity of the application site). It is to be expected that the proposed junction on Yew Tree Lane will be illuminated, that the road layout within the development will be similarly illuminated, as would the new pedestrian route along the edge of the development against Spring Lane. Lighting would have an adverse visual impact and diminish the landscape character of the SLA.

The harm to the SLA is absolute and the conflict with this policy is not capable of mitigation. In my view no weight should be given to suggestions that the choice of building materials or retention of existing trees can be a consideration in determining this application. The applicant has also suggested that views between proposed houses from Spring Lane to the countryside beyond would in some way compensate for the loss of the rural landscape north of Spring Lane. This proposal could have no value

in views from the SLA to the north. Corridors through the housing area are illustrated at an acute angle to the adjacent road and could not compensate for the current mixture of oblique views from the road which allows the perception of openness currently provided by the SLA and which distinguishes this area from the adjacent settlement.

Public Rights of Way.

The application does not result in direct impacts to a PROW, however policy R11 records, *“when considering development proposals which affect existing public rights of way, these rights of way and the opportunities they afford for informal recreation should be retained. Developments which would result in harm to the character or recreational and amenity value of existing rights of way and which do not involve the satisfactory diversion of the route will not be permitted.”*

The importance of views from public rights of way in the study area has been considered within the Smeeden Foreman visual impact assessment, and major adverse effects upon these views recorded.

The value of footpaths in the area is considered to be high as they afford recreational opportunities to experience a rural landscape which has not been degraded by the close proximity of housing areas to both the north (Harrogate) and south (Burn Bridge and Pannal). The Conservation Area Appraisal further reinforces the value of the rights of way network by identifying Strategic Pedestrian Routes along Clark Beck, and from the PROW at Woodcock Hill.

The detrimental effect of development of the allocation site on the character of the SLA and amenity value of the PROW in the local area, and the adverse impact upon informal recreation, would in my assessment conflict with the objectives of Policy R11.

The study assessment of visual impact undertaken by Rosetta recognises the high sensitivity of the receptors using PROW, but records the magnitude of change in the views as ‘small’, and ‘very small’. It is impossible to understand how replacing open fields and hedges with several rows of houses could in anyone’s assessment of local views have such a low magnitude of change. Such an approach compromises the conclusions of their assessment.

Conservation Areas

Policy HD3, which seeks to protect the character and appearance of a Conservation Area, includes in the justification (at 6.24) reference to the importance of the setting of a conservation area. The need to consider the contribution of the setting of heritage assets is referenced by paragraph 190 of the National Planning Policy Framework, and which at paragraph 189 requires applicants amongst other things to make an assessment of the setting of heritage assets.

The proposed allocation site does not directly abut the Pannal Conservation Area, however it is viewed from that part of the Conservation Area that includes Woodcock Hill, from where a ‘key view’ is identified in the Conservation Area Character Appraisal. The appraisal also identifies Strategic Pedestrian Routes, both at Woodcock Hill and also close to the crossing of Clark Beck by Spring Lane. The impact of development from views in these locations Smeeden Foreman assessed as ‘major adverse’.

The Rosetta LVIA would appear to have been undertaken without reference to the Conservation Area Appraisal and does not address these views.

The adverse impacts upon views from the Conservation Area, and adverse impacts on the landscape character, will impact on the perception of the setting of the Conservation Area for residents and all those entering or leaving the Conservation Area on Spring Lane, or approaching on any of the Public Rights of Way in the Clark Beck Valley.

In my assessment the impact on the rural setting that contributes to the distinct sense of place of the Conservation Area would be adverse and any development of the application site would conflict with Policy HD3.

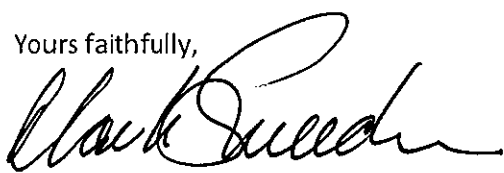
Conclusion.

The assessment provided by Rosetta Landscape Design to support the application is based upon a series of judgements which result in a failure to recognise the protection given to the SLA as a valued landscape and appreciate the function ascribed to this designated landscape in providing a distinct landscape separation between Pannel and Harrogate. No assessment of harm to the designation is offered.

An assumption is also made that the existing houses on Spring Lane are a discordant element to be beneficially screened by new housing. These existing houses exhibit a degree of stylistic consistency commensurate with their period of construction, have frontages that address the edge of the settlement and are neatly fringed by front gardens and the hedge along Spring Lane. The dwellings would be generally considered to have period charm and enjoy an established landscape setting. To base an assessment of visual impact upon the premise that these dwellings are a 'blot on the landscape' and there is a beneficial impact to screening them by building new housing in open fields is a distorting and disingenuous proposition.

I would request that the planning authority refuse the application.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Mark Smeeden', written in a cursive style.

Mark Smeeden

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