



**PINS ref APP/U2235/W/24/3351435  
LPA ref: 23/504471/OUT**

**Appeal by**

**Catesby Strategic Land Ltd and The Master  
Fellows and Scholars of the College of Saint John  
the Evangelist in the University of Cambridge**

**in relation to**

**LAND AT MOAT ROAD  
HEADCORN, KENT**

**PROOF OF EVIDENCE ON  
LANDSCAPE AND VISUAL  
MATTERS**

**prepared by**

**Peter Radmall, M.A., B.Phil, CMLI**

**on behalf of**

**Maidstone Borough Council**

**January 2025**

# Contents

1.	Introduction	1
2.	The Council's Case	3
3.	The Site and its Setting	5
4.	The Proposed Development and its Sources of Impact	13
5.	Impact on Character and Appearance	17
6.	Impact on Views and Amenity	23
7.	The RfR(1) Concerns and their Policy Implications	29
8.	Summary and Conclusions	33

## Figures

- 3.1: Appeal Site
- 3.2: Policy Map Extract
- 3.3 Relationship to LCA43
- 3.4 Low Weald LLV
- 3.5: Winter Version of Photoviewpoint EDP1
- 4.1: Illustrative Masterplan
- 6.1: View towards Headcorn Church(a)
- 6.2: View towards Headcorn Church(b)

## Appendices

- A: Assessment of Appeal Site against TGN02/21 Factors

# 1. Introduction

- 1.1 My name is Peter Radmall. I hold an MA in Geography from the University of Oxford and a B.Phil in Landscape Design from the University of Newcastle-upon-Tyne.
- 1.2 I am a Chartered Member of the Landscape Institute and a consultant landscape planner experienced in landscape and visual impact assessment (LVIA). Much of this experience has related to residential development in greenfield and settlement-edge locations, as is the case here.
- 1.3 I am instructed by Maidstone Borough Council (MBC) to present their case on landscape and visual matters in relation to this appeal. I am familiar with the district and local area, having represented MBC in previous appeals.
- 1.4 This evidence has been prepared, and is given, in accordance with the guidance of the Landscape Institute, and I can confirm that it represents my true and professional opinion.
- 1.5 I have visited the appeal site and surrounding area, and have reviewed the description of development and relevant information, notably the appellant's landscape and visual impact assessment (LVIA). It should be noted that this review has not included a technical audit of the visual material, which I have taken as read.
- 1.6 The remainder of this proof is organised as follows:
  - Section 2 sets out the Council's case and the scope of my evidence;
  - Section 3 describes the site and its landscape setting, and reviews their sensitivity;
  - Section 4 describes the proposed development and sets out its sources of impact;
  - Section 5 reviews the development's impact on landscape character and appearance;
  - Section 6 reviews the development's impact on views and amenity;

- Section 7 validates the concerns identified in consolidated Reason (1), and sets out their policy implications; and
- Section 8 provides a summary and conclusion.

1.7 **Appendix A** comprises a comparative assessment of the value of the site against the TGN02/21 factors, as presented originally in the LVIA.

1.8 I have made reference to the following documents:

- CD1.8/9: Design and Access Statement/Addendum;
- CD1.28: Landscape and Visual Impact Assessment (LVIA);
- CD5.2: Council's Statement of Case;
- CD8.22: Maidstone Landscape Character Assessment [July 2013];
- CD8.27: LPR Inspector's Final Report;
- CD9.1: Headcorn Neighbourhood Plan (Regulation 16 Draft);
- CD10.4: Guidelines for Landscape and Visual Impact Assessment v3;  
and
- CD10.8: Technical Guidance Note TGN02/21.

## 2. The Council's Case

- 2.1 The Council refused planning permission for the development on 29th April, 2024, on the basis of six reasons. As explained in the Council's Statement of Case [CD5.2], the decision fell within the judicial review period for the Local Plan Review (LPR), which had been adopted the previous month.
- 2.2 Consequently, the application had been assessed against policies both from the LPR and from the previous Local Plan 2017 (LP17). The main difference between them for the purposes of this appeal is that the LPR shows the site as allocated for residential development.
- 2.3 Since the Development Plan now comprises the LPR, Reasons 1 and 2 have been consolidated. No additional grounds for refusal have been introduced. However, references to LP17 – and specifically to the unallocated status of the site – have been removed. Greater clarity has also been provided on relevant policies and criteria in the LPR, and relevant paragraphs in the NPPF.
- 2.4 My evidence relates to matters raised in consolidated Reason 1, which is as follows:
- 1. The proposed development would cause unacceptable harm to the character and appearance of the local area, which lies in the Low Weald Landscape of Local Value, due to the visual prominence of the development in a semi-rural locality, which has not been adequately considered or respected in the design, layout and form of the development. The indicative sizes and number of dwellings mean that the development is unable to provide lower densities and built form on the western portion of the site to reflect its adjacency to open countryside. The proximity of dwellings to the southern and western boundaries, with intervening attenuation basins, results in a lack of sufficient space for landscaping to suitably mitigate and assimilate the development into the area and there are inadequate structural landscape buffers within and across the site from east to west to break up the massing and roofscape. The proposals will therefore result in a form of development inappropriate for the rural edge of Headcorn and be harmful to the local area which is contrary to NPPF paragraph 135 and*

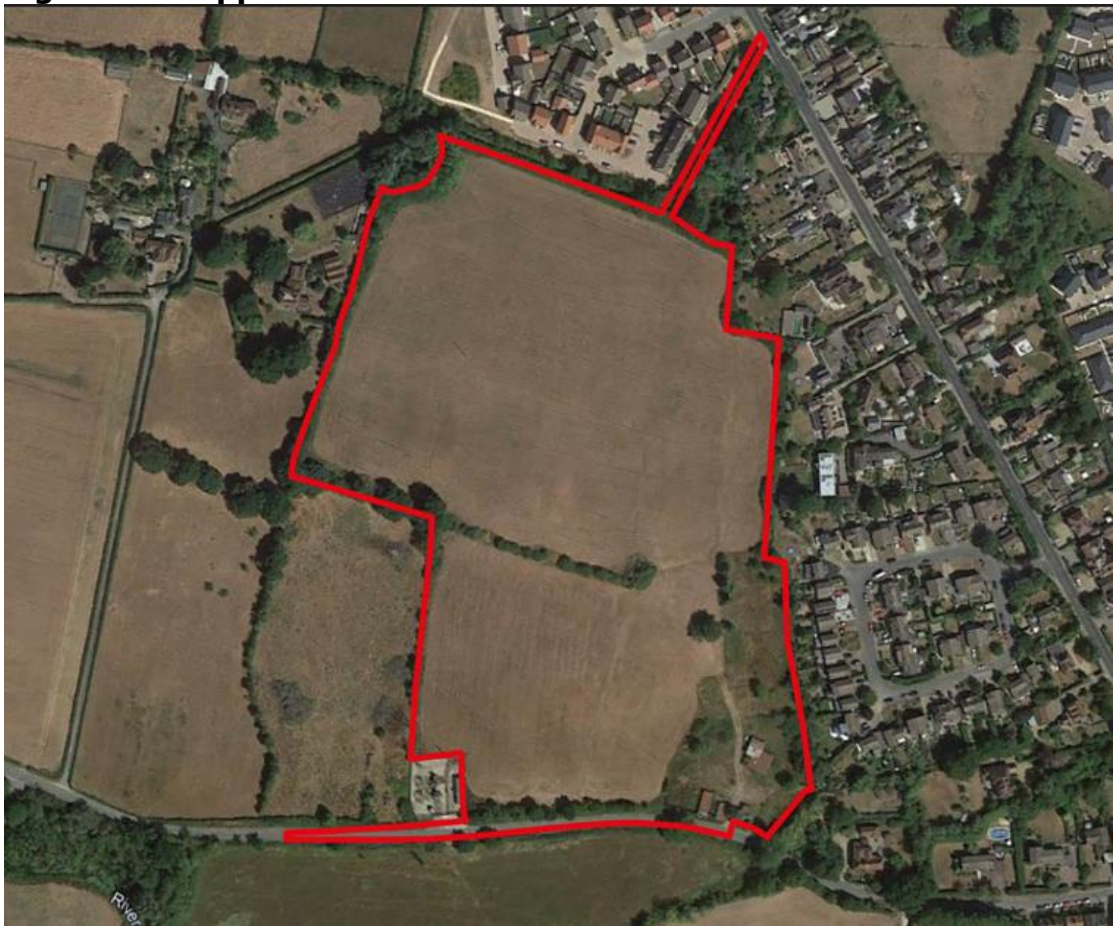
*policies LPRSP14(A) (part 1b), LPRSP15 (parts 2, 6 and 7) and LPRSA310 (parts 7 and 8) of the Maidstone Borough Local Plan Review 2024.*

- 2.5 As set out in the Council's SoC, the key matters underpinning this reason may be summarized as follows: The proposed development's impact upon the character and appearance of the local area and landscape, including the Low Weald Landscape of Local Value (LLV), and whether it complies with the site allocation conditions.
- 2.6 In relation to the LPRSA310 conditions, this evidence deals with item (8), which relates to the adequacy of the landscaping required to mitigate the impact of built massing on the rising topography of the site. Item (7) relates to the density and scale of buildings on the rural western edge of the site. Since this is essentially an urban design matter, it will be addressed by Ms Geary, who will also consider the overall policy compliance achieved by the development and the planning balance.

### 3. The Site and its Setting

3.1 The appeal site is described in the LVIA [**CD1.28**], which was carried out before the adoption of the LPR and the site's allocation for residential development (March 2024). As a result of the allocation, the planning status of the site has changed, such that it no longer forms part of the countryside in planning terms. However, its character has not changed, such that the description in the LVIA remains valid. My own fieldwork confirms that this description remains valid for the purposes of this inquiry. A Google Earth image of the site and its immediate setting is shown in **Figure 3.1**.

**Figure 3.1: Appeal Site**



#### Site Character

3.2 The site comprises two inter-connected pasture fields, currently grazed by sheep. The fields are defined mainly by outgrown hedgerows and scrub,

together with associated trees, including mature oaks. Apart from a group of farm buildings in the south-eastern corner, the site is undeveloped.

- 3.3 The site forms the slope of a local ridge, with a southward orientation towards the Beult Valley, and ranges in topography between c18mAOD at the south-eastern corner to c33mAOD within the northern field. The larger northern field forms the crest of the ridge, and has an elevated and more open character.
- 3.4 The transition to the southern field is marked by a slight steepening in the terrain, to the north of the separation provided by sections of outgrown hedgerow/scrub and trees. The lower field is more enclosed and gently sloping, reflecting its proximity to the Beult floodplain, which lies to the south of Moat Road.
- 3.5 A PRoW (KH590) crosses the southern field from Moat Road to the western boundary, towards Blackmill Lane. Whilst the northern field is not officially accessible, there are indications that it may be accessed informally from PRoW KH591, which skirts it to the north-west.

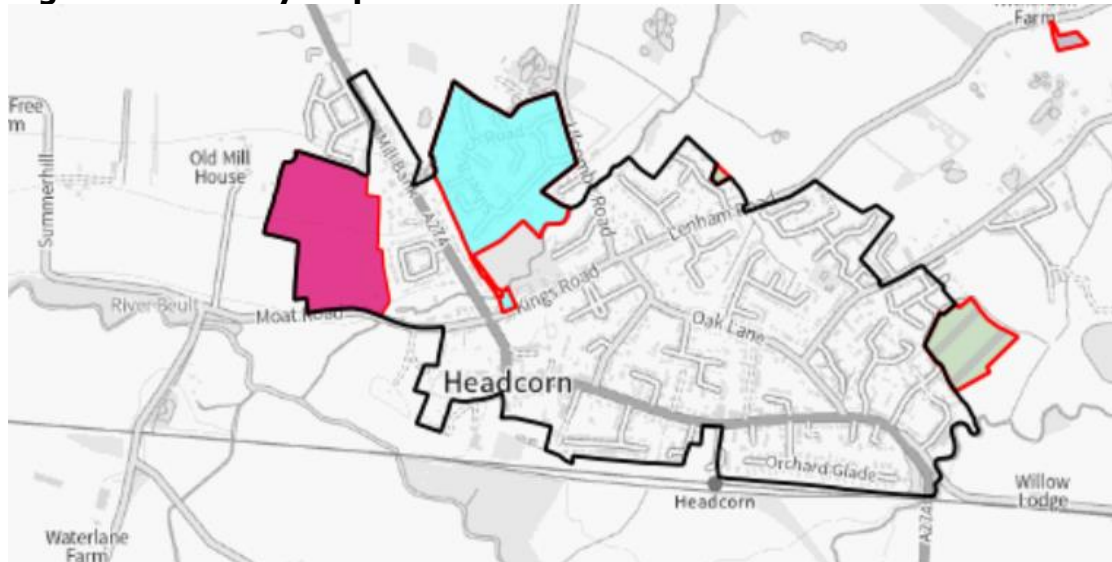
### Immediate Context

- 3.6 The site is adjoined to the east and north by the built-up area of Headcorn. It is particularly inter-visible with the former – the rear of the housing in Bankfields is prominent in views from the PRoW within the site. To the north, the roofline of recently completed housing in Miller Close is intermittently visible in views across the site.
- 3.7 The site lies relatively close to the historic core of Headcorn - the nearest part of the Conservation Area lies c120m to the south-east. The parish church of St. Peter and St. Paul is visible from the upper field and from PRoW KH590, both within and approaching the site from the west.
- 3.8 Open countryside adjoins the site to the west and (beyond Moat Road) south. Whilst the allocated site now forms part of the enlarged settlement, its appearance and use continue to be “read” as part of the surrounding countryside – ref **Figure 3.2** below, in which the magenta shading shows



the appeal site, the black line the settlement boundary, the turquoise area a housing allocation from the Local Plan 2017 and the green area public open space.

**Figure 3.2: Policy Map Extract**



### Landscape Character

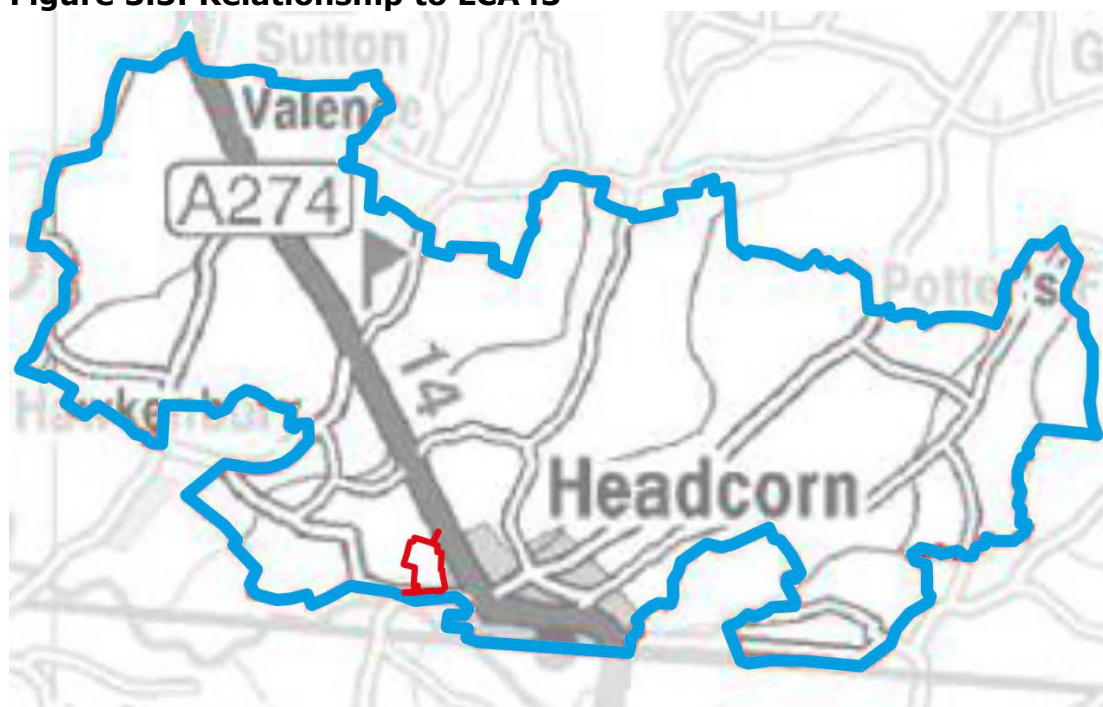
3.9 As noted in LVIA Section 4, the site falls within National Character Area (NCA) 121: Low Weald and district-wide character area LCA43: Headcorn Pasturelands. The site's relationship to LCA43 is shown in **Figure 3.3** below. The published characteristics of LCA43 [CD8.22] are as follows:

- *Low lying landscape which forms part of the Low Weald*
- *Reservoirs along the foot of the Greensand Ridge*
- *Drainage ditches running southwards towards the River Beult*
- *Enclosed pasture*
- *Sparse development with scattered farms and small hamlets*
- *Dominance of mature oaks within pasture and as mature hedgerow trees*

3.10 The site is demonstrably representative of all but one of these characteristics – the reservoirs associated with the Greensand Ridge. As described above, the local setting of the site results in some variations, notably in relation to its topography (locally elevated, but within a low-lying context) and sense of enclosure (the upper field is more open).

3.11 The former farm buildings close to Moat Road include a curtilage-listed building. Whilst they have not been maintained or protected against weathering, the site otherwise makes a positive contribution to the character area.

**Figure 3.3: Relationship to LCA43**



#### Relationship to Low Weald LLV

3.12 As discussed in the LVIA, the site is located within the Low Weald Landscape of Local Value (LLV). LLVs were identified in the 2017 Local Plan and defined as “landscapes ...highlighted as areas of local value by the public through local plan consultation” [Ref LVIA4.19]. They complement the degree of landscape protection within the borough provided by the National Landscapes of the North Kent Downs and High Weald AONBs.

3.13 The Low Weald LLV covers a significant proportion of the countryside across the southern half of the borough, including the whole of Headcorn parish and LCA 43. It is shown on **Figure 3.4** [taken from Headcorn NP Map 2]. The LLV “washes over” built-up areas (such as Headcorn), as well as the surrounding countryside, where the characteristics of the Low Weald are most evident. This includes the appeal site, even though – as allocated land – it no longer forms part of the countryside in planning terms.

3.14 LLVs are protected under Policy LPRSP14(A): Natural Environment. Para 1.b of the policy requires new development to “*protect positive landscape character, including LLVs...*”. This policy applies even where sites have been allocated and may no longer form part of the countryside for planning purposes.

**Figure 3.4: Low Weald Landscape of Local Value**



### Landscape Sensitivity

3.15 The LVIA considers the LLV to be of “high” sensitivity to the proposed development [LVIA 4.21], and I agree. However, the LVIA then proceeds to downgrade the sensitivity of LCA43 to “medium to medium/high” and of the site itself to “medium” [summarised in Table EDP4.2].

3.16 In accordance with GLVIA3 [CD10.7], the LVIA derives sensitivity from a combination of landscape value and susceptibility, which I discuss below.

### Value

3.17 Guidance on assessing landscape value outside national designations is provided in LI Technical Guidance Note (TGN) 02/21 [CD10.8]. The

primary purpose of this guidance is to assist with deciding whether a particular site or parcel of landscape may represent a “valued landscape” in the meaning of NPPF187(a).

- 3.18 This exercise has been carried out in Table EDP4.1 of the LVIA, which considers the site’s performance against the TGN factors, scoring its value as Poor, Ordinary or Good (or intermediate combinations of these). The LVIA concludes that “overall it is considered of no more than “ordinary” landscape value when considered in the round, which equates to a medium value.” [LVIA4.36].
- 3.19 I have carried out a similar exercise (ref **Appendix A**). I agree with the LVIA in relation to 6 out of the 9 factors. However, some additional influences on value have not been referenced (e.g. the curtilage-listed granary and other functional factors).
- 3.20 I disagree with the LVIA in relation to the other three factors, which I consider to have been under-stated. The greatest difference between us relates to Distinctiveness, which I consider to be at least Ordinary – and possibly Ordinary/Good – rather than the LVIA’s Poor. Similarly, I consider both of the Perceptual factors (Scenic and Wildness/Tranquillity) to rate as Ordinary rather than the LVIA’s Poor/Ordinary and Poor respectively.
- 3.21 Whilst I agree with the LVIA’s overall categorisation of the site as being of Ordinary/Medium value, I consider it to be more valuable than has been reported, and to therefore fall within the upper end of that category.
- 3.22 I accept that the site’s inter-visibility with the modern housing that forms the existing settlement edge represents a detracting influence. However, this influence affects only the immediate setting of the site [my emphasis] – not its intrinsic character. That character is shown in **Figure 3.5** below, which is the winter version of Photoviewpoint EDP1, taken from the PRow just inside the southern boundary of the site.
- 3.23 As can be seen, the site retains the character and appearance of countryside, even if this is no longer its planning status. Its defining characteristics are its openness as pasture, its sloping terrain (creating a

skyline to the north), its agricultural land-use and its varied framework of naturalistic vegetation. The agricultural buildings within the site are not visible (out of shot to the right).

**Figure 3.5: Winter Version of Photoviewpoint EDP1**



- 3.24 The housing currently forming the settlement edge is visible within the right-hand half of the view. This housing provides a rapid transition in use and appearance from the settlement to the demonstrably rural character of the site, which reinforces the contribution the site makes to LCA43, and thereby to local character and the LLV.

#### Susceptibility

- 3.25 GLVIA3 5.40 defines susceptibility as *“the ability of the landscape receptor...to accommodate the proposed development without undue consequences for the maintenance of the baseline situation and/or the achievement of landscape planning policies and strategies.”* [CD10.7] Undue consequences are not defined, but can be taken to mean “materially harmful”.
- 3.26 The existing countryside appearance of the site, as a recognisable part of the Headcorn Pasturelands, would be transformed by the appeal scheme into a residential extension of Headcorn. In so doing, it would erode TGN2/21 factors such as distinctiveness, scenic perception and wildness/tranquillity. This would undoubtedly have materially harmful consequences on the baseline landscape, amounting to a high level of susceptibility.

- 3.27 Taking into account this combination of “medium” value and “high” susceptibility, I consider those parts of LCA43 outside the existing built-up area – including the appeal site - to be of “medium/high” sensitivity.
- 3.28 The Examination Inspector concluded in paragraph 59 of his Final Report [CD 8.27] that the LPR represented a significant level of growth in a predominantly rural borough, with consequent negative environmental impacts such as harm to landscape quality. In relation to the appeal site, in paragraph 293 he stated that various requirements in the policy would need to be effective in seeking necessary landscaping and design responses to the local character.
- 3.29 It is therefore essential that these requirements be considered at this appeal, in terms of the scheme’s degree of compliance with the policy.

#### Visual Influence and Receptors

- 3.30 Visual amenity matters are addressed in LVIA Section 5. As confirmed in the landscape SoCG, I am generally in agreement with the identified viewpoint locations, receptor groups and sensitivities. Where there are differences of fact or opinion, I make these clear in Section 6.

## 4. The Proposed Development and its Sources of Impact

### Background

- 4.1 The proposed development is described in the Design and Access Statement [DAS, **CDs1.8/1.9**] from which I summarize below the key points of relevance to its landscape and visual impact. The Illustrative Masterplan is shown in **Figure 4.1**. For consistency, this is the same as that shown in the latest (February 2024) LVIA, and as described in LVIA 6.2 incorporates the Landscape Strategy shown in LVIA Plan EDP 7.

**Figure 4.1: Illustrative Masterplan**



- 4.2 This masterplan has been updated by the DAS Addendum issued in March 2024 [**CD1.9**]. Amongst other matters, the revised masterplan shows how up to 115 dwellings could be accommodated within the site (as opposed to the previous 120 dwellings). Policy LPRSA310 allocates the site for “approximately 110” dwellings, and it is agreed that the figure of 115 falls within the term ‘approximate’.

- 4.3 The policy does not define “approximately” in terms of an acceptable range of dwelling numbers. However, the Council’s SoC points out that the final acceptable number could equally well be below the 110 figure [my emphasis], as above it. The key test is whether the conditions set out under the policy either have been met at this stage, or are demonstrably capable of being met when Reserved Matters (RM) are brought forward.

### Overview of Scheme

- 4.4 The appeal scheme is described in the Council’s SoC as follows:

- Erection of up to 115 dwellings up to 2 storeys in height in the area shown as ‘residential’ on the Framework Plan;
- Residential land uses occupying c53% of the site;
- Open space occupying c45% of the site;
- Creation of one vehicular access and one pedestrian access onto Moat Road;
- Demolition of the former farm buildings, except for renovation of the curtilage-listed building;
- Creation of landscape buffers, including public open space, on the southern and western boundaries, as per the Framework Plan;
- Creation of a 10m wide landscape buffer along the eastern boundary, as per the Framework Plan;
- Incorporation of SuDs features within the open space, including three detention basins;
- Off-site highway works on Moat Road (a new footway and priority vehicular junction); and
- Use of an existing track to the north of the site for pedestrian and cycle access to Millbank, also acting as an emergency vehicular



access and a secondary vehicle access during flood events on Moat Road.

### Sources of Impact

4.5 The main sources of impact of the completed development may be summarised as follows:

- i. Introduction of built development, covering more than half of a site that currently has a strongly agricultural and countryside character, albeit in a previously settlement-edge location;
- ii. Physical change to the natural topography due to the need to accommodate development platforms, roads and detention basins;
- iii. Loss of pasture fields, currently the predominant land-use across the site, to be replaced by open space occupying c45% of the site;
- iv. Demolition of agricultural buildings, the condition of which currently detracts from the appearance of the site;
- v. Selective loss of vegetation to accommodate the dwellings, roads and detention basins;
- vi. Introduction of planting in accordance with the Landscape Strategy, including tree-belts, hedgerows, scrub and street trees; and
- vii. Physical and perceptual changes to the site, including loss of openness, rural character and tranquillity, and the introduction of urban influences such as lighting and traffic, indicative of its transformation from part of the countryside to part of the extended settlement.

4.6 The allocation of the site establishes that it is an appropriate location for residential development. The Council's Statement of Case [**CD5.2**] acknowledges that a change in the character of the Appeal Site will be inevitable, but "...only to the extent necessary to accommodate 'approximately 110 dwellings' (bearing in mind that the acceptable number

*may be below 110 dwellings); and whilst ensuring that the adverse impacts of any development on the character and appearance of the area are minimised and mitigated so far as possible...The policy requirements may in practice necessitate a lower quantum than 115, or indeed lower than 110 houses. The policy expressly contemplates that the final scheme might be above or below 110. [Statement of Case 10.15].*

- 4.7 The Statement of Case goes on to state that *"The aims of LPRSA310 conditions 2, 3, 4, 7, and 8 in particular are recognising the visual prominence of the site and the sensitivity of the location and requiring the development to respond to and minimise impact."* [Statement of Case 10.15].
- 4.8 In Section 5, I comment on the development's impact on the character and appearance of the site, as reported in the LVIA, and confirm whether or not I agree.

## 5. Impact on Character and Appearance

5.1 The predicted effects of the development are set out in LVIA Section 7. Effects are reported for the Year 1 and Year 15 scenarios, with the latter reflecting the influence of the landscape strategy as it becomes established. To maintain consistency, I have adopted the same approach.

5.2 However, I have not specifically assessed the impact of construction, which I assume to be adverse, due to its limited duration. Any longer-term effects occurring during construction (e.g. vegetation loss) are assumed to be captured in the Year 1 scenario.

### Landscape Receptors

5.3 The LVIA considers effects on the following landscape receptors:

- appeal site;
- its immediate surroundings (within the Headcorn Pasturelands LCA);
- the wider area (within the Headcorn Pasturelands LCA); and
- the Low Weald LLV.

5.4 I summarise these effects below, with a brief explanation of how they have been derived, and then comment on whether or not I agree.

### Appeal Site

5.5 The effect on the appeal site is reported at LVIA7.15 as “moderate adverse” at Year 1, derived from a “high” magnitude of change to a landscape of “medium” sensitivity. I agree that the magnitude of change would be high, as set out in Section 4.

5.6 However, I consider the sensitivity of the site to be “medium to high”, derived from “medium” value and high susceptibility, as set out in Section 3. As a result, I consider the effect on site character to be “moderate to major adverse”, and that this has therefore been under-stated in the LVIA.

- 5.7 The LVIA considers the Year 1 effect to remain the same at Year 15. This reflects the permanence of the physical and spatial changes to character, such as the introduction of built development across the majority of the site, and the loss of agricultural use and openness. Perceptual changes such as urbanising influences would persist once the site has become part of the settlement.
- 5.8 The LVIA approach assumes that these changes would not be affected by the mitigation achieved as the landscape strategy becomes established, even though the increase in vegetation has the potential to provide a degree of visual mitigation. At first glance, therefore, it would seem that in landscape terms the strategy would not be materially effective. Its implications for visual amenity are discussed below.

#### Immediate Surroundings

- 5.9 At Year 1, the LVIA considers the character effect on the immediate surroundings of the site (within c200-300m) to be "major/moderate to moderate adverse", derived from a combination of "high" magnitude of change and "medium to medium/high" sensitivity [LVIA7.18]. Whilst I agree that the magnitude of change would be high, I consider the immediate surroundings of the site to be of "medium/high" sensitivity, as per Section 4, giving rise to a "moderate to major" effect.
- 5.10 By Year 15, the LVIA considers the magnitude of change to have become "low" as the proposed boundary planting becomes established, giving rise to a "moderate/minor to minor" adverse effect [LVIA7.18]. However, I consider a reduction of one order of magnitude to be reasonable, resulting in a magnitude of change at Year 15 of medium rather than low, and a reduction in effect to "moderate to minor" adverse.
- 5.11 In addition, the immediate surroundings of the site should be differentiated between those parts that retain a countryside character (to the west of Blackmill Lane and south of Moat Road), and those that form the settlement edge (to the north-east and east). By my assessment, the former would experience a "moderate to major" effect at Y1, reducing to "moderate to

minor" by Y15. By comparison, the settlement edge would experience a "moderate to minor" effect at Y1, reducing to "minor to negligible" by Y15.

#### Wider Area

5.12 The LVIA considers the Year 1 effect on the wider area (i.e. LCA 43 as a whole) to be "moderate/minor to minor", derived from "medium/high sensitivity" and a "low" magnitude of change" [LVIA7.24]. Whilst I agree with both of these levels of input, I consider the resulting effect to be slightly greater, at "moderate/minor" adverse.

5.13 By Year 15, the LVIA considers the magnitude of change to have fallen to "very low". This reflects the reduced visual influence of the development across this wider area, giving rise to a "minor to minor/negligible" adverse effect. However, this visual mitigation would not reduce the physical impact of the development on the Headcorn Pasturelands, such that I consider the overall effect to be Minor Adverse rather than the LVIA's Minor to Minor/Negligible.

#### Low Weald Landscape of Local Value

5.14 The LVIA considers the effect on the LLV to be "moderate/minor" adverse, derived from a low magnitude of change and a high level of sensitivity [LVIA7.20]. Whilst I agree with both of these levels of input, I consider the correct degree of effect arising from them to be "moderate" adverse. Adopting the LVIA assumption that the Y15 effect on the LLV would be the same as Y1, suggests that the residual effect would remain Moderate Adverse.

5.15 Whilst the relatively modest scale and settlement-edge location of the site are acknowledged, the key influence on the development's compatibility with the LLV is its impact on the characteristics that underpin the designation. In this location, these characteristics are fundamentally those of the undeveloped parts of the Headcorn Pasturelands.

5.16 The development's impact on the five characteristics of LCA43 to which the site makes a positive contribution (ref Section 3) may be summarised as follows:

- Low lying landscape which forms part of the Low Weald: No overall change to the site's perception as part of a low-lying landscape, except that it will now be seen as part of the settlement rather than as part of the surrounding landscape;
- Drainage ditches running southwards towards the River Beult: Whilst the drainage system is yet to be designed in any detail, such ditches are likely to be re-routed (and perhaps even partly culverted) so as to discharge towards the proposed detention basins;
- Enclosed pasture: The pasture use of the site would be lost, and its grassland cover significantly reduced. Where such cover remains, these would form part of the open space network and are likely to have a mainly amenity purpose and appearance;
- Sparse development with scattered farms and small hamlets: The characteristically sparse development in the vicinity of Blackmill Lane would remain. However, its separation from Headcorn would be substantially reduced by the infilling effect of the development; and
- Dominance of mature oaks within pasture and as mature hedgerow trees: No mature oaks or associated hedgerows would be removed (except possibly where gaps may need to be created for access purposes). However, as the existing fields are infilled with development, the visibility of oaks and hedgerows would in many cases be reduced, and would no longer be seen within a pastureland setting.

5.17 Taken together, these changes amount to a fundamental loss of character from this part of the Headcorn Pasturelands – and thus also from this part of the characteristic Low Weald landscape within the LLV.

## Comparative Summary of Effects

5.18 In **Table 5.1** below, I summarise the LVIA effects and my own interpretation, using the same terminology.

**Table 5.1: Summary of Landscape Effects**

Receptor	EDP		PR	
	Year 1	Year 15	Year 1	Year 15
Appeal Site	Moderate to Adverse	Same as Y1	Major to Moderate Adverse	Same as Y1
Immediate Surroundings	Major/Moderate to Moderate Adverse	Moderate/Minor to Minor Adverse	Major to Moderate Adverse	Moderate to Minor Adverse
Headcorn Pasturelands	Moderate/Minor to Minor Adverse	Minor to Minor/Negligible	Moderate to Minor Adverse	Minor Adverse
Low Weald LLV	Moderate/Minor Adverse	Same as Y1	Moderate Adverse	Same as Y1

5.19 There is some agreement between us in relation to the significance of effects and the visual mitigation achieved between Years 1/15. If significance is taken to mean moderate effects or above, we both find the effects on the appeal site and its immediate surroundings at Y1 to be significantly adverse, and we both find the effects on LCA43 not to be significant.

5.20 In relation to the LLV, I find both of the effects (Y1 and Y15) to be significant, whilst the LVIA does not. This is essentially because of the high sensitivity of the LLV, and the development's physical impact as part of it.

5.21 Overall, I consider the LVIA to have otherwise under-stated the predicted effects. This mainly reflects the greater sensitivity I attribute to the landscape, due to its high susceptibility to the type/scale of development proposed. Whilst differences in terminology are to be expected, there has nevertheless in my view been a tendency for the LVIA to downplay the effects.

5.22 The LVIA assumption that the mitigation provided by the landscape strategy would be ineffective in relation to site character, is relevant to the degree of mitigation achieved under Policy LPRSA310, as I discuss in Section 7.



## 6. Impact on Views and Amenity

6.1 The LVIA assesses the effects on visual amenity at Section 7.30 onwards. Its approach focusses on impacts on each receptor group at relevant locations, with reference to the 15 photoviewpoints presented in Appendix EDP3. For consistency, I have adopted a similar approach in making my comments, but have based these on the worst-case scenario represented by the winter versions of these views in Appendix EDP5 (which should also be largely apparent on the ground at the time of the inquiry).

6.2 I set out my comments below in accordance with the following steps:

- Review of the photomontages in Appendix EDP4 [**CD1.28**] in terms of their illustration of landscape character and visual impacts;
- Review of how these impacts would be perceived to change in winter as per Appendix EDP5 [**CD1.28**]; and
- Comment on the visual effects as reported in the LVIA text.

### Review of Photomontages

6.3 My review of the montages is set out in **Table 6.1** below. I have categorised the impacts on the basis of a high/medium/low descriptive scale.

**Table 6.1: Comments on Impacts as shown in Photomontages**

Montage Ref/Location	Existing View	Relevant Receptors	Impact @ Y1	Impact @ Y15
2A: Moat Road	Unattractive structures on road frontage, beyond which site is seen to be open and partially vegetated.	Users of Moat Road, including walkers accessing PRoW across site	HIGH: New dwellings infill and obstruct views across site	MEDIUM: Established vegetation continues to obstruct views, but also screen the dwellings
2B: Moat Road	Unattractive structures on site frontage, beyond which vegetation	Users of Moat Road, including walkers accessing	HIGH: Frontage replaced by managed hedgerow,	MEDIUM: Established vegetation now largely obstructs view

	associated with site perimeter is glimpsed	PRoW across site	with tree planting/open space beyond. Allowing view towards new dwellings	into site, including screening of dwellings.
5: Black Mill Lane/PRoW KH590	Attractive, partially screened view across Beult Valley, including glimpse of church	Walkers, nearby residents, occasional road users	LOW: New dwellings visible on lower field parcel – church view unaltered	NEGLIGIBLE: New dwellings largely screened – church view unaltered
8. New House Lane	View across Beult floodplain – site seen as vegetated rising ground, with settlement edge seen beyond	Road users	NEGLIGIBLE: Roofline of new dwellings contributes to partially developed skyline	NEGLIGIBLE: Some screening achieved by established trees within site

## Implications of Winter Views

6.4 My comments on the implications of the winter versions of the montage views are as follows:

- VP2 (noting that the winter photo does not replicate the precise extent/angle of views 2A/2B): View into site remains obstructed along road frontage, but with a perception of openness and vegetated perimeter beyond. Y1 effects likely to remain HIGH, but would be greater than shown in the montage, as vegetation would be devoid of foliage. Y15 effects could remain HIGH/MEDIUM, as the proximity and density of the dwellings are likely to remain evident.
- VP5: Screening by vegetation across the middle-ground reduced, allowing more distant filtered views across the Beult valley. At the same time, properties on the settlement edge, and the open grassland cover within the site itself, are also visible. No obvious change to the visibility of the church. At Y1, the development could

become more visible, giving rise to a LOW/MEDIUM impact, but may remain NEGLIGIBLE at Y15.

VP8: In the absence of foliage, the vegetated character of the sloping ground occupied by the site is reduced. It is possible that the open grassland character of the site may therefore be appreciated, although the absence of annotations showing the site extent makes this difficult to confirm. The impacts at both Y1 and Y15 are assumed to remain the same as per the montage.

6.5 As would be expected, winter conditions are likely to allow both the development, and the buildings forming the existing settlement edge, to be more visible. In addition, it is possible that the open grassland character of the site may be evident from viewpoints to the south and west, particularly where screening by vegetation would become less effective.

### Critique of Visual Effects

6.6 In **Table 6.2** below, I summarise the predicted effects from the LVIA. Where a range of effects are predicted, I have reported the worst-case for each receptor group.

**Table 6.2: Summary of Visual Effects from LVIA**

Location	LVIA Ref	LVIA Y1	LVIA Y15
PRow Users			
KH590 within site	7.36/37	Major adverse	Major/moderate adverse
KH591	7.40/41	Moderate adverse	Moderate adverse
KH618	7.43/44	Moderate/minor adverse	Moderate/minor adverse
KH589	7.46/47	Moderate/minor adverse	Minor adverse
KH585/KH584	7.49	Minor adverse	Minor adverse
Road Users			
Maidstone Road	7.52	Negligible adverse	Negligible adverse
Moat Road	7.55	Major/moderate adverse	Moderate adverse
Black Mill Lane	7.58	Major/moderate adverse	Moderate/minor adverse
Water Lane	7.60	Minor adverse	Minor adverse
Stonestile Road	7.62	Minor adverse	Minor adverse
New House Road	7.65/66	Moderate/minor adverse	Minor adverse
Residential Properties			

Bankfields	7.70/71	Substantial adverse	Major adverse
Miller Close	7.73	Major/moderate adverse	Major/moderate adverse
Properties @ Black Mill Farm	7.75	Major adverse	Major/moderate adverse
Properties @ Summerhill Fm	7.76	Moderate adverse	Moderate/minor adverse
Properties @ Moat Road	7.77	Moderate adverse	Moderate/minor adverse

6.7 I am broadly content with the scope and magnitude of the visual effects set out in the LVIA. Applying the same definition of significance (moderate or above) as for landscape, the following receptors are predicted to experience significant effects:

- Users of PRowS KH590 and KH591 at Y1 and Y15;
- Users of Moat Road at Y1 and Y15;
- Users of Black Mill Lane at Y1;
- Residents of Bankfields, Miller Close and properties around Black Mill Farm at Y1 and Y15; and
- Residents of properties around Summerhill Farm at Y1.

6.8 As with the landscape effects, whilst the landscape strategy is predicted to achieve some mitigation, it is generally insufficient to remove the significant adverse effects identified for the two PRowS, users of Moat Road, and residents of Bankfields, Miller Close and properties around Black Mill Farm. The nature of these residual effects is summarised below.

PRow KH590

6.9 The PRow will skirt or pass through the built-area, such that its immediate setting would become one of amenity space or streets rather than open countryside. There is also a risk that views towards Headcorn church could become obstructed by buildings and/or new vegetation. This has been acknowledged in the DAS Addendum issued in March 2024 [**CD1.9**].

6.10 The Draft Headcorn Neighbourhood Plan [CD9.1] states that views of the Church of St. Peter and St. Paul were amongst these “most valued by residents in the Neighbourhood Plan survey” [NP 6.5, on p69]. The church tower can be glimpsed from the footpath approaching the site and entering the lower field from the north-west (**Figure 6.1**) (**Figure 6.2**). Note that both views have been slightly cropped and zoomed, and should be verified in the field.

**Figure 6.1: View towards Headcorn Church (a)**



**Figure 6.2: View towards Headcorn Church (b)**



PRoW KH591

6.11 The development would be variously visible in short-range views, introducing a perception of encroachment by the settlement edge. Levels of tranquillity would decrease as sources of traffic, lighting and pedestrian activity increase.

### Moat Road

- 6.12 This section of the road would lose its immediate countryside setting to the north, and experience the main traffic impact of the development. Draft Headcorn Neighbourhood Plan Policy Map 12: Key Views [NP p71] shows the eastward view along the site frontage as an “important view that should be protected”.
- 6.13 Whilst demolition of the farm buildings and reinforcement of the roadside hedgerow would improve this view, the development would bring the urbanizing influence of the settlement further west. The main access road could provide a viewing corridor into the site, evident both to road users and in medium-distance views from the south.

### Bankfields

- 6.14 Whilst I have not visited these properties, it can be anticipated that the site currently provides them with an open and rural outlook. This would effectively be lost at Y1, with a further loss of openness (but progressive screening of the new dwellings) as tree planting becomes established.

### Miller Close

- 6.15 I have also not visited these properties. Ground-level views towards the site are screened by established hedgerows along the boundary. However, it can be anticipated that the undeveloped site retains some sense of elevation and openness towards the Beult Valley, which would be lost at Y1.

### Properties around Black Mill Farm

- 6.16 These currently enjoy a high degree of tranquillity, as a cluster of settlement that developed around two former windmills in a rural location. That tranquillity is likely to be lost, as the western edge of the development becomes the new settlement edge of the expanded village.

### Properties around Summerhill Farm

- 6.17 These properties currently benefit from a similar level of tranquillity, that would also be reduced once the development is completed.

## 7. The RfR (1) Concerns and their Policy Implications

7.1 The concerns set out in consolidated reason (1) in Section 2 state that the development would:

- be “visually prominent...within a semi-rural setting”;
- be “inappropriate” for a location on the “rural edge of Headcorn”;
- give rise to “unacceptable harm to the character and appearance of the local area”; and
- by implication also cause harm to the Low Weald Landscape of Local Value, in which it is located.

7.2 My analysis of the site and its setting, and my critique of the LVIA, have broadly validated these concerns. Specifically, the site:

- Retains a demonstrable and generally positive rural character that relates to that of the countryside to the west and provides a locally elevated outlook across the Beult Valley to the south;
- Is located on the existing settlement edge, between the village and the characteristically scattered settlement around Black Mill Farm;
- Is strongly characteristic of the Headcorn Pasturelands LCA, and thereby of the Low Weald LLV; and
- Because of its sloping terrain, could result in a degree of prominence if developed without due sensitivity.

### Compliance with Policy LPRSA310

7.3 The Reason states that such sensitivity has not been achieved, due to the inadequate response to the design requirements of Policy LPRSA310, specifically in terms of:

- “insufficient space for landscaping to sensitively mitigate and assimilate the development into the area”; and

- “inadequate structural landscape buffers within and across the site from east to west to break-up the massing and roofscape.”

7.4 These concerns are related, and refer most closely to Condition 8, whereby built layout is required to “mitigate the rising topography” and to introduce “east west landscaping” to “break up the overall visual massing. Whilst this landscaping is not specified in any detail, Ms Geary has proposed tree-belts of at least 15m width, allowing for two staggered rows of trees and adequate room for future canopy and root spread, which I would agree to be an appropriate starting-point.

7.5 Reference to **Figure 3.5** suggests three main opportunities for the introduction of such landscaping:

- a) Within the lower field, either along the Moat Road frontage or around the nearest section of the new settlement edge;
- b) Along the zone of transition between the two fields, reinforcing the screening already provided by groups of trees and sections of hedgerow/scrub, and in front of the development within the upper field; and
- c) Behind the development in the upper field, so as to fill gaps in the vegetated skyline and to provide separation from the Miller Close development beyond.

7.6 Review of the Illustrative Masterplan (**Figure 4.1**) shows that, whilst a reasonably robust tree-belt appears to be proposed in location (c), the landscaping in the other two locations falls short of what might be expected.

7.7 In location (a), tree planting is shown along the Moat Road frontage, and montages 2A/2B suggest a relatively high degree of effectiveness (at least in summer). However, the new settlement edge is itself screened only by a series of individual trees. Most of the intervening green space is occupied by two detention basins, which occupy space that might otherwise be used for additional structure planting.



- 7.8 In location (b), the discontinuous vegetation separating the fields remains recognisable, and is augmented by scattered trees rather than the woodland belt required to effectively screen the built edge of development in the upper field. To the west, a further detention basin occupies green space that might otherwise provide opportunities for supplementary planting along what will become the countryside edge of the expanded settlement.
- 7.9 A combination of insufficient space and a somewhat hesitant approach to the east-west landscaping proposed in condition (8) would not in my view serve to break-up the overall visual massing of the development. As a result, on the basis of the evidence before us, this condition (8) does not appear to have been met.

#### Policy LPRSA14: The Environment

- 7.10 Part (a), para 1b of this policy requires development to "*Protect positive landscape character, including Landscapes of Local Value...*"
- 7.11 As discussed in Section 3, the baseline condition of the site (apart from the existing farm buildings) makes a positive contribution to the character and appearance of the local area, on this rural fringe of Headcorn. It is also strongly characteristic of the Headcorn Pasturelands LCA. As a result, its contribution also extends to the Low Weald LLV.
- 7.12 As explained in Section 5, I consider the development to have a permanently significant adverse effect on site character, and a significant adverse effect at Y1 on the character of its immediate surroundings and the LLV. These effects are contrary to the requirements of the policy.

#### Policy LPRSP 15: Principles of Good Design

- 7.13 As a consequence of the significant harm arising under Policy 14, the development does not:
- "*Respond positively to, and where possible enhance, the local [and] natural...character of the area*";

- *"Respect the topography...";* or
- *"Provide a high-quality design which responds to areas of...landscape value..."*

7.14 The proposal is therefore contrary to paras (2), (6) and (7) of the policy.

### NPPF Chapter 12: Achieving Well-Designed Places

7.15 NPPF 135 states that developments should be *"...sympathetic to local character, including the surrounding...landscape setting..."* The significant harm to character and appearance identified in Section 3 confirms that this requirement has not been met.

### Neighbourhood Plan Policy 2

7.16 Whilst this policy [ref **CD9.1**] has not been referenced by the Council, I consider it to be of potential relevance in relation to the development's impacts on:

- *"the setting of any listed buildings, buildings that contribute to the character of the countryside, or exemplify the development of the Low Weald... [para 1];*
- *"distinctive views within the village and of the surrounding countryside" [para 2];* and
- The *"natural contours of the site"* [para 4].

7.17 This evidence has shown that the appeal scheme would conflict with this policy in relation to:

- the setting of the rural settlement pattern around Black Mill and Summerhill Farm, which exemplifies development in the Low Weald;
- potentially intruding into (or obstructing) views towards Headcorn church from footpath KH590; and
- modifying and obscuring the natural contours of the site.

## 8. Summary and Conclusions

- 8.1 The appeal site comprises a parcel of farmland located on the western edge of Headcorn. Policy LPRSA310 allocates the site for development of approximately 110 dwellings. The site thereby no longer forms part of the countryside in planning terms. However, its use and character remain wholly rural, although its immediate setting does not.
- 8.2 The site consists of two inter-connected pasture fields, which are variously defined by hedgerows, scrub and trees, including mature oaks. The somewhat dilapidated buildings of Moat Farm occupy the south-eastern corner of the site. The site rises northwards to form a local skyline, providing a southerly outlook across the Beult valley and views towards Headcorn church.
- 8.3 Built development forming the settlement edge, notably at Bankfields, is prominent to the east of the site, and is also partly visible to the north, including recent housing at Miller Close. Whilst this development has an urbanising influence on the immediate setting of the site, its intrinsically rural character is also perceived in the context of the open countryside to the west and (beyond Moat Road) south.
- 8.4 The site lies within LCA43: Headcorn Pasturelands, and is demonstratively representative of it. It also forms part of the Low Weald Landscape of Local Value (LLV), to which it makes a positive contribution.
- 8.5 I have assessed the value of the site against the TGN02/21 factors (ref Appendix A), and broadly agree with the LVIA's conclusion that it amounts to an "ordinary" landscape. However, I consider the site to be of more value than reported in the LVIA, and of higher susceptibility, and as a result assess it to be of greater sensitivity.
- 8.6 The appeal scheme would introduce up to 115 dwellings onto the site, covering more than half (c53%) of its area. The dwellings would occupy the majority of both fields, apart from an intervening wedge of landscaped

open space, buffer planting to the east, and a mix of open space, attenuation basins and further planting to the west.

- 8.7 The principal access would via a new road/priority junction from Moat Road. The farm buildings are proposed to be demolished, apart from restoration of the curtilage-listed building. The farmland character of the site would be entirely lost, to become a residential neighbourhood. Even where green infrastructure remains, this would largely acquire the character of amenity space, as part of the overwhelmingly urbanising influence of the development.
- 8.8 Reflecting my conclusion that the landscape is more sensitive than has been reported in the LVIA, I predict that the effects on the character of the site and on the LLV would be significantly adverse. This is primarily due to the physical and perceptual impacts on the site, and its role as a characteristic part of the Headcorn Pasturelands, which makes a positive contribution to the LLV. Whilst I acknowledge that the proposed landscaping could achieve a material degree of visual mitigation, the physical harm would remain.
- 8.9 Significantly adverse visual effects are predicted for users of PRowS KH590 and KH591, Moat Road, Black Mill Lane, and properties at Bankfields, Miller Close, and the vicinity of Black Mill Farm and Summerfield Farm. These effects result from a combination of proximity and receptor sensitivity. Where properties and PRowS currently enjoy a rural outlook, these effects could have harmful implications for amenity, including the potential loss of views towards the church.
- 8.10 My evidence has generally validated the concerns raised in RfR9(1). Specifically, it indicates that full compliance with LPRSA310 condition (8), relating to east/west landscaping, overall massing and rising topography, has not been achieved. The harmful effect on the LLV is contrary to Policy LPRSA14(A) in relation to the need to “protect positive landscape character”, which in turn is contrary to three of the principles of good design set out under Policy LPRSA15, NPPF135 and Neighbourhood Plan Policy 2.

8.11 I consider that the proposal as it stands remains materially harmful to the stated policies. If character and appearance were the only matters to be considered in the planning balance, I would respectfully request that this appeal be dismissed.

**APPENDIX A**  
Assessment of Appeal Site against  
TGN02/21 Factors

# Appendix A: Assessment of Appeal Site against the TGN02/21 Factors

## 1. Introduction

- 1.1 The site lies within the Low Weald Area of Local Landscape Value (LLV).
- 1.2 LI Technical Guidance Note 02/21: Assessing landscape value outside national designations, provides the current guidance on assessing the value of landscapes outside of national designations.
- 1.3 Table 1 of the TGN sets out a "Range of factors that can be considered when identifying landscape value".
- 1.4 Table EDP4.1 of the LVIA considers the site's performance against the TGN factors, scoring its value as Poor, Ordinary or Good (or intermediate combinations of these).

## 2. Comparative Evaluation of the TGN Factors

- 2.1 I set out the LVIA conclusions in the table below, to which I then add a comment as to whether or not I agree.

TGN Factor	Table 1 Definition	EDP Conclusion	EDP Explanation	PR Comment
Natural Heritage	Landscape with clear evidence of ecological, geological, geo-morphological or physiographic interest, which contributes positively to the landscape.	Ordinary	Aside from the TPO within the site, the site or immediate context contains no sensitive features of natural heritage importance.	Agree with Ordinary. I would also highlight the hedgerows as being important within the site. Its agricultural land cover allows the subtle terrain of the River Beult valley to be appreciated.
Cultural Heritage	Landscape with clear evidence of archaeological, historical or cultural interest, which contribute positively to the landscape.	Ordinary/Good	As confirmed within the heritage appraisal, the Grade II Listed building 'The Moat' is located to the east of the site,	Agree with Ordinary/Good, although its inclusion of the curtilage-listed former granary adds to its value.

			and there is a Royal Observer's Corp post within the site, which adds low level interest	
Landscape Condition	Landscape which is in a good physical state both with regard to individual elements and overall landscape structure.	Ordinary/Good	The site is unremarkable agricultural grazing land and contains a number of TPO trees. The boundary vegetation is of good quality, particularly to the west and north.	Agree with Ordinary/Good, although unmanaged hedgerows and dilapidated farm buildings reduce its condition.
Associations	Some landscapes are associated with particular people such as artists or writers, or events in history that contribute to perceptions of natural beauty in the area.	Poor	There are no associations relating to the site.	Agree
Distinctiveness	Landscape that has a strong sense of identity.	Poor	Beyond being an open area of grazing land on the edge of the settlement, the site has no particularly strong sense of identity or distinctiveness and comprises unremarkable agricultural land.	Disagree – I would rate the site more highly, certainly as Ordinary and possibly as Ordinary/Good. It is located within LCA43: Headcorn Pasturelands, and is highly representative of it – 4 out of the 6 key characteristics of the LCA are evident within the site [LVIA 4.5]. Whilst these characteristics are relatively commonplace within the Low



				Weald, such that the site may be "unremarkable", it is not correct to conclude that the site does not have a "particularly strong sense of identity".
Recreational	Landscape offering recreational opportunities where experience of landscape is important.	Ordinary	The site has some recreational value, with a PRoW crossing its southern parts. This level of access is, however, unremarkable.	Agree – although the PRoW through the site does connect to the N/W with other routes towards the A274 and Summerhill.
Perceptual (scenic)	Landscape that appeals to the senses, primarily the visual sense.	Poor/Ordinary	The site is a standard edge of settlement parcel of land, which provides little in the way of scenic quality. Urban form is notable and evident in views of the site.	I would rate it as Ordinary. The site's representativeness of the LCA offsets its dilapidated buildings and partially built-up context. Its character clearly remains rural, thereby helping to define the settlement edge.
Perceptual (wildness and tranquillity)	Landscape with a strong perceptual value notably wildness, tranquillity and/or dark skies.	Poor	The site is adjacent to the village of Headcorn and is not wild or tranquil as a result.	Disagree - I would rate it as Ordinary, since it is relatively more wild/tranquil than the built-up area of the village.
Functional	Landscape which performs a clearly identifiable and valuable function, particularly in the healthy functioning of the	Ordinary	As a parcel of agricultural land, it performs a valuable function in that context.	Agree – although it performs several other functions locally: runoff attenuation, carbon capture, biodiversity, some contribution to the visual amenity of residents and walkers.

	landscape.			
--	------------	--	--	--

### 3. Summary and Conclusion

#### 3.1 LVIA 4.36 concludes as follows:

*Having assessed the site in accordance with TGN 02-21, overall it is considered of no more than 'ordinary' landscape value when considered in the round, which equates to a medium value. Moreover, there exists no evidence (based on 'demonstrable physical attributes') to suggest that further weight should be attached to the value of the site derived from the use or enjoyment of this area by local residents (beyond that considered above) or as expressed by any other stakeholder.*

#### 3.2 My assessment of the TGN factors concludes as follows:

- I agree with EDP in relation to 6 of the 9 factors, although some additional influences on value have not been referenced (e.g. the curtilage-listed granary and other functional factors).
- I disagree with EDP in relation to the remaining three factors, all of which I consider to have been under-valued.
- The biggest difference between us relates to Distinctiveness, which I consider to be at least Ordinary, and possibly Ordinary/Good, rather than EDP's Poor.
- The remaining two factors relate to Perceptual, which I consider to be of greater value than EDP's Poor and Poor/Ordinary.

#### 3.3 Whilst I agree with EDP's conclusion of Ordinary/Medium value overall, the value of three of the factors – Cultural Heritage, Landscape Condition and, in my view, Distinctiveness – reach Ordinary/Good. As a result, the site's value in relation to these can probably be considered to reach "the upper end of Medium".

Peter Radmall