



**Land North of Moat
Road, Headcorn**

Proof of Evidence of:
Charles Mylchreest
PG DipLA CMLI

In respect of:
LANDSCAPE MATTERS

On behalf of:
Catesby Strategic Land

PINS Ref
APP/U2235/W/24/3351435

LPA Ref
23/504471/OUT

Volume I
MAIN TEXT

January 2025
Report Reference
edp5739_r004a

Contents

Section 1	Introduction.....	5
Section 2	Reasons for Refusal	7
Section 3	Appeal Site and Surrounding Context.....	12
Section 4	Planning Policy Context and Landscape Sensitivity Considerations	24
Section 5	The Proposed Development.....	34
Section 6	Response to the Reasons for Refusal	37
Section 7	Summary and Conclusions.....	56

APPENDICES

Appendix EDP 1	Sketch Layout Masterplan (SKMP-01 Rev A5)
Appendix EDP 2	Final Landscape Strategy Plan (edp5739_d009e 14 January 2025 RBa/CMy)
Appendix EDP 3	Detailed Landscape Strategy Southern Edge (edp5739_d010d 16 January 2025 HEi/CMy)
Appendix EDP 4	Photoviewpoints EDP 1 to 15 – Summer and Winter Summer: (edp5739_d008a 08 November 2022 DJo/CMy) Winter: (edp5739_d012 01 February 2024 GYo/CMy)
Appendix EDP 5	Verified View Photomontages - Summer (EDP_001_01D 21 January 2025)
Appendix EDP 6	Verified View Photomontages – Winter (EDP_001_02A 21 January 2025)
Appendix EDP 7	Photomontage Methodology (Snapshot Visuals, 2025)
Appendix EDP 8	Updated Cross Sections
Appendix EDP 9	Appraisal of Site Against TGN 02/21 from LVIA

PLANS

Proof Plan CM 1: Site Location and Boundaries (edp5739_d013 03 December 2024 GYo/CMy)
Proof Plan CM 2: Site Character and Local Context (edp5739_d014 03 December 2024 GYo/CMy)
Proof Plan CM 3: Relevant Planning Designations and Considerations (edp5739_d015 03 December 2024 GYo/CMy)

Proof Plan CM 4: Landscape Character and Context Appraisal
(edp5739_d016 03 December 2024 GYo/CMy)

Proof Plan CM 5: Representative Viewpoints
(edp5739_d017 03 December 2024 GYo/CMy)

Proof Plan CM 6: Findings of EDP's Visual Appraisal
(edp5739_d018 03 December 2024 GYo/CMy)

Proof Plan CM 7: Study Area Topography
(edp5739_d019 03 December 2024 GYo/CMy)

Proof Plan CM 8: Detailed Site Topography (2km range)
(edp5739_d020 03 December 2024 GYo/CMy)

Proof Plan CM 9: Photomontage Locations
(edp5739_d022 21 January 2025 GYo/CMy)

Section 1

Introduction

WITNESS QUALIFICATIONS AND EXPERIENCE

- 1.1 My name is Charles Mylchreest. In my role as a Director of EDP, I provide advice as a Chartered landscape architect and environmental planner. My current project portfolio spans major urban extensions throughout the UK, urban regeneration, masterplanning, renewable energy development, strategic site assessment and some work for Local Authority clients.
- 1.2 My qualifications include a BA (Hons) Degree in Landscape Architecture from the University of Gloucestershire and a Postgraduate Diploma in the same subject. I have been a fully Chartered Member of the Landscape Institute (LI) since 2006.
- 1.3 I possess more than 20 years' experience in professional practice; first as a landscape consultant for Halcrow, and subsequently (from 2005–2011) as a project landscape architect at Derek Lovejoy Partnership in Birmingham. I joined EDP in March 2011, where my role progressed to 'Discipline Lead' for the landscape team (all offices) and my appointment as a Director in 2018. Despite handing over the Discipline Lead role in 2021, I maintain an active involvement in landscape assessment, primarily for larger and more complex schemes.
- 1.4 My portfolio of project involvement includes the management and authoring of numerous landscape and visual assessments and capacity studies, with my primary focus since 2005 being energy and residential projects, including large and small onshore wind farms and single turbines, grid connections and solar developments, and residential and mixed-use developments ranging in scale from single properties up to developments of 7,000 units.
- 1.5 I have provided expert witness inputs on a range of projects, including at Public Inquiry, Informal Hearing and as part of written representation appeals. This includes residential developments of between 30 and 370 units. The methodology and approach I use in this Proof of Evidence has been tested and accepted at numerous public inquiries by Inspectors and Local Planning Authorities.
- 1.6 EDP is a corporate member of IEMA, and a Registered Practice of the LI, and represents private and public sector clients with land and development interests throughout the UK. Since its formation in 2005, my colleagues and I have been involved in over 1,500 projects across the UK, including many mixed-use urban extensions.
- 1.7 The evidence that I have prepared and provide for this inquiry is true and has been prepared and is given in accordance with the guidance of my Professional Institute. I confirm the opinions expressed are my true and professional opinions.

AUTHOR'S KNOWLEDGE OF SITE AND APPEAL CONTEXT

- 1.8 Following instruction in 2022, EDP has provided landscape advice to the appellant from the outset of the design process, and I authored the Landscape and Visual Impact Assessment (LVIA) produced as part of the wider Outline Planning Application (OPA) (**CD1.28**) made in 2022. I also provided input into the initial promotion of the site through the 2017 Local Plan Review (**CD11.1**).
- 1.9 The LVIA was prepared alongside and fed into the development proposals for the site. During the design process, EDP also prepared an Illustrative Landscape Strategy for the site (page 31 of the DAS, **CD1.8**), the principles of which are embedded within the final Sketch Masterplan (**CD2.1**) and Framework Plan (**CD1.2**), the effectiveness of which is illustrated within the Verified View Photomontages (**Appendices EDP 5** and **6**).
- 1.10 I was directly involved in the iterative assessment and design process that fed into the original Design Evolution plans (pages 16 and 17 of the Design and Access Statement (DAS), (**CD1.8**)) and the Sketch Masterplan and Framework Plan (within the DAS (**CD1.8**)) which together comprised central aspects of the 2023 planning application. I continued to provide advice as the proposals developed to the final Illustrative Masterplan, as contained at **Appendix EDP 1** of this proof of evidence.
- 1.11 A brief timeline of the application is provided below in terms of landscape and visual inputs provided by EDP:
- May 2019: Provision of Landscape and Visual Appraisal Note (ref. edp5739_d001a) (**CD16.1**) to support the promotion of the site through the 2017 Local Plan Review;
 - September 2023: Provision of Landscape and Visual Impact Assessment (LVIA) to support the Outline Planning Application (OPA) (ref. edp5739_d002e) (**CD1.27**);
 - January 2024: Rebuttal to LVIA (ref. edp5739_r003) (**CD1.29**) provided following LPA review of the LVIA;
 - February 2024: Provision of updated LVIA to reflect revised Framework Masterplan (edp5739_r002f) (**CD1.28**);
 - In the lead up to the appeal the Illustrative Landscape Strategy was updated to reflect the final Framework Masterplan (for completeness), and this is provided at **Appendix EDP 2** (ref. edp5739_d009e). Alongside this – and primarily in response to the Council's criticisms in the ODR (**CD4.2**) in relation to the buffer to Moat Road – a detailed landscape drawing was produced for the southernly part of the site to explain the position (ref. edp5739_d010c, see **Appendix EDP 3**; and
 - At the same time the photomontages were updated and are provided as both winter and summer views at **Appendices EDP 5** and **6** respectively – two additional views are also provided. The photomontage locations are shown on **Proof Plan CM 9**. This was done to reflect the final Framework Plan (**CD1.2**), Sketch Masterplan (**CD2.1**) and Illustrative Landscape Strategy (**Appendix EDP 2**), and also to ensure the worst-case views are considered.

Section 2 Reasons for Refusal

REASONS FOR REFUSAL

- 2.1 This is an outline application for up to 115 homes, with all matters reserved save for access (meaning the point of access and not the internal road layout). There are, therefore, two matters for determination: (i) the principle of development for up to 115 homes; and (ii) the detail of the access. The site is allocated. The principle of residential development of the site is acceptable and supported in the Plan period. There has been no objection to access being taken from Moat Road – indeed there is no other practical option.
- 2.2 The outline planning application was submitted to Maidstone District Council (MDC) on 16 October 2023. The application was refused on 29 April 2024, after being recommended for refusal by the Case Officer in the Officer’s Delegated Report (ODR) (**CD4.2**). There were six Reasons for Refusal (RfR) detailed in the Decision Notice (**CD4.1**).
- 2.3 As part of the appeal process (within their Statement of Case (SoC) (**CD5.2**), the LPA redrafted the RfR to account for the publication of the Maidstone Borough Local Plan Review (MBLPR) and, in particular, the allocation of the site for residential development. It is only RfR 1 that is now relevant to landscape and visual matters, and I set this out in full below (with my emphasis added):

“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.”

- 2.4 I understand that RFR must state clearly and precisely their full reasons for the refusal, specifying all policies and proposals in the development plan which are relevant to the decision (art 35(1) DMPO 2015. This RfR has been drafted based upon the criteria under Policy LPRSA310 (that which is specific to the site) and parts (7) and (8). It is assumed that from a landscape and visual perspective, there is no conflict with other parts of the Policy criteria relating to these matters (i.e., parts 2 to 6 and 9 to 10 (under ‘Design and Layout’) and parts 11 to 16 (under ‘Landscape/Ecology’)). The allocation policy as a whole (and the development plan as a whole) will be considered by Mr Collins.

- 2.5 Although the ODR (**CD4.2**) was produced to inform the original RfR, it provides a relatively detailed appraisal of matters relating to landscape and visual (and design and layout) and I will draw on this as I make my analysis below, whilst also referencing points made in the Council's SoC (**CD5.2**). I will also draw upon the various consultation exercises the Appellant has gone through in developing the proposal, up to the point of the OPA.

INITIAL RESPONSE TO REASONS FOR REFUSAL

- 2.6 The Council's RFR does not acknowledge, transparently or at all, that this is an allocated site, on which the principle of development is not only acceptable but also promoted in the Plan period. The inevitable impacts of such a residential development on the site and immediate locality cannot rationally justify the refusal of the scheme, as this would frustrate the allocation of the site. RFR 1 therefore needs to be considered in the context of the site being allocated and the principle of residential development being supported.
- 2.7 As set out in the Council's SoC (at paragraph 2.9), the main matters which I need to address can be summarised as follows:
1. *"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."*
- 2.8 With specific reference to the sections of the RfR above I highlight, I set out below the particular issues raised by the Council:
1. Whether the harm to the character and appearance of the local area – including the Low Weald LLV – is unacceptable (especially given the allocation of the site);
 2. Whether the site is visually prominent, and whether the appeal proposals have recognised the visual context of the site;
 3. Whether the appeal proposals are able to provide lower densities on the western portion of the site given its landscape context;
 4. Whether the landscape buffers to the southern and western boundaries provide sufficient space for landscaping to suitably mitigate the development and whether the east to west landscape buffers are adequate; and
 5. Whether the appeal proposals are inappropriate for the rural edge of Headcorn.
- 2.9 With reference to the Council's more detailed position as set out in the ODR (**CD4.2**) I consider the above in the context of the following:
1. How the proposals respond to their setting and context, particularly in relation to the design specific requirements set out within the Allocation policy;
 2. How the appeal proposals have addressed the topography of the site and local area in terms of how the appeal site is understood in the locality and how this might change. This is in response to the assertion that the site is visually prominent and the design

ill-informed (an odd position given this is an allocated site and an outline application with only access for determination); and

3. How the proposed landscaping addresses the baseline landscape resource and how they have developed to incorporate the requirements of good design and policy, and to mitigate landscape and visual effects. This is in response to the assertion that the proposals will significantly harm character and appearance.
- 2.10 On the basis that the function of the MBLPR is to determine the scale, location, and distribution of development within the district, a key point in any analysis must be whether any claimed landscape and visual harm identified goes materially beyond what is reasonably (or inevitably) expected for an Outline Planning Application (OPA) for a development of the scale proposed by the allocation (a residential development of approximately 110 units).
- 2.11 The main questions are therefore: (i) how much (if any) 'additional' harm may arise from the differences between the Policy of allocation and the proposed appeal scheme; and (ii) is any such difference (if material) unacceptably harmful. I will consider this as a key part of my evidence.
- 2.12 The site lies in the Low Weald Landscape of Local Value identified in the development plan. It does, however, need to be recognised that: (i) the designation washes over the settlement of Headcorn; and (ii) the site was so identified at the time of the allocation. It follows that the LPA and the Plan accepts that residential development in this area is not objectionable. Indeed, previous consents for housing development (including to the north of the appeal site (Catkin Gardens) and to the east of Maidstone Road (Kings Oak Park)) have been granted in it.
- 2.13 It is also of relevance – in terms of how the LPA are currently dealing with their allocated sites – that this is the third allocated site to be subject to a recent appeal against a refusal by Maidstone Borough Council. Planning permission has recently been granted (via appeal) at Yalding for 112 units (allocated site for approximately 100) [**CD11.3**] and at Marden for 117 units (allocated site for approximately 113 units) (**CD11.4**).

SCOPE OF EVIDENCE

- 2.14 As above, my evidence addresses the landscape and visual matters in RfR 1, specifically in relation to the site's allocation requirements set out in the MBLPR and also the extent of landscape harm set out in more detail within the ODR. In particular, I consider the additional harm – over and above what might necessarily be expected by the policy – that might accrue.
- 2.15 I have read and had regard to the evidence of Mr Collins in respect of Planning Matters. All questions of policy weight and overall planning balance are addressed by Mr Collins, including the overall consideration of the proposals against Policy LPRSA310. I have also read and had regard for the evidence of Ms Stoten in respect of Heritage Matters.

2.16 Whilst I have interpreted planning policy and discussed this in relation to the assertions made and the alleged harms, on the basis of my technical expertise and experience with development plan policy, Mr Collins addresses the extent of accordance with the development plan as a whole and other material considerations in respect of the scheme.

2.17 My evidence is further informed by the matters covered in the Landscape SoCG (**CD5.6**).

STRUCTURE OF EVIDENCE

2.18 My evidence will be structured in seven main parts:

- **Section 1** sets out my professional qualifications and knowledge of the appeal site and the appeal proposals;
- **Section 2** (this section) sets out my understanding of the RfR, and my initial response to this;
- **Section 3** considers the appeal site and its surroundings;
- **Section 4** provides detail on the appeal proposals, and the design development process (and consultation) that informed this;
- **Section 5** sets out and considers the relevant planning policy;
- In **Section 6** I consider the main issues in landscape terms and provide my response to the RfR and the extent of harm; and
- In **Section 7** I provide a summary of the case and my conclusions.

2.19 My written evidence (Volume I) is complemented by plans, key viewpoint images and appendices containing selected material drawn from the application documents, reproduced and adapted for the Inquiry, and augmented with some additional photographs, plans and published material of relevance to landscape matters. I have also produced a Volume II Summary Proof of Evidence.

2.20 The Council's Landscape Witness and I have progressed a Landscape-specific Statement of Common Ground (LSoCG) and importantly have agreed the following (**CD5.6**):

1. That the methodology for the LVIA is proportionate and follows an acceptable methodology;
2. That the area of visual change (short and longer range) is limited to a small number of receptors in the locality;
3. That in landscape and visual terms the appeal proposals meet (in full) the requirements of Policy LPRSA310 numbered 2 to 6 and 9 to 10 (under 'Design and Layout') and parts 11 to 16 (under 'Landscape/Ecology');

4. That the principles established and illustrated on the Sketch Masterplan (**CD2.1**) are broadly acceptable for mitigating predicted impacts – and can ultimately be controlled by the Council at the Reserved Matters stage if a different approach is required/desired, subject to constraints such as the location/extent of detention basins;
5. That existing properties at Bankfields, adjacent to the southern site parcel, are visible from Moat Road and from the Public Right of Way (PRoW) within the site; and
6. The site is allocated under Policy LPSRA310, and therefore there is an 'in principle' acceptance of development in this location - in landscape and visual terms - irrespective of its location within the Low Weald Area of Local Landscape Value (LLV).

Section 3 Appeal Site and Surrounding Context

3.1 In this section, I consider the appeal site and its context, which I find to be adequately described in the LVIA, DAS and elsewhere. I do not repeat detailed descriptions at length below but provide a brief 'scene setting' exercise, which is helpful as a precursor to the analysis in the sections which follow. Such matters can be considered by the Inspector at the site visit.

THE APPEAL SITE'S ENVIRONMENTAL PLANNING CONTEXT

3.2 The appeal site's environmental planning context is described in Section 3 of the LVIA (**CD1.28**), paragraphs 3.2 to 3.12. I consider the review to be both complete, and accurate, and the key factors of relevance to my evidence are provided below and illustrated on **Proof Plan CM 3**:

- The site does not lie within a landscape designated at an international or national level, nor does it sit within a spatial designation such as Green Belt or a settlement gap;
- The site is located within an area designated as a 'Landscape of Local Value' (LLV), as protected through Policy LPRSP14(A) of the Local Plan (**CD6.1**). The Local Plan states at paragraph 7.157: *"The NPPF encourages the protection of valued landscapes. For Maidstone, these landscapes are identified as the Greensand Ridge, the Low Weald, and the river valleys of the Medway, the Loose and the Len, which are afforded protection in policy LPRSP14(A)."*;
- LLVs have evolved from their designation (in some form) as Special Landscape Areas (SLAs) within former Structure and Local Plans. They were named as LLVs in the former Local Plan and were therefore designated a long time prior to the allocation of the site. Their reason for identification as LLVs is defined in the MBLPR as follows (para 6.148):
 - a. *"Part of a contiguous area of high-quality landscape;*
 - b. *Significant in long distance public views and skylines;*
 - c. *Locally distinctive in their field patterns, geological and other landscape features;*
 - d. *Ecologically diverse and significant;*
 - e. *Preventing the coalescence of settlements which would undermine their character;*
 - f. *Identified through community engagement; and*
 - g. *Providing a valued transition from town to countryside."*
- The Low Weald LLV extends across a large area and is the largest LLV within the Borough (see my **Proof Plan CM 3**). As shown it washes over the settlement of

Headcorn and also a number of other small villages and hamlets. Beyond Headcorn it extends furthest to the north-east and north-west, and least to the west and south. In and around the village of Headcorn, modern development is a characteristic feature of the LLV, with the new developments at Catkin Gardens immediately north of the appeal site and the Kings Oak Park development west of Maidstone Road notable examples of such development (see **Image EDP 3.1** below). The remainder of Headcorn comprises a variety of ages of built form, from the oldest within the Conservation Area, to more modern 20th century development immediately adjacent to the site's eastern boundary;



Image EDP 3.1: New residential development in Headcorn. The red dots are the appeal site, the blue dot is Catkin Gardens and orange dots are Kings Oak Park.

- The SHLAA (**CD8.9**) for the site addresses the site location within the LLV, concluding on this issue that *“The design of any future development should be reflective of, and minimise impact on, the designated landscape”*. In respect of landscape character it concludes *“The Landscape Character Assessment identifies that the site is within the Headcorn Pasturelands landscape character area, which forms a part of the Low Weald landscape character type. The overall condition of the area is considered to be Good, and the sensitivity to be High, with an overall recommendation to Conserve.”* The MBLPR was therefore cognisant of the site's location within the LLV;
- The 2021 SLAA also covers the LLV, stating on page 17 into 18 that *“LLVs are set out in SP17 (The Countryside) as being suitable for conservation and enhancement due to their distinctive character. While LLV status is a factor in how a site should be designed/ developed, it does not “in principal” preclude development of a site. How a site should be designed to complement the landscape features of the LLV will be addressed at detailed design stage.”*;

- The Inspectors Report on the MBLPR didn't specifically reference the LLV, but did consider landscape, concluding "*Whilst the site occupies gently rising land from the wider valley floor of the River Beult and its tributaries, development would occur against a backdrop of existing housing on higher land. Various requirements in the policy would be effective in seeking necessary landscaping and design responses to the local character.*";
- I therefore recognise that the site is a Valued Landscape (in the terms of the development plan and the NPPF). It is also an allocated housing site. NPPF 187(a) states that valued landscapes should be protected and enhanced "*in a manner consistent with their statutory status or identified quality in the development plan*". In this case, the statutory status of the site (as a component part of that valued landscape) is as an allocated housing site, on which the principle of housing development is supported;
- There are a number of Grade I, II* and II listed buildings within the wider study area, although none are within the site. There is a curtilage listed structure within the site (a derelict barn) which is due to be replaced with a new, similar, structure as part of the proposals. This issue is addressed by Ms Stoten;
- There is a single Conservation Area within the 2km study area, to the south at Headcorn, but no Scheduled Monuments within this zone;
- There are a number of ecological designations within the study area, including the River Beult Site of Special Scientific Interest (SSSI), the Kelsham Farm Orchards Local Wildlife Site (LWS), the Brook Wood Ancient Woodland and the River Sherway, Ponds and Pasture LWS;
- There is a Tree Preservation Order (TPO) covering part of the vegetation splitting the southern and northern site parcels, and also the south-western part of the boundary to the northern parcel, and also in the north-west and north-east of the site as shown in the AIA (**CD1.36**). The Arboricultural Impact Assessment (AIA) (**CD1.36**) also identifies a number of Category A and B trees within the site boundaries; and
- There is a PRoW running diagonally through the southern site parcel (PRoW KH590), and a number of other PRoW within the surrounding area.

3.3 This review shows that there is no 'in principle' constraints to development of the site. Given the site's allocation within the MBLPR, this is not unsurprising. A number of constraints do exist which require consideration – in particular the TPOs, the curtilage listed structure, the PRoW and the location of the site within the LLV. These are considered below.

THE APPEAL SITE

3.4 The appeal site's location and site boundaries are illustrated variously in the application material but for convenience the appeal site boundary is shown on **Proof Plans CM 1 to 8**. The appeal site and the local area is described at paragraphs 2.1 to 2.18 of the LVIA, which

considers the context, topography and vegetation of the site, along with its key landscape features. I concur with the description provided and note the following important points.

- 3.5 The site occupies a gently rolling parcel of grazing/agricultural land (sitting between approximately 20m and 35m above Ordnance Datum (aOD)), which lies on the western edge of Headcorn village. The site comprises two field parcels, separated north and south by a line of vegetation. The northern site parcel is larger than the southern parcel, and there are derelict farm buildings within the site's south-eastern corner adjacent to Moat Road.
- 3.6 The southern parcel rises up from Moat Road (which sits at circa 19m) towards the vegetation through the site parcels (which sit between c.23m and 28m), and then rises more gently to crest in the middle of the field before gently falling to the northern boundary (which sits at c.32m). **Proof Plans CM 7** and **CM 8** show the topography of the site (referenced in RfR 1).
- 3.7 Both the fields are currently managed for grazing, and there is a line of trees/outgrown hedgerow, some of which are protected by a TPO, which separates the northern and southern parcels – see **Images EDP 3.2** and **3.3**. As confirmed within the Arboricultural Impact Assessment (AIA) (**CD1.36**), and shown on **Image EDP 3.6** below the TPO tree groups within this old field boundary are no longer present, although those to the west and north are.



Image EDP 3.2: The trees separating the northern and southern field parcels (east).



Image EDP 3.3: The trees separating the northern and southern field parcels (west).

- 3.8 Boundaries to the site consist of a strong line of vegetation along the western boundary to open countryside (some of which are protected by a TPO), a vegetated boundary to the north which separates the site from the adjacent new development at Catkin Gardens (some which are covered by a TPO), and a vegetated boundary to Moat Road to the south. **Images EDP 3.4** to **3.5** show these boundaries.



Image EDP 3.4: The site's western boundary. Trees visible to the extreme left are covered by a TPO. Refer to **Image EDP 3.7** below for TPO locations.



Image EDP 3.5: The site's northern boundary with modern development (Catkin Gardens) beyond. This development was approved in 2016 and is within the Low Weald LLV and the previously defined Low Weald SLA.



Image EDP 3.6: The site's vegetated southern boundary to Moat Road (Winter).



Image EDP 3.7: TPOs shown by dashed black lines.

- 3.9 As shown on **Proof Plan CM 7** the site sits on a relatively elevated knoll which extends west from the existing settlement edge. This knoll continues westwards for circa 1km beyond the site boundary, past the farmstead at Summerhill Farm to the sewage works west of Summerhill. The land falls to the north of the site towards Stonestile Road and to the south, beyond Moat Road, into the valley of the River Beult.
- 3.10 In extending from the existing settlement edge, this elevated knoll is already partly developed, with new development immediately north of the site (at Catkin Gardens) setting a precedent for new development in the locale. From the wider area, existing development around the site is visible as part of the wider landscape context, as illustrated by **Photoviewpoints EDP 1 to 4** and **8 to 10** at **Appendix EDP 4**. Built development is however not prominent and is generally set within a mature landscape framework.
- 3.11 Both site parcels are affected by the adjacent urban context, with a variety of back garden treatment and building styles making this boundary appear somewhat fragmented in some areas, and stark in others. **Images EDP 3.8** and **3.9** show this boundary in context.



Image EDP 3.8: Northern site parcel eastern boundary (winter).



Image EDP 3.9: Southern site parcel eastern boundary (winter).

- 3.12 In this regard, the site has a distinctly ‘edge of settlement’ character in terms of its visual character, notwithstanding it retains a sense of rurality by being part of a wider agricultural landscape which extends to the west. This rurality is partially eroded by the development to the north and Moat Road and the substation to the south. The Council’s SoC and **(CD5.2)** the RfR define the site as semi-rural, presumably recognising these characteristics. This could equally be described as peri- or semi-urban.
- 3.13 Such descriptions (such as semi-rural or peri-/semi-urban) describe the current character of the site and fail to recognise the site has recently been allocated for residential

development, after which its character will inevitably fundamentally change from semi-rural/urban to a high quality residential housing development with open space and landscaping. This is a 'Planned' outcome, which the LPA supports. There has been no material change in landscape or topography since the allocation of the site.

3.14 As set out in the heritage appraisal (**CD1.11**) there is a curtilage listed building in the south-eastern corner of the site. This building is in a very poor state of repair and it is not feasible for it to be rebuilt. It will therefore be reconstructed in broadly the same location as a reference point to the original building.

3.15 There is a single PRoW which crosses the site from Moat Road (KH590) north-westwards, before exiting the site between the northern and southern parcels. This PRoW then heads west into open countryside and onwards to Black Mill Lane to link with other routes in this area. As it crosses the site, and climbs subtly in elevation, the PRoW affords views towards the church in Headcorn, as shown on **Image EDP 3.10**.



Image EDP 3.10: View south-east from the PRoW crossing the site towards Headcorn.

WIDER LANDSCAPE AND VISUAL CONTEXT

3.16 Although the site is the most elevated part of the local landscape, it is not overly visually prominent, as the photoviewpoints (**Appendix EDP 4**) show. This is due to a combination of factors, including:

- The fact the appeal site is only c.15m (maximum) above the surrounding landscape, the lowest of which is along the River Beult (c.19m aOD), as shown on my **Proof Plan CM 8**;
- The extent of existing vegetation, both within the lower lying surrounding landscape and on the elevated spur itself, which due to the limited actual elevation (as noted above) has a greater impact upon screening than would otherwise be the case;
- The screening afforded by the existing settlement to the east and north, allowing limited to no views beyond the immediate built context. Some longer-range views are available from the north (see **Photoviewpoint EDP 9**) at Stonestile Road. However, in such views, the appeal site (and proposals) would largely not be visible (rooflines perhaps would be, but would be experienced behind the baseline context of the development at Catkin Gardens);
- The lack of visual receptors (inc. PRoW and roads) – and therefore available views – within the immediate lower lying landscape to the south within the River Beult valley. The Zone of Primary Visibility (ZPV) shown on **Proof Plan CM 5** shows the limited wider anticipated change in visual amenity; and
- Although views might be expected to the west along the continuing elevated spur, the extensive site boundary vegetation, and additional layers of vegetation screening, would restrict views from this direction. The extent of views would be further limited by the paucity of visual receptors in this location – **Photoviewpoints EDP 5 and 6** and **Photomontage B** show the view from Black Mill Lane.

3.17 From a landscape character perspective, there is a clear distinction between the area containing the appeal site and the wider settlement and the valley of the River Beult to the south. The River Beult is within the ‘Valleys’ LCA with the remaining part of the Study Area being within the ‘Low Weald’ LCA. This is illustrated on **Proof Plan CM 4**. This transition is evident on the ground, particularly when travelling along Moat Road (which is the boundary between the LCAs) or within the valley itself. The transitional nature of the site is further reinforced by the settlement adjacent to the site and the influence this exerts. Of course, any such transitional character will inevitably change if the site is developed as allocated.

LANDSCAPE CHARACTER CONTEXT

The Maidstone Landscape Character Assessment

3.18 The site is characterised within the ‘Maidstone Landscape Character Assessment’ (2012, amended 2013). The site sits within the ‘Headcorn Pasturelands’ LCA (LCA43) and the key characteristics noted within the assessment include (with my underlined emphasis):

- “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”.

3.19 The identified ‘Actions’ for the LCA are very generic and do not really take account of the need for development within green field sites, and do not, therefore, provide a great deal of guidance in this respect. This is particularly relevant for the appeal site given it is an allocated site, and therefore conflict with these ‘Actions’ (or some of them) is inevitable.

Landscape Sensitivity Assessment

3.20 In relation to landscape sensitivity, MBC have produced a landscape sensitivity assessment which assesses the comparative sensitivity of the Maidstone Borough’s landscape to development. The study excludes the urban area of Maidstone and the High Weald National Landscapes (NLs, formerly Areas of Outstanding Natural Beauty (AONB)) but includes fringe landscapes and thus the appeal site. I review this in more detail in **Section 4**.

Landscapes of Local Value

3.21 The site is located within the LLV defined as ‘The Low Weald’ on the plan reproduced as **Image EDP 3.11** below.

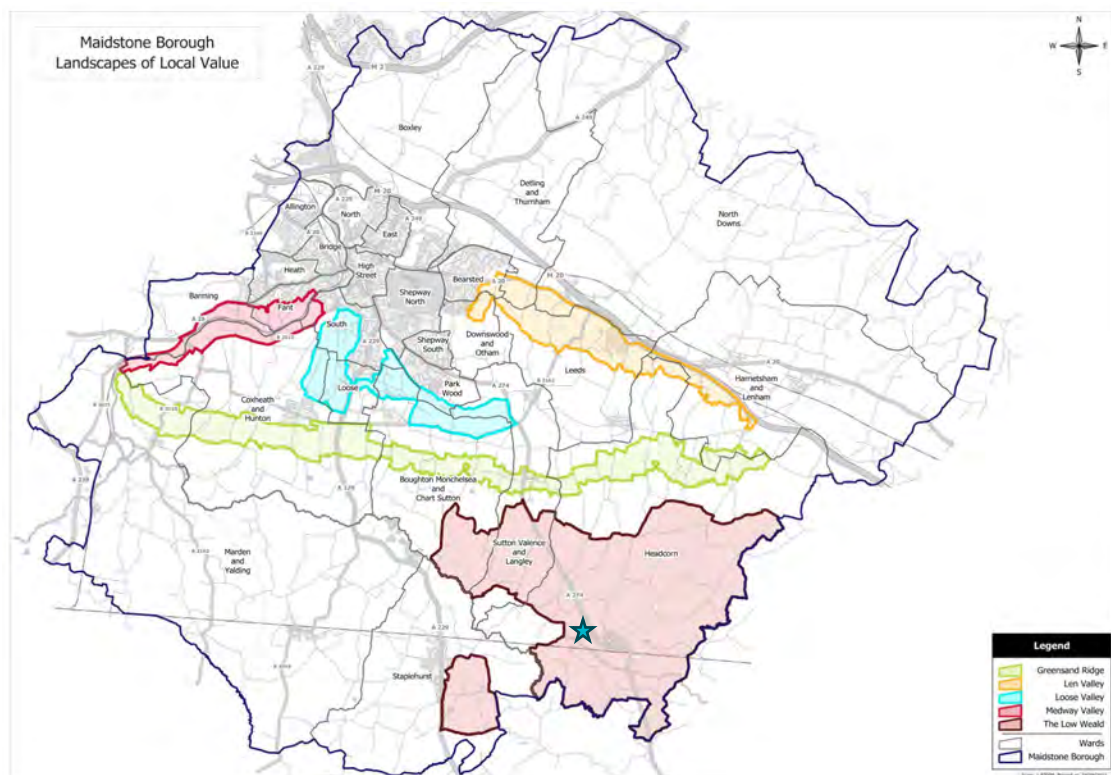


Image EDP 3.11: Maidstone Borough Landscapes of Local Value (site broadly indicated as blue star).

3.22 LLV are protected through Policy LPRSP9 of the MBLPR – Development in the Countryside, and I review the key policy text in **Section 4**. Spatial Objective 3 of the MBLPR sets out the

protection objective as follows (my underlined emphasis added) – the important point being that protection must also facilitate economic and social wellbeing – which I consider includes residential development of the kind proposed.

“Great weight will be given to conserving and enhancing the Kent Downs and High Weald National Landscapes. Development will conserve and enhance the landscape and scenic beauty of the Kent Downs and High Weald National Landscapes. Development within the setting will conserve and enhance the landscape and scenic beauty of the Kent Downs and High Weald National Landscapes and should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas. Development will also conserve and enhance other distinctive landscapes of local value and heritage designations whilst facilitating the economic and social well-being of these areas, including the diversification of the rural economy.”

- 3.23 The use of ‘whilst’ clearly recognises that housing development (for the economic and social well-being of the area) will take place in the areas of local value. Indeed, Headcorn cannot expand without such an impact as it is washed over and surrounded by the designation. Housing and commercial development is, therefore, a component of the area of local value.
- 3.24 Furthermore, the policy wording on page 130 relating to LPRSP9 states that “Development proposals within landscapes of local value should, through their siting, scale, mass, materials and design, seek to contribute positively to the conservation and enhancement of the protected landscape”. Again, this clearly recognises that development can (and will) occur within LLVs, although they need to be cognisant of its location and design (etc) within the designation.
- 3.25 With the site being allocated, the policy must have been considered in this way, for the draft Plan to have been considered internally consistent and sound.

ZONE OF VISUAL INFLUENCE

- 3.26 As part of the preparation of the LVIA I produced a Zone of Primary Visibility (ZPV), which is illustrated on my **Proof Plan CM 6**. There has been no criticism of it and no alternative produced.. The limitation in wider visibility is a key benefit of this scheme (given the identified need for housing), and I discuss key aspects of this in **Section 7**, whilst views from the surrounding area are illustrated by the photoviewpoints at **Appendix EDP 4**.
- 3.27 Beyond those areas identified on the ZPV, I found there to be little to no visibility of the site or the edge of the settlement of Headcorn to the east of the appeal site, confirming the discrete nature of the site from publicly accessible views – the ZPV extends c.600-700m to the south and c.200m north and west. I certainly wouldn’t describe it as ‘visually prominent’. But even if it is (which it is not), the same would be true of a housing development of ~110 homes on the allocated site – this is effectively demonstrated by **Photomontages A to E** (see **Appendices EDP 5 and 6**).

Section 4

Planning Policy Context and Landscape Sensitivity Considerations

INTRODUCTION

- 4.1 National and local landscape policy of relevance to the appeal site is contained within the National Planning Policy Framework (NPPF) and the MBLPR. I review the relevant policies for landscape matters below.

NATIONAL POLICY CONTEXT

- 4.2 The NPPF, updated in December 2024, includes planning policies and guidance requiring developers to respond to the natural environment and landscape character, integrating the development into its local surroundings. Like its predecessor (prior to 2024), the Framework continues to identify a hierarchy of landscapes with differing values in the planning balance.
- 4.3 At the top end of this hierarchy, paragraph 189 affords great weight to conserving and enhancing landscapes of national importance, such as NLs and National Parks. The appeal site is not within a landscape designated nationally. It is not within the setting of a national landscape. It is within an area designated as an area of LLV within the Local Plan.
- 4.4 It is stated within the MBLPR that the appeal site forms part of a Valued Landscape (the next level down in the hierarchy from nationally designated landscapes) by virtue of being within the LLV, for the purposes of paragraph 187(a). This is also the case for other sites allocated within the MBLPR, and it is a designation that ‘washes over’ the whole of the settlement of Headcorn and the allocated site. Therefore, it is already accepted that the LLV does not – and cannot – present an ‘in principle’ constraint to development, either for the appeal site, or more generally.
- 4.5 As I note earlier, although I recognise that the site is a Valued Landscape (in the terms of the development plan and the NPPF), it is also an allocated housing site. NPPF 187(a) states that valued landscapes should be protected and enhanced *"in a manner consistent with their statutory status or identified quality in the development plan"*. In this case, the statutory status of the site (as a component part of that valued landscape) is as an allocated housing site, on which the principle of housing development is supported in the LLV. It follows that this part of the LLV is not protected from the allocated development.
- 4.6 RfR 1 contends conflict with NPPF paragraph 135, the landscape related parts of which are as follows:
- "135. Planning policies and decisions should ensure that developments:*
- ...
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*

- c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);”*

LOCAL POLICY CONTEXT

- 4.7 I have conducted a review of relevant planning policy and landscape designations to help clarify what ‘value’ the local authority places on the landscape and what value or status it has in planning terms (if any). Since the submission of the application the Local Plan (**CD6.1**) has changed. I have focussed my review on those policies and sub-parts/criteria cited as in conflict within the RfR.

Maidstone Borough Local Plan Review 2021–2038

- 4.8 The MBLPR 2021–2038 includes development policies against which development proposals will be tested. It updates and supersedes the 2017 Local Plan but saves relevant policies whilst ensuring that it is in line with the latest national planning requirements. The MBLPR policies that are relevant to the site in landscape and visual terms (and detailed in the RfR) are set out below.
- 4.9 **Policy LPRSP14(A) - Natural Environment (part 1b)** – this policy sets out the aspirations of the Plan with regard to Green and Blue Infrastructure, Biodiversity, Climate Change and Landscape. In relation to areas of LLV it states at paragraph 7.157:

“The NPPF encourages the protection of valued landscapes. For Maidstone, these landscapes are identified as the Greensand Ridge, the Low Weald, and the river valleys of the Medway, the Loose and the Len, which are afforded protection in policy LPRSP14(A).”

- 4.10 In terms of specific policy wording, the key wording in relation to landscape and visual matters – with 1(b) referenced specifically in the RfR (and underlined for clarity) – is provided below:

“1. To enable Maidstone borough to retain a high quality of living, protect and enhance the environment, and to be able to respond to the effects of climate change, developers will ensure that new development incorporates measures where appropriate to:

...

- b. Protect positive landscape character, including Landscapes of Local Value, areas of Ancient Woodland, veteran trees, trees with significant amenity value, important hedgerows, features of biological or geological interest, ecosystem services and the existing public rights of way network from inappropriate development and avoid significant adverse impacts as a result of development through the provision of adequate buffers and in accordance with national guidance;*

...

6. *Where appropriate, development proposals will be expected to appraise the value of the borough's natural environment through the provision of the following:*

...

c. *A landscape and visual impact assessment to take full account of the significance of, and potential effects of change on, the landscape as an environmental resource together with views and visual amenity.*

...

12. *Account should be taken of the council's Landscape Character Guidelines SPD, Green and Blue Infrastructure Strategy and the Kent Downs AONB Management Plan."*

4.11 **Policy LPRSP15: Principles of Good Design** – this policy relates to design across the district, in terms of both detailed and more contextual factors. For landscape and visual matters, the key wording is as follows:

"7.175 In establishing the use and designing the layout and site coverage of development, landscaping shall be integral to the overall design of a scheme and needs to be considered at the beginning of the design process. In appropriate locations, local distinctiveness should be reinforced and natural features worthy of retention be sensitively incorporated. It is also important that all new development responds to climate change by reducing its impact and mitigating against its effects. Additionally, new development should protect and enhance any on-site biodiversity and geodiversity features or provide sufficient mitigation measures. In areas at risk of flooding, inappropriate development should be avoided.

7.176 In assessing the appropriateness of design, the council will have regard to adopted Conservation Area Appraisals and Management Plans, Character Area Assessments, the National Design Guide 2019, and the Kent Design Guide, which provide specific information about local character and distinctiveness and give guidance on design principles. Regard will also be given to the Kent Downs Area of Outstanding Natural Beauty Management Plan."

4.12 The policy wording sets out 17 criteria which development proposals should meet, as appropriate. Relevant criteria to my evidence includes the following – the RfR only references parts 2, 6 and 7 as underlined:

"2. Respond positively to, and where possible enhance, the local, natural, or historic character of the area. Particular regard should be paid to scale, height, materials, detailing, mass, bulk, articulation and site coverage;

5. Respect the amenities of occupiers of neighbouring properties and uses and provide adequate residential amenities for future occupiers of the development by ensuring that proposals do not result in, or its occupants are exposed to, excessive noise, vibration, odour, air pollution, activity or vehicular movements, overlooking, or visual intrusion, or loss of light to occupiers;

6. Respect the topography and respond to the location of the site and sensitively incorporate natural features such as natural watercourses, trees, hedges, and ponds

worthy of retention within the site. Particular attention should be paid in rural and semi-rural areas where the retention and addition of native vegetation appropriate to local landscape character around the site boundaries should be used as positive tool to help assimilate development in a manner which reflects and respects the local and natural character of the area;

7. Provide a high-quality design which responds to areas of heritage, townscape and landscape value or uplifts an area of poor environmental quality;
16. *Ensure that new streets are tree lined and that opportunities have been taken to maximise the incorporation of trees within the development;*
17. *Account should be taken of Conservation Area Appraisals and Management Plans, Character Area Assessments, the Maidstone Borough Landscape Character Guidelines SPD, the Kent Design Guide, and the Kent Downs Area of Natural Beauty Management Plan.”*

4.13 **LPRSA310 Land at Moat Road** - The site is an allocated site within the MBLPR, designated specifically under this policy. The relevant ‘conditions’ which are required to be met in full before development is permitted in relation to ‘Design and Layout’ and ‘Landscape and Ecology’ are provided below – the RfR cites only those underlined (7 and 8):

“Design and Layout

2. *The development proposals shall be informed by a landscape and visual impact assessment undertaken in accordance with the principles of guidance in place at the time of the submission of an application.*
3. *Built development shall be set back from Moat Road and the western boundary.*
5. *The layout of new dwellings and roads shall respect the amenities and setting of adjacent residential properties.*
7. Lower densities and built form on the western portion of the site shall reflect its adjacent to open countryside.
8. The layout and form of buildings shall be designed to mitigate the rising topography with east west landscaping introduced to break up the overall visual massing.

Landscape/Ecology

12. *Existing tree/hedgerow margins should be retained/enhanced in order to provide the opportunity for biodiversity habitat creation/enhancement. Public access to such areas would normally be limited.*
14. *The proposed landscaping scheme shall respect and protect TPO trees within the site or adjacent to boundaries.*
15. *The existing hedgerow fronting Moat Road shall be retained and enhanced and the impacts of any access junction minimised and mitigated.*

16. *Vehicular access routes within the development shall feature tree planting.*”

- 4.14 The critical point to note in respect of the policy is that in promoting development of the scale it does, it must accept a significant/fundamental level of change to the appeal site, and also to the area immediately surrounding it. In landscape and visual terms, this is presumably the reason it requires an LVIA to support it (point 2 above) and guide the extent of set backs and landscaping and therefore the level of change that is acceptable.

LANDSCAPE SENSITIVITY

Landscape Value and Susceptibility

- 4.15 Understanding the sensitivity of the appeal site is an essential step in understanding the level of landscape harm that might arise as a result of the appeal proposals.
- 4.16 In terms of understanding landscape value, when undertaking the LVIA I followed the guidance contained within GLVIA 3 (**CD10.7**) and the 2021 Landscape Institute Technical Guidance Note TGN 02-21 (**CD10.8**), which assists in delivering a framework for an objective landscape assessment of value and sensitivity. For my own appraisal I used the criteria from the TGN 02-21, this being an evolution of the GLVIA criteria. These criteria are reproduced in Table EDP 4.1 of the LVIA, with my observations alongside, based on published material and from my own field assessment.
- 4.17 Having assessed the site in accordance with TGN 02-21 (my analysis is provided as **Appendix EDP 10**), overall, I consider it to be of no more than ‘ordinary’ landscape value when considered in the round, which when considered alongside the other factors of relevance within the LVIA methodology (in relation to sensitivity and value) equates to a **medium** value.
- 4.18 This is in the context of the LLV designation covering Headcorn and supports the LPA's identification and allocation of the site in the MBLPR. 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. With reference to paragraph 187(a) of the NPPF, and the ‘identified quality’ of the site, I can only really ascertain this from the site allocation policy. Here, the site is described as having a ‘semi-rural setting’, as being ‘adjacent to open countryside’, having ‘rising topography’, having sensitive TPO trees and as being crossed by PRoW. In the wider context I would not describe these as particularly rare or sensitive. Indeed, that must be the case because the LPA have promoted modern housing on the site (approximately 110 homes).
- 4.19 In terms of the susceptibility of the appeal site, it is adjacent to modern and more dated residential development and there are other detractors (e.g. the substation to the south-west) which influence the site. I acknowledge the site is elevated above the landscape to the south, and less so to the north, however, I don’t consider this has a notable influence on the susceptibility due to the location of other parts of Headcorn – both old and new – which are located on the higher ground (as shown on **Image EDP 4.1**).



Image EDP 4.1: Excerpt of **Proof Plan CM 8** showing the relative heights of the existing settlement to the north and east.

- 4.20 In terms of landscape fabric, the site would be able to be brought forward without significant loss of boundary or internal vegetation, therefore isn't highly susceptible in this regard. There would be unavoidable loss of openness of the fieldscape, however, and on balance I consider a **medium** susceptibility is appropriate.

Landscape Character Assessment and Sensitivity Considerations

Landscape Sensitivity Assessment

- 4.21 As set out above, the LPA produced a Landscape Capacity Assessment in 2015 (**CD8.4**), and I believe this is still extant in respect of the MBLPR. I reviewed the capacity assessment as part of writing the LVIA, and in light of the Council's case as presented within their SoC, I review below key parts of the assessment as it relates to the appeal site, starting with the 'Visual Sensitivity' commentary of the host Headcorn Pasturelands LCA.

"Visual Sensitivity: Moderate

Visibility is moderate. Whilst there are some long views across the Low Weald to the Greensand Ridge to the north, and open views of this landscape from the Ridge, intervening vegetation encloses many immediate views across the flat to very gently undulating landform.

The population is concentrated within the key settlement of Headcorn and along Headcorn Road/Maidstone Road. There are also scattered properties and farmsteads throughout most of the area. This means there are relatively low numbers of people in residential properties with potential views of the landscape. There is a golf course and a well-developed footpath network. Overall there are moderate numbers of potential visual receptors."

- 4.22 In summarising overall sensitivity for the LCA, the report states:

"Headcorn Pasturelands is assessed as being of high overall landscape sensitivity and is sensitive to change.

Development potential is limited to within and immediately adjacent to existing settlements and farmsteads in keeping with existing. Other development could be considered to support existing rural enterprises, although extensive, large scale or visually intrusive development would be inappropriate.

- 4.23 Therefore, the Report recognises that areas immediately adjacent to Headcorn are (i) less sensitive; (ii) have a greater capacity to accept housing development; and (iii) have development potential. This is consistent with the allocation of the site for approximately 110 homes.
- 4.24 Looking to the specific site assessment carried out as part of this study (under site reference HO 105), a more detailed analysis is provided, which concludes that the site has a 'moderate' landscape sensitivity and a 'high' visual sensitivity, leading to an overall landscape sensitivity of 'high'. In summarising the constraints, it states:
- *“Whilst located in reasonably close proximity to Headcorn centre, the site does not relate well to the existing settlement pattern to the east which forms a narrow and largely linear extension to the core of Headcorn;*
 - *Development generally undesirable, particularly on the higher, northern, part of the site where it would be highly visible from the Beult Valley.”*
- 4.25 The analysis acknowledges that proximity to the existing settlement has a moderating influence on landscape character sensitivity (reducing it compared to the wider LCA) but considers that the elevated ground means there are extensive views to and from the higher northern parcel from the Beult valley to the south, and therefore, a 'high' rather than 'moderate' visual sensitivity. Overall, the capacity is considered to be 'low'.
- 4.26 Having undertaken my own review of the site circumstances and visibility (as originally presented in the LVIA), I don't consider this to be an accurate or robust analysis.
- 4.27 It is notable that the two specific constraints identified (being highly visible from the Beult valley and the site's relationship to the existing settlement) are not actually constraints to development on this site at all, assuming a sensitive masterplan response. The proposals have achieved such a response, by following the mitigation measures identified in the capacity assessment thus:
- *“Retain field and enclosure pattern*
 - *Retain mature vegetation and TPO trees*
 - *Respect the setting of listed building to south east along Moat Road*
 - *Retain and respect the attractive, well treed, urban/rural interface along the urban boundary*
 - *Respect remote, rural setting to Headcorn*
 - *Respect rural, open views from public footpath that crosses site.”*

- 4.28 Based on the review above, I believe it is reasonable to conclude that the site actually has a moderate (rather than high) visual sensitivity owing to the lack of actual views where it might be openly visible, and that the moderate landscape sensitivity is substantiated through the presence of the new development to the north. I consider that a moderate landscape character and visual sensitivity leads to a 'moderate' overall landscape sensitivity (rather than high). When combined with a moderate value, there results a moderate capacity for development, rather than the 'low' capacity stated.
- 4.29 With a formal allocation now in place, I must assume the LPA also consider the site has a higher capacity for development than originally stated.

Overall Sensitivity of the Headcorn Pastures LCA (LCA 43)

- 4.30 As set out in the LVIA, in determining the sensitivity of the Headcorn Pastures LCA as medium in proximity to the site, but medium/high in the wider area, I draw on the following conclusions:
- The character of the site is broadly aligned to that of the wider LCA 43 Headcorn Pastures;
 - Both the site and the wider surrounding landscape are affected by existing landscape detractors in the form of powerlines crossing the landscape, disused buildings and the substation, and also urban influences pervading from the village of Headcorn to the east and north;
 - From a sensory perspective, the site is unremarkable within the landscape, and the site does not form a prominent, or particularly notable, part of the experience of the wider landscape, either in views or otherwise;
 - The site is within the Low Weald LLV, which unusually for a local designation has been retained as a protected area within the MBLPR. There are no further designated landscapes within the site or within the 2km detailed study area;
 - The appraisal of value using Landscape Institute guidance (as found in the LVIA) defines the value of the site in the local context of medium. The susceptibility is earlier defined as medium; and
 - The review undertaken above of the sensitivity assessment provides a detailed analysis of the capacity assessment in relation to the specific site circumstances and finds that the site has a moderate (not high) landscape sensitivity, a moderate visual sensitivity and an overall moderate sensitivity and capacity.

Overall Sensitivity of the Site Character

- 4.31 The main character and valuable fabric of the site is to be found along the hedgerow boundaries, which include a limited number of mature trees of high quality (some of which are subject to a TPO), and the mature outgrown hedgerow which forms the boundary between the northern and southern parcels (the former TPO trees are not present anymore).

- 4.32 From a sensory perspective, the site is consistent with its near, and more distant, context, being relatively unremarkable within the landscape and experiencing a strong edge of settlement character due to existing settlement along its northern and eastern edge and the substation on the south-western boundary I don't consider it forms a prominent or important part of the appreciation of the wider landscape or in views, and from the few locations where it is visible, is perceived as open agricultural grazing land in close proximity to existing residential properties and the urban context of Headcorn.
- 4.33 The fields within the site are used for grazing and are found to be of limited biodiversity value. Indeed, the proposed development offers the potential to increase the biodiversity value of the site significantly, as set out in the ecological appraisal – the proposals would achieve a 90% Biodiversity Net Gain (BNG). There are no obvious cultural associations with the site.
- 4.34 On this basis, the overall sensitivity of the landscape character of the site and its environs is judged to be **medium** in accordance with EDP's methodology contained at Appendix EDP 2 of the LVIA (**CD1.28**). Whilst the LVIA methodology indicates that a locally designated landscape would ordinarily lead to a high value (and thus a higher sensitivity), it must be remembered that this is guidance only, and it is essential that professional judgement is also applied – particularly in situations like this where a locally designated landscape 'washes over' settlement and contains allocated development sites. This in itself indicates that the whole LLV is not of equivalent value (or sensitivity).

SUMMARY

- 4.35 There are no policy restrictions affecting the appeal site other than its location within the Low Weald LLV, which is a Valued Landscape as indicated in the MBLPR. I therefore recognise Paragraph 187(a) of the NPPF which requires such landscapes to be protected and enhanced in a manner commensurate with its statutory status or identified quality. I have addressed the landscape quality of the site. The statutory status of the site is an allocated site for approximately 110 homes, in which housing development is supported, subject to compliance with the detailed criteria in the Policy. The acceptability of housing development in the LLV (in general) and the site (in particular) is expressly recognised in the Plan (*supra*).
- 4.36 The residential allocation within the MBLPR indicates to me that there is no in principle constraint (in landscape policy terms) to development of the site – in fact quite the opposite is true. There is specific policy *support* for development, and importantly, of the scale of development proposed. There are also other allocated sites within this and other LLVs within the District, and I note that Maidstone district is heavily constrained by designations at a local and national level.
- 4.37 I do accept that the allocation requires a range of criteria to be fulfilled for development to be considered 'acceptable', with a number of these relating to landscape and visual and design matters. It is therefore not just about the level of change brought about by the proposals but the way in which they are designed and delivered that is relevant.

- 4.38 On this basis my evidence necessarily focusses (in **Sections 5 and 6**) on the extent to which the appeal proposals comply with the criteria under Policy LPRSA310 Land at Moat Road, rather than considering in detail compliance with other landscape- and design-related policies. In doing so I still consider the extent of landscape and visual harm and the way in which the proposals respect the underlying landscape framework and character.
- 4.39 In terms of sensitivity in landscape terms, I have reviewed the site against the published LCA and other documents and consider the site to have a medium sensitivity. In many ways, however, the sensitivity of the site is of limited relevance given that it is allocated, and a significant level of change is therefore accepted and supported.

Section 5 The Proposed Development

5.1 Having defined the landscape and visual context in the previous section, in this section I summarise the appeal proposals and the evolution of the layout design insofar as it relates to landscape and visual matters. The application is in outline with all matters reserved save for the means of accessing the site, with the plan for approval being the Framework Plan (**CD1.2**). Accordingly, design matters do not fall for consideration now. Nevertheless, I consider how the illustrative layouts and landscape strategy (**Appendix EDP 2**) would respond positively to the site's characteristics and location and could be accommodated effectively within the parameters shown on the Framework Plan being cognisant of the direction to protect and enhance the LLV, albeit in the context of the allocation.

DESIGN EVOLUTION AND DESIGN APPROACH

5.2 The design of the proposed development has evolved since the inception of the project in 2019, and also since the application was submitted in 2023. The key stages of design evolution are as follows (refer to pages 16 and 17 of the DAS (**CD1.8**)):

1. The Representation to the Local Plan in 2019 contained a Framework Plan within the submitted Development Framework Document. This design was based upon a high level understanding of the site and context, and even at this early stage provided a generous westerly buffer to open countryside, and a close relationship and juxtaposition with the existing settlement.
2. The design evolved between 2019 and 2023 following site surveys and appraisal, and a finer grain understanding of the site constraints. In 2023 the Outline Planning Application (OPA) was submitted on the basis of the Sketch Layout Masterplan (Ref. CATE211030 SKMP-01 Rev A2) and the supporting Illustrative Landscape Strategy (ref. edp5739_d009d), as contained in the LVIA (**CD1.27**). I was involved in this design iteration process, and whilst attempts were made to consult on the detail of the project, this was not possible. The key change from the original layout to the application layout was the provision of a more generous buffer to both the western and southern boundaries.
3. During the OPA determination period, a review was undertaken of the LVIA by the LPA, and a report made available which provided commentary on the development layout and, in particular, the alignment of the PRoW. Further to this, additional representations were made by the Council in relation to views from the site towards the Church and Headcorn Conservation Area. These views had not been raised until this point and I take them to be related to placemaking rather than the level of harm. The appellant chose to revise the development layout further at this stage (ref. CATE211030 SKMP-01 Rev A5) (**CD2.1**) to demonstrate that views could – if required at RM stage – be retained from the PRoW running through the site and to accommodate the replacement building (for the curtilage listed building). The final updated LVIA (ref. edp5739_r002f) (**CD1.28**) was also submitted at this point.

- 5.3 Having been involved in the project from the outset, I consider that every effort has been made to accommodate the prevailing landscape and visual sensitivities of the site and local area within the design, and that topography has been a key part of this. The key points raised within the LVIA review (and subsequently) to have been accommodated include:
1. The elevated topography of the site compared to the surrounding landscape to the north and south;
 2. The relationship with PRow running through the site, including its alignment and views from it towards Headcorn;
 3. The relationship with the surrounding landscape context, in particular ensuring sufficient buffers are provided and a loosening of the development density westwards; and
 4. The relationship to existing areas of settlement, particularly the neighbouring settlement to the east and north.
- 5.4 The proposals are in outline, except for access. Vehicular and pedestrian access is proposed from Moat Road, which was anticipated as part of the allocation (criteria (17) and (18)). Having reviewed the AIA (**CD1.36**), it is clear that the vehicular access point selected avoids two trees in the roadside hedgerow, and thus minimises impacts in this regard – some loss is inevitable given the southern site boundary hedgerow runs along most of Moat Road. Whilst some loss of small and poor quality trees is required for the pedestrian access in the south-eastern corner as well, this again has been minimised given the other constraints in this area. The landscape plan at **Appendices EDP 2** and **EDP 3** show the proposed landscape treatment in and around the site access points.

THE DEVELOPMENT OF THE LANDSCAPE STRATEGY

- 5.5 The final Illustrative Landscape Strategy is contained as **Appendix EDP 2**, with additional detail provided on the plan at **Appendix EDP 3**. These plans supersede the Landscape Strategy produced as part of the OPA and as contained in the LVIA (**CD1.28**) and were slightly revised to reflect the final Sketch Masterplan. The Landscape and Ecology Strategy and design evolution is detailed within the DAS (**CD1.8**) and DAS Addendum (**CD1.9**).
- 5.6 As advised by GLVIA3, the process of LVIA has informed the masterplan for the proposed development from the outset, to ensure the integration of mitigation within the proposals which addresses the identified **constraints and opportunities** (including those raised through consultation) as follows (refer to the Sketch Masterplan (**CD2.1**) and the plan provided as Appendix 1 of Mr Morgan's evidence):
1. Green buffers to the western boundary of the northern parcel (22m to 64m), the western boundary of the southern parcel (25m to 59m) and to the southern boundary of the southern parcel (27m to 68m) which assist in integrating the proposal into its landscape context and provide a pattern of development consistent with the neighbouring areas of the village;

2. A formal area of children's play located in the western parts of the northern parcel, which complements the western area of public open space (POS) and is located near to the link into PRow KH590;
 3. A new area of woodland and scrub is proposed in the western parts of both the northern and southern site parcels. This will provide visual screening and also provide valuable biodiversity opportunities;
 4. Two large Sustainable Drainage System (SuDS) 'zones' are proposed to provide additional amphibian habitat and other ecological and social interest. Specific shapes and locations of these are not yet defined, but there will be one in the northern site parcel and one in the southern site parcel, adjacent to the southern boundary;
 5. The proposals include an east - west pocket of POS between the two site parcels, which is focussed on the vegetation forming part of the old hedgerow boundary between the parcels. This green link will break up the visual mass of development when viewed in open views from the south;
 6. The proposed and retained green corridors together create a network of connecting green spaces, enhancing biodiversity and habitats on-site as well as connecting POS and enhancing visual amenity of these spaces; and
 7. The public open space is intended to be naturalistic, providing enhanced biodiversity, visual amenity, play spaces, and informal recreation for all ages. There will be footpaths through the POS, accessible both to new residents and the existing residents of Headcorn.
- 5.7 I draw on the above design approach within my consideration of the proposals against the Allocation Policy Requirements in **Section 6**. With regard to the design aspects of the RfR, those related to masterplanning, and urban design are contained in the Design Response Document produced by Thrive, and contained as an appendix to Mr Collins' Proof. Again, I draw on these in **Section 6**.

Section 6 Response to the Reasons for Refusal

WHAT IS ALLEGED?

- 6.1 Having considered key baseline issues and landscape planning policy context, I now address the main issues identified in **Section 1** in respect of the RfR and the Council's SoC (**CD5.2**); that is the contention that the appeal proposals would unacceptably harm the character and appearance of the area including the LLV and wouldn't comply with the site allocation requirements.
- 6.2 As noted in **Section 2** I have interpreted the Council's refusal as meaning that they consider that the impacts of the appeal proposals – despite being of almost exactly the same scale and density as the indicative capacity supported by the allocation – would be unacceptably greater/more harmful than might reasonably be expected by the policy. The policy does not define where development should be located – or should not be located – within the boundaries of the allocation.
- 6.3 As to what level of potential harm and change *is* acceptable in the Council's eyes (and assumed by the policy) is as yet undefined (by the policy or elsewhere); however, to clarify my own position on the level of harm and its acceptability, I step through an appraisal of the effects upon the range of identified landscape and visual receptors. I do this with reference to the LVIA, which I authored, and with a view to considering how differences between 110 units (as per the policy) and 115 units (as per the proposals) might differ. Of course, with this being an OPA with only the Framework Plan for approval at this stage, the exact numbers, layout, housing mix, etc. can be defined – with input from the Council – at the RM stage.

THE CROSS SECTIONS AND PHOTOMONTAGES

- 6.4 A very good starting point to understand the potential change brought about by the proposals are the cross sections and photomontages produced in support of the LVIA and OPA and subsequently updated during the determination period (**Appendices EDP 5, 6 and 8**). The photomontage locations are shown on **Proof Plan CM 9**. These views (which are verified in line with LI guidance **CD16.2**) have been produced to demonstrate how the proposals might appear from those areas considered of highest sensitivity (through consultation and my own views). Views are provided from Moat Road, from areas south of the site (within the Beult Valley) and from the countryside to the west (on Black Mill Lane). The five verified views A to E are contained at **Appendices EDP 5** (summer) and **EDP 6** (winter)– both winter and summer views are provided.

- 6.5 The montages provide an objective and accurate representation of how development would sit in the landscape (on the basis of the illustrative masterplan and landscape strategy). They are based upon the revised Sketch Masterplan (**Appendix EDP 1**) and Illustrative Landscape Strategy (**Appendix EDP 2**), and the contents of the DAS (**CD1.8**) and DAS Addendum (**CD1.9**). Key parameters adopted for these images are set out in the methodology at **Appendix EDP 7**.

EFFECTS UPON LANDSCAPE FEATURES

- 6.6 The LVIA considers the effects upon landscape features as part of the wider consideration of impacts upon Site landscape character at Section 7 of that document. The overall effect upon the site is considered to be moderate at Year 1, with impacts upon site landscape features contributing to this as follows.

- **The tree stock within the site:** As noted within the AIA there are relatively few trees or any other vegetation within the site, with this limited to the historic boundary running through the middle of the site east to west, and a number of trees in the south-eastern corner. The majority of these trees (including any relics of the TPO and boundary TPOs) would be retained as part of the proposals and brought into long term management.
- There is significant new tree, shrub, scrub and hedgerow planting proposed as shown on the Landscape Strategy (**Appendix EDP 2**) which will serve to mitigate landscape and visual effects and provide areas for biodiversity and landscape enhancement. Hundreds of new trees are proposed – both within and surrounding the built development areas – as well as significant lengths of new hedgerow planting and areas of scrub. All planting would be carried out through liaison with the LPA and in line with the aspirations of the Maidstone Landscape Character Assessment Supplement (**CD7.26**).
- **Boundary vegetation:** The only additional tree loss arising from the proposals would be along the southern and northern boundaries. A short length of hedgerow (of c.10m) and three small trees would require removal for the vehicular and pedestrian access points on the southern boundary, and on the northern boundary a short length of c.5m requires removal to facilitate a pedestrian access. The southern boundary loss is shown on **Photomontages A and D** at **Appendices EDP 4** and **5**.
- The AIA (**CD1.36**) summarises the tree loss as follows:

“The arboricultural impact of the proposed development comprises only the removal of low quality elements of the tree stock, majoring on scrub and low quality self set trees. The application is accompanied by a landscape strategy plan, which outlines the approach to tree planting within the competed development.”

- The location of the vehicular access was selected purposely to avoid the loss of two mature trees, using a natural break between these trees. Similarly, the pedestrian access was chosen to avoid the largest mature tree in this area. Thus, I find the access proposals have minimised the extent of loss and therefore harm, insofar as they can given these access points had to be located somewhere along the southern boundary.

- **Loss of agricultural land:** The proposals would result in the loss of two areas of grazing land typical of, and common within, the surrounding area. This loss is the greatest ‘impact’ in terms of landscape features, although has to be considered in the context of a site which is allocated, and where – therefore – the loss must be considered acceptable in principle.
- **Proposed landscaping:** As shown on the Landscape Strategy plan (**Appendix EDP 2**) the proposals to commit providing extensive areas of grassland and tree/shrub/scrub planting, including:
 - Hundreds of new trees within the areas of POS, within the development areas, along pathways and the retained PRoW;
 - Hundreds of metres of new hedgerow planting the development areas and POS;
 - Areas of wetland planting around the SuDS basins in both the northern and southern parcels;
 - A 10m landscape buffer to the existing settlement edge to the east; and
 - Selective infilling of the eastern boundary vegetation.
- This planting is located both around the boundaries of the development areas, along the green spine running east to west between the site parcels, and within the areas of development themselves; and
- As shown by the detailed landscape proposals drawing at **Appendix EDP 3**, the southern POS has been designed to be able to accommodate sufficient space for planting associated with the SuDS basin, planting within the POS and to be able to provide enhancement planting for the retained sections of the southern boundary hedgerow.

EFFECTS UPON LANDSCAPE CHARACTER

6.7 I assessed the character of the site within the LVIA and ascribed it a medium sensitivity in landscape terms at the site level. With regards to the predicted effects, I summarise these below in line with the different temporal stages of construction, Year 1 and Year 15.

Table EDP 6.1: Landscape Effects Summary

Receptor	Effect Assessment
The Site	Construction: Major/Moderate Y1: Moderate Y15: Moderate
Site’s Immediate Surroundings	Construction: Major/Moderate to Moderate Y1: Moderate Y15: Moderate/Minor to Minor

Receptor	Effect Assessment
Headcorn Pasturelands LCA	Construction: <i>Unassessed</i> Y1: Moderate/Minor to Minor Y15: Minor to Minor/Negligible
Low Weald LLV	Moderate/Minor

- 6.8 **Construction Effects:** Within the site, it is an inevitability that the construction of a residential development would lead to a very high, but short-term, change to the existing character of the site as a discrete geographical unit of the wider landscape. As such, the (inevitable) major/moderate level of effect at the site level due to the change in perceptual and sensory character is a change that would have been entirely predictable and is consistent with the allocation. An increase in units of less than 5% would not change the level of change or effect.
- 6.9 **Year 1 Effects:** The change of use of the site from agricultural land to a residential development would result in an inevitable, and high level of change to its visual and perceptual character – and one that would be fully aligned with what would be expected following the allocation of the site. This would also be a change that is not inconsistent with the surroundings (to the north and east), nor in an area where further detractors (e.g., the derelict buildings and electricity substation) are not visible landscape features.
- 6.10 The extent of effects would therefore be tempered (to some degree) by these features, and by the landscape-led approach I set out earlier in **Section 5**, which would ensure the retention, enhancement, and long-term management of existing characteristic landscape elements (as set out above). The way in which the proposals provide a logical addition to both in 3-dimensional and 2-dimensional layout of the village, as shown on the figure ground diagrams within the Design Document appended to Mr Collins’ Proof, the sections provided within the DAS (pages 32 and 33 of the original DAS (**CD1.8**)) and the photomontages, show how well-integrated the proposals could be made in a landscape sense.
- 6.11 The provision of new features which respect the aspirations of the sensitivity study (**CD8.4**), the character assessment and the allocation (as I set out below), and the provision of extensive green buffers along the south and west of the site, also help limit site-level effects. Particular measures in this regard include:
1. The retention of valuable oak trees (such as T42 as identified in the AIA (**CD1.36**)), and the potential to significantly increase the number of trees within the site (including additional oak trees), aligns with the aspirations of the LCA;
 2. Through effective offsets to the western boundary in particular, the proposals are able to conserve the largely undeveloped rural landscape and the remote quality of isolated farmsteads (by having contained landscape and visual impacts); and
 3. With respect to the existing waterbody in the site’s north-western corner, the proposals have the ability to enhance habitat opportunities around waterbodies by promoting a vegetation framework. The SuDS areas will also provide opportunities for new wetland style planting.

- 6.12 I also contend that the proposals go further than merely retaining and enhancing existing features too, in line with the aspirations of the allocation and best practice and recognising the direction of NPPF paragraph 187(a). The proposed scheme includes the retention, enhancement, and ongoing management of existing boundary landscape features (including the east to west vegetation line) alongside the establishment of new hedgerows, hedgerow trees and species-enriched grassland.
- 6.13 Whilst not entirely counteracting the loss of open agricultural land, I consider that in replacing the monoculture grazing land with characteristic, linked, landscape elements that integrate into the landscape and contribute to biodiversity, there are certainly some beneficial aspects in this regard.
- 6.14 **Year 15 Effects:** Within the LVA I didn't expressly assess the proposals at Year 15, focusing instead on the worst-case operational effects at Year 1. When defining a level of effect over a 15 year timeframe (and indeed longer), it is a case of attempting to define an effect over a timeframe when the baseline (i.e., the status quo) will be some time in the past. With such a transformative change – from an open agricultural field to a residential development – which will extend to 15 years (and beyond) I consider the level of effect would remain as per Year 1.
- 6.15 Even if (wrongly in my opinion) the site is given a high value due to its location within the LLV, I note that this would only marginally raise the level of effect – assuming an overall medium/high sensitivity (as claimed by the Council) the effect would either be major/moderate (using the LVIA methodology).

EFFECTS UPON PUBLISHED LANDSCAPE CHARACTER AREAS

- 6.16 My assessment here deals briefly with how the direct changes to the site referred to above relate to effects at the LCA level upon the Headcorn Pasturelands LCA. This allows me to provide an assessment that identifies the accurate effects upon landscape 'as a whole', rather than the inevitable change that results from development in a green field location.
- 6.17 For the Headcorn Pasturelands I predict a worst-case major/moderate to moderate effect on the area immediately surrounding the site (within c.200-300m) at Year 1, which I consider reduces to moderate at Year 15 as the boundary and western and southern buffer planting matures, and the perceived change in these areas lessens.
- 6.18 For the wider LCA, I assess the effects to be moderate/minor to minor at Year 1, reducing to minor to minor/negligible at Year 15. The reduction in effects – both to the area immediately surrounding the site and wider afield – I consider to be a direct consequence of a number of key factors, as below:
- Changes would be limited to the loss of a parcel of agricultural grazing land, and the proposals, in landscape terms, would be perceived as an extension to the existing village from most vantage points (rather than a new area of settlement);

- There would be no physical effect of the proposed development beyond the site boundary, except for minimal changes to Moat Road, including a new footway and road markings;
- The layout of the proposed development has taken into account the patterns of existing vegetation, including in particular field boundary hedgerows and other landscape features and elements within and surrounding the site, and also the pattern of development on the western side of the town. Critically, this includes the mature and contemporary settlement edge immediately adjacent to the east and north. In so doing, this has ensured that the scheme can be implemented without notable harm to the underlying, and overarching, character, topography or setting to the local landscape, notwithstanding the elevated changes that will be observed at the site level;
- The mitigation measures that are integral to the proposed scheme, and where these are enhanced with additional mitigation, are intended to conserve character where it exists, and to restore or enhance landscape features where they have deteriorated. This aligns with the published 'Summary of Actions' for the LCA and the findings of the sensitivity assessment; and
- The site represents only a very limited proportion of the host LCA, and for these reasons it is concluded that there would be a very limited change to the landscape character of the overall LCA arising from the construction and operation of the proposals.

LANDSCAPE IMPACTS AND THE ALLOCATION

- 6.19 Whilst I acknowledge that an allocation of this type does not infer a 'carte blanche' for development to be proposed which doesn't consider its context – particularly where there are criteria set out on a site-by-site basis – I firmly believe that the proposals are extremely well considered.
- 6.20 I acknowledge that the proposed change from open agricultural land to residential uses will inevitably (and unavoidably) alter the character of the appeal site and result in some harm at the local level to a number of facets of the landscape resource. This is the case for all green field development sites, and I consider an inevitable consequence of provision of new housing beyond settlement boundaries. The appeal site or proposals are not unique in this respect.
- 6.21 It is also of critical relevance that the site is subject to an allocation for residential development of precisely this scale and character. This means that a significant level of harm must always have been anticipated at the site level – this would be the case even for a much smaller development – and I reiterate that the proposals have been designed to not only reflect the criteria within the allocation policy, but also general principles of good landscape and layout design (i.e. are clearly landscape- and LVIA-led).
- 6.22 Given the proposals are able to retain the most valuable features within and bordering the site, with loss of features only required to facilitate access between the northern and southern parcels, I also find it impossible to see how this level of loss would not have been reasonably anticipated when allocating the site; access is only available from Moat Road;

vehicular access would be expected and required between the northern and southern parcels; and the loss of low grade trees in the south-eastern corner and on the western boundary would have been equally acceptable.

- 6.23 In touching on this aspect, the Inspector for the Marden appeal in Maidstone Borough, stated the following when considering the level of change one might expect to an allocated site (my emphasis added) – NB: the issue of the extent to which the allocation considered landscape matters (i.e., ‘landscape blindness’) is dealt with by Mr Collins:

“It is unnecessary for me to approach landscape implications in detail via the methodology in GLVIA3 and TGN02/21. That is as the site is allocated, which will inevitably entail significant change (as a resource, visually, in respect of illumination and relative tranquillity). As addressed above, the process which led to its allocation cannot be summarised as landscape blind.”

- 6.24 As I demonstrate below, I contend that the proposals also comply with the allocation criteria in full, and do not seek to ‘over develop’ the site in landscape terms. Therefore, I find the levels of impact upon the underlying landscape resource – whether at the site level or as experienced more widely – are within acceptable levels for a site of this size, in this location, and do not go beyond what would have been reasonably anticipated by the allocation of the site.

LOW WEALD LANDSCAPE OF LOCAL VALUE

- 6.25 This local designation covers a large area to the north, south, east and west of Headcorn, and covers the village itself, and is protected under Policy LPRSP14(A) of the MBLPR. The designation aims to ensure that development within LLVs *“should, through their siting, scale, mass, materials and design, seek to contribute positively to the conservation and enhancement of the protected landscape.”*
- 6.26 In this context, the proposed development is likely to have some impact upon the designation, as it is simply not possible for development proposals – which inevitably result in change at various levels – to ‘conserve’ the landscape unchanged. This kind of ‘nil impact’ policy is contrary to good development planning and doesn’t recognise either the need for housing in greenfield locations, or indeed that development can be designed sensitively within rural areas. Nor does it reflect the allocation of the site. Such an approach would be inconsistent with the allocation, which (if there is a conflict) must be resolved in favour of the allocation (otherwise it is rendered otiose).
- 6.27 I also note that MBLPR suggests the LLV reflects a ‘Valued Landscape’ in the context of paragraph 187(a) of the NPPF. This paragraph states that Valued Landscapes should be protected and enhanced *“in a manner commensurate with their statutory status or identified quality in the development plan”*. Regarding the Council’s case, this of course leads to a conflict in that the site is designated for its landscape quality AND it is allocated.
- 6.28 This comes back to the same point noted above in respect of landscape character – the allocation of the site must accept that change is accepted in principle – and not just any change, but specifically the scale and nature of the change proposed. I therefore consider

that the level of impact on the LLV would be acceptable within the context of the allocation, and on the basis of the approach taken to limiting landscape and visual impacts, and being landscape-led, would conserve and enhance the LLV insofar as this is reasonable for development of an allocated site.

EFFECTS UPON VISUAL AMENITY

- 6.29 As part of the authoring of the LVIA I visited all the representative viewpoints provided at **Appendix EDP 4** – in both summer and winter conditions. I considered the change that might occur at them, and the wider context of views as they appear now. The representative views provided do not represent the only areas from where there would be an effect, rather they provide a representative assessment that is used as a benchmark to understand the wider potential effects as I see them.
- 6.30 As noted above; to provide further clarity on the assessment a number of verified view photomontages were produced as part of the application, with these supplemented for the appeal following representations made during determination – additional views from the Beult Valley and from Moat Road are provided. These images show the anticipated change at Year 1 and Year 15 and are based upon the planting proposals illustrated on the Landscape Strategy plan (**Appendix EDP 2**). The montages (and the methodology used to produce them) are provided at **Appendices EDP 5, 6 and 7**.
- 6.31 As a consequence of intervening vegetation and built form, in combination with the flat topography (to the south in particular), I found that only limited intervisibility between the site and publicly accessible areas (visual receptors) was available, even in winter (my detailed assessment is included in the LVIA (**CD1.28**)). The visual receptors affected is agreed within the LSoCG. The higher levels of change – and effects of moderate or above – would be strongly focussed on areas within close range, including:
- Moat Road (**Photoviewpoints EDP 1 and 2**, and **Photomontages A and D**);
 - Black Mill Lane (**Photoviewpoints EDP 5 and 6** and **Photomontage B**);
 - The PRoW which run through and adjacent to the site – namely KH590 (refer **Photoviewpoint EDP 1**) and KH591 (**Photoviewpoint EDP 5** and **Photomontage B**);
 - PRoW to the west, namely KH618 (**Photoviewpoint EDP 7**); and
 - Residential dwellings adjacent to the site's northern and eastern boundaries (**Photoviewpoints EDP 3 and 4**).
- 6.32 The LVIA predicts lower levels of change (and effects at a lower than moderate level) from the PRoW to the north, namely PRoW KH589 (**Photoviewpoint EDP 9**), PRoW to the north-east KH585 and KH584 (**Photoviewpoint EDP 10**), and from a number of local roads (minor and major) including Water Lane, Stonestile Road and New House Lane.
- 6.33 In respect of the cross-sections and photomontages (**Appendices EDP 5, 6 and 8**), these show two main things; (1) how the site is not really that visually prominent from areas where it is visible; and (2) how effective the proposed mitigation is at limiting the extent of change

from those limited areas where views will be available, i.e., from Moat Road, the River Beult Valley to the south, and the countryside to the west. I provide commentary on these views below:

- Moat Road, **Photoviewpoint EDP 2** and **Photomontage A**: Views from Moat Road in this location would change from views of a derelict farm complex (with glimpsed views of the site land and vegetation within it), to one containing residential built form set back from the road, beyond a deep landscape buffer (see **Photomontage D**). In the longer term, the view would be broken up by the maturing roadside hedgerow and tree planting;
- Black Mill Lane, **Photoviewpoints EDP 5** and **7**, and **Photomontage B**: views from this minor road are important in demonstrating how, even at relatively close proximity, views of the development would be filtered to a large degree by the existing western boundary vegetation, and also the proposed planting. The filtering would increase in the longer term as planting matures;
- New House Lane, **Photoviewpoint EDP 8** and **Photomontages C** and **E**: there is a limited network of PRoW from within the Beult Valley to the south, particularly so those with open views of the appeal site. The two views provided from New House Lane show how the appeal site is elevated, although not prominently so. They also show that the existing settlement edge – both to the north and east of the appeal site – is already visible on this rising ground and the appeal proposals would add to this built development and would have the same character and visibility; and
- Moat Road (2), **Photomontage D**: showing the site entrance point, the view from adjacent to the site would change as expected, from a dense hedgerow to a hedgerow broken by the site access, which allows views into the southern site parcel. The rising ground in the appeal site is visible, although not prominent, and (particularly at Year 15) the planting proposals would create an attractive development and entrance.

6.34 In the same way as for impacts upon the landscape resource and the LLV, I don't consider there are any views in which the level of change would be over and above that which would have been reasonably anticipated as a result of the site's allocation. The development height parameters, its density, and location of breaks in vegetation, as well as the mitigation anticipated (i.e. a buffer to the west and south and east to west breaks in the built form) all reflect the allocations aspirations as I see them.

ALLOCATION POLICY CRITERIA

6.35 Having assessed the predicted impacts of the appeal proposals on the landscape and visual resource, I now look at those 'criteria' or 'conditions' of the allocation related to landscape and visual matters, and particularly those which are in dispute (7 and 8). For completeness I first tabulate those criteria which are not in dispute – I do this in **Table EDP 6.2**.

Table EDP 6.2: Allocation Criteria not in Dispute

Criteria	Response
Design and Layout	
2. The development proposals shall be informed by a landscape and visual impact assessment undertaken in accordance with the principles of guidance in place at the time of the submission of an application.	The OPA was supported by an LVIA, which informed the layout of the development and extent of Net Developable Area (NDA).
3. Built development shall be set back from Moat Road and the western boundary.	As shown on the Framework Plan (CD1.2) and Landscape Strategy (Appendix EDP 2) the proposals show a buffer to Moat Road and the western boundary and can be further controlled at RM stage if required.
5. The layout of new dwellings and roads shall respect the amenities and setting of adjacent residential properties.	A buffer strip is provided to the north and east to respect amenity of neighbouring residents. The Illustrative Strategy shown on page 22 of the DAS (CD1.8) shows a proposed treatment to existing dwellings to the east. The western buffer provides a generous offset to dwellings and farmsteads to the west.
Landscape/Ecology	
12. Existing tree/hedgerow margins should be retained/enhanced in order to provide the opportunity for biodiversity habitat creation/enhancement. Public access to such areas would normally be limited.	The vast majority of existing trees and hedgerows are retained, except where removals are required to allow access from Moat Road and between the north and south parcels; and for removal of trees with limited arboricultural value. Boundary trees (inc. TPOs to north-west and north-east) are retained and enhanced through additional tree planting.
14. The proposed landscaping scheme shall respect and protect TPO trees within the site or adjacent to boundaries.	This is achieved through the proposed illustrative landscaping scheme.
15. The existing hedgerow fronting Moat Road shall be retained and enhanced and the impacts of any access junction minimised and mitigated.	The impact of any junction designs, and pedestrian access requirements, have been minimised. Otherwise, the hedgerow along Moat Road is substantially retained, enhanced, and a new length of hedgerow is proposed where the existing farmstead is.
16. Vehicular access routes within the development shall feature tree planting.	All vehicular routes through the development are proposed to be tree lined, as set out in the DAS.

6.36 The RfR doesn't go into a lot of detail on the reasons for the Council considering the proposals do not comply with criteria 7 and 8; however more detail is provided within the Council's SoC (**CD5.2**) (paragraphs 10.16 to 10.24) and the ORC (**CD4.2**) (pages 11 to 15).

Whilst the ORC was authored prior to the formal allocation of the site, there are still elements of relevance to criteria (7) and (8).

Criteria 7: Lower Densities and Built form on the Western Portion of the Site Shall Reflect its Adjacent to Open Countryside

6.37 Neither the ORC nor Council's CoC make specific reference to this point, but a number of assertions are made of general relevance in the ORC, as follows. These relate primarily to the size of the buffers to the western and southern boundaries – rather than density per se – but I read these as interlinked issues from the Council's perspective:

“There is limited scope for adequate landscape buffers/screening at the south and southwestern boundaries because not enough distance is achievable between the perimeter trees, hedging and the number and size of attenuation basins and the indicative extent of proposed built development.”

“The applicant places much reliance on the “buffers” provided by the drainage attenuation basins for screening of the development. However, whilst the basins push development off the SW boundaries, in themselves, they do not screen 2 storey buildings.”

“The Open Space needs to be of a substantial width along all of the western and southern boundaries and to ensure it can effectively serve as a visual buffer, planted with trees and landscaping to screen development rather than predominantly attenuations basins.”

6.38 From the inception of the proposed development in 2020, the sensitive western edge (to open countryside) was identified as a key sensitivity of the site. The design evolution section of the original DAS (pages 16 and 17) illustrates clearly that a large buffer to this boundary was provided from the outset. The Council consider these buffers not to be wide enough. I disagree for the following reasons:

- There are buffers to the western boundary of between 22m and 64m, and the southern boundary of 27m to 68m as shown on the plan within the Design Statement appended to Mr Collins' Proof. These have increased considerably since the original layout (which contained circa 150 units), reflecting the landscape-led design evolution.
- These buffers are very significant and will present a high quality interface with the adjacent open countryside, as shown on the Cross Sections at **Appendix EDP 8**. These cross sections illustrate how the combination of the landscape buffers and internal areas of landscaping and POS (including the central east to west landscape strip) provide a development which sits well within its vegetated context, and which allows large offsets to existing valuable features to be protected.
- The extensive planting proposed within the buffers will envelop the site, whilst also allowing a soft and filtered appearance in views from outside the site. At Year 15 the planting would have matured sufficiently (particularly the tree planting) to appear similar in height to the buildings (if not higher), allowing visible built form to be set within a soft and verdant framework. Vegetation can reasonably be expected to reach 8-10m tall after 15 years, compared to standard eaves heights and ridge heights of circa 5m and 9m respectively.

- The photomontages (**Appendices EDP 5 and 6**) show that in both summer and winter the combination of the existing boundary vegetation and new planting within the buffers (and the development) provides a filtered and effective new settlement edge which does not dominate views. Indeed, in summer months, the development would barely be noticeable from many locations;
- The detailed landscape drawing at **Appendix EDP 2** shows that there is more than sufficient space for structural and ornamental planting within the southern boundary, as well as the SuDS basin. **Photomontage D** (from Moat Road) shows how the proposed planting might soften views and provide a filtered rather than screened view; and
- The proposals will still be visible from the surrounding area (as the existing settlement edge is now), but with a more filtered and softer appearance, which correctly reflects a transition from settlement to open countryside. I do not believe (as appears to be part of the Council's case) that 'screening' of development in this location would represent a good design solution. Rather, I consider good design is reflected in views which contain exactly the filtered and verdant appearance achieved here.

6.39 In terms of development density, as the design evolved and further detail was added via the illustrative layout, consideration was given to specific character areas, and how these might relate to the identified sensitivities. These are shown on the 'Character Areas Plan on page 34 of the original DAS. This drawing has been updated as part of the appeal (to reflect the latest masterplan), with an extract of this provided below. As for the original plan, the northern and westernmost dwellings are within the character area defined as 'Rural Development Edge', with a density of just 21.9dph.

6.40 A greater density is proposed along the northern and eastern edges (adjacent to existing settlement) and within the core of the development. This assists in 'blending' the development into the surrounding open countryside to the west and south-west and does so through not only a looser development pattern, but also via integrating with the large areas of POS and the planting proposed here. This is a similar characteristic to how the Catkins Gardens development to the north approached the sensitive western edge. Again, this can be seen on **Image EDP 6.1** below.



Image EDP 6.1: Proposed updated Character Areas/Densities Plan. Orange areas (Rural Development Edge) are proposed at 21.9dph, blue areas (Main Street and Core) at 33.3dph and green areas (Settlement Edge) at 33.8dph. Surrounding densities are shown for information.

6.41 The detail of this character area is provided on page 38 of the DAS, with key statements on how the proposal respect the western edge provided below:

- *“1 to 2 storey dwellings appropriate*
- *Dwellings set within larger plots to support enhanced landscape planting*
- *Predominantly detached dwellings with opportunities for occasional bungalows/ chalet bungalows to further enhance the transition between development and the wider landscape to the west*
- *Dwellings serviced from either rear gated mews style lanes or from private drives / lanes to the front. In both options parking is to be discreetly located, and lanes to be well landscaped*
- *Cleft timber post and rail fencing could be used alongside hedgerow and tree planting to clearly delineate the development edge from the public open space*

- *Public realm lighting to be sensitively located and low level to avoid light spill into the wider landscape”*

6.42 Based upon my analysis I fundamentally disagree with the Council’s position that *“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.”* Moreover, the Council evidently acknowledge that at this point any reference to numbers and layout is only indicative (being an OPA), with detailed matters subject to agreement at the RM stage.

6.43 Further, I disagree that *“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.”* My evidence and the photomontages demonstrate the contrary (on an objective basis).

Criteria 8: The Layout and Form of Buildings Shall be Designed to Mitigate the Rising Topography with East West Landscaping Introduced to Break up the Overall Visual Massing

6.44 From reading the various appraisal of the proposals within the ORC (**CD4.2**) and SoC (**CD5.2**), I consider the premise for the contention that the proposals fail against this criterion is the (in my opinion) misguided view that: (i) the site is visually prominent from the surrounding area; and (ii) the same would not be true of a lesser development. I reviewed this in relation to the Maidstone Borough sensitivity assessment (**CD8.4**) within the LVIA (**CD1.28**), finding that the assessment overstates this. Whilst it is clear that the appeal site is elevated above the majority of the surrounding area, I do not agree that it is visually prominent, for the following reasons:

1. Whilst the site is relatively elevated, this elevation is not dramatic (it rises only circa 15m above the adjacent landscape), and the northern parcel is barely visible from the landscape to the south. **Photoviewpoints EDP 8, 11 and 12** illustrate views from this area and show how only glimpsed views of the site are available due to the heavily vegetated landscape and relatively flat topography – refer to my **Proof Plan CM 7**;
2. Were the northern site (and development on it) widely visible (or potentially visible), then one would expect open and expansive visibility of the existing settlement on the eastern boundary, which is not the case unless on the site or Moat Road;
3. From the north, **Photoviewpoints EDP 9 and 13** illustrate the limited extent of views of the site. I don’t believe the site can be considered prominent from here either;
4. In terms of proximity to the existing settlement, and the assertion in the sensitivity assessment (**CD8.4**) that the site does not relate well to the existing settlement, I note that this document predates the development to the north being built and the allocation of the site in the MBLPR. It is clear in the current form that the site is very well related to the existing settlement, both to the east, and now the north, and is now included within the settlement boundary as defined on the proposals map. The Council themselves acknowledge that the site is semi-rural, presumably reflecting this changed context;

5. The new development to the north has effectively extended the physical presence of the village west and north, meaning that this site is much more logical in 2-dimensional terms, than was the case at the time the sensitivity assessment was written. Again, the allocation of the site in this context is not surprising; and
 6. The Low Weald landscape is noted for the settlement of Headcorn and its vegetated character, and particularly from the lower lying flat areas to the south, this results in a foreshortening of views towards the appeal site, and a greater level of screening from this vegetation than might otherwise be the case.
- 6.45 The LPA argue – and the allocation requires – that ‘east west landscaping’ should be included to break up the ‘overall visual massing’. No further details were provided as part of the site’s allocation, and no specific requirements – locational or numerical – are identified. Some limited further analysis is provided within the ORC as follows:
- “Other than the line of TPO trees, there are no further E-W or N-S belts of tree planting indicated to break up the massing and roofscape of the development and to better respect the historic field pattern of the Low Weald.”*
- “To achieve that [screen the development so that the harm on the character and appearance of the area is mitigated], much more of the site would need to be given over to buffer planting at the south west corner and southern boundary and there would need to be more E-W and some N-S tree belt planting to break up the roofscape.”*
- “The site’s main topographical characteristic is its pronounced slope and [sp] but the submission does not detail the impact of development through cross and longitudinal sections to a reasonable scale.”*
- 6.46 The Illustrative Layout plan and DAS clearly show that the retention of the east to west field boundary has comprised a fundamental part of the design since the outset. This was not only to ensure that valuable existing vegetation is retained, but also to provide a ‘break’ between the northern and southern parcels. The location of this existing vegetation (and the 20m to 60m green corridor aligned with it) is well-located in that it sits near a point where there is more notably rising ground. As shown on **Proof Plan CM 8**, the slope is steeper across the southern parcel than it is across the northern parcel. This is also shown on the cross sections at **Appendix EDP 8**, particularly page 1 Section A-A.
- 6.47 This means that when viewed in elevation (as per the updated sections provided at **Appendix EDP 8**) the green corridor proposed, along with the other planting within the development areas to the north, sits at a point where it will have noticeable benefit in terms of filtering the upper parts of the site (i.e., the northern parcel) in views from the south. Were this corridor located either further south or (in particular) north, it wouldn’t provide the same level of filtering of the most exposed site parcel – particularly in the long term when the planting reaches maturity. **Photomontages C and E (Appendices EDP 5 and 6)** show how the proposals sit in views from the south in relation to the rising ground.
- 6.48 I also disagree that landscape corridors – in this instance those running east to west – are the only way to visually break up the massing of development. The DAS sets out a number

of ways (within the Character Areas section) through which the spacing, plot size, building orientation, associated landscaping can achieve this.

- 6.49 One of the main thrusts of the Council's case is that the proposed unit numbers, at up to 115, rather than 'approximately 110' as per the allocation, would lead to an unacceptably high level of harm, with an element of this relating to the massing of the proposals. Were the scheme reduced by c.5 units (or I believe even more than this) – even in the most visible areas, the change experienced in views from the south (or anywhere else massing might be appreciated) would barely change. It would not for example reduce the horizontal or vertical extent more than a very small amount. I don't believe this level for change would even be noticeable.
- 6.50 It follows that (in LVIA terms) 115 homes is approximately 110 homes. There is no material difference between them. I do not accept that approximately 110 homes is acceptable in principle, yet 115 homes is not acceptable in outline. There is no reasonable evidential foundation for that position.
- 6.51 In response to the Council's assertions, and the policy criteria, I make four clear conclusions:
1. The development layout was designed using sectional analysis, both in terms of illustrative material contained in the DAS (**CD1.8**), and also how this informed the LVIA (**CD1.28**) (and vice versa);
 2. As required by Policy LPRSA310, the appeal proposals contain east to west landscaping which breaks up overall visual massing. The policy doesn't specify how many east to west corridors are required, nor where they should be located, and I consider that the level of impact is acceptable (in general), and especially compared to a policy allocation of approximately 110 homes; and
 3. Other factors ingrained within the proposals (which can be further controlled at RM stage) also assist in achieving a break up of visual massing and have been informed by the LVIA process and good development design principles; and
 4. In the context of an indicative allocation capacity (which is what is presented in the MBLPR), an increase of 5-10 units is not material in respect of such matters.
- 6.52 Given my analysis I consider the appeal proposals fully comply with criterion (7) and (8) of Policy LPRSA310 insofar as I am able as a landscape practitioner.

PLANNING POLICY CONSIDERATIONS

- 6.53 I set out in **Section 3** the relevant planning policy as derived from the RfR. I set out below a brief consideration of compliance with the relevant parts of these policies' Mr Cotton covers policy compliance in more detail. I do not repeat my consideration of policy LPRSA310, with which I consider the proposals comply fully.
- 6.54 **Policy LPRSP14(A) - Natural Environment (part 1b)** – Policy sub-criteria 1b relates to the protection and enhancement of the natural environment, and I consider the appeal

proposals comply with the policy requirements, so far as consistent with the allocation, because they:

1. Incorporate measures to protect positive landscape character (e.g. valued landscape features), protect trees with amenity value, and protect features of biological interest (e.g. the site pond) insofar as this is possible in the context of the site's allocation; and
2. Protect the existing PRoW by retaining its alignment and aligning it within areas of new multifunctional POS.

6.55 **Policy LPRSP15: Principles of Good Design** – this policy relates to design across the district, in terms of both detailed and more contextual factors. The policy wording sets out 17 criteria which development proposals should meet – the RfR only references parts 2, 6 and 7. I consider the appeal proposals comply with these criteria in the following ways:

1. Part 2: In aligning with the aspirations of the host LCA (the Headcorn Pastures LCA), the mitigation aspirations as set out in the sensitivity assessment and the aspirations of the allocation policy, I consider the proposals 'respond positively, and where possible enhance, the character of the area';
2. Part 6: By incorporating/retaining an east to west landscape corridor, adopting a character area approach to the development zones, retaining the most sensitive vegetation in and around the appeal site, and sensitively incorporating natural features, the proposals both 'respect the topography' of the site and provide a framework to positively 'assimilate development in a manner which reflects and reflects the local and natural character of the area.'; and
3. Part 7: Through the incorporation of extensive areas of multi-functional green space set within a logical development framework, which offers the ability to achieve significant biodiversity net gain and which fits effectively within its context, I consider the proposals provide a 'high-quality design which responds to areas of heritage, townscape and landscape value'. Importantly, this is insofar as this can be reliably judged at the outline stage, and in the context of the site being allocated and a level of impact accepted.

6.56 With regards to the documents referenced within the policy – '*Conservation Area Appraisals and Management Plans, Character Area Assessments, the National Design Guide 2019, and the Kent Design Guide*' – these have all been addressed through the LVIA and my Proof (Character Area Assessments), within the Heritage Statement (**CD1.11**) and Proof of Ms Stoten (Conservation Area Appraisals and Management Plans), and within the evidence of Mr Morgan (appended to Mr Collin's Proof (National Design Guide and Kent Design Guide) insofar as is required for the appeal.

6.57 I therefore consider that from a landscape and visual policy perspective, the site is compliant the relevant parts and those parts listed in the RfR.

RESPONSE TO RFR POINTS

6.58 I summarise below my consideration of the specific points raised in the RfR relating to landscape and visual matters.

Whether the harm to the character and appearance of the local area – including the Low Weald LLV – is unacceptable

6.59 I have demonstrated that there will be some inevitable localised harm to the character and appearance of the local area, and also to the Low Weald LLV. I have also demonstrated that – in the context of an allocated site for a development of the same scale as proposed at this appeal – this has been minimised and is acceptable. It is no different to what can reasonably be expected by the allocation of approximately 110 homes.

Whether the site is visually prominent, and whether the appeal proposals have recognised the visual context of the site

6.60 I have looked in detail at the site context and analysed this using various plans and images. I find that whilst the site is relatively elevated compared to the surrounding area, it is not visually prominent, and development on it – again in the context of an allocated site adjacent to an existing settlement edge – would not be visually prominent either. There would be some localised visual harm, but I find through the location and extent of POS and landscape buffers, the site responds very well to its underlying context, and harm has been minimised.

6.61 The proposal is no more prominent than any proposal would be for 110 homes, which the LPA consider to be acceptable in principle.

Whether the appeal proposals are able to provide lower densities on the western portion of the site given its landscape context

6.62 The original and updated DAS demonstrates – alongside the visualisation of this as illustrated on the photomontages and cross sections – that the proposals are very clearly able to develop lower density development along their western side. They also clearly shown a wide landscape buffer to this boundary which assists in integrating the development into the surrounding open countryside.

6.63 However, it also needs to be recognised that this proposal must optimise the use of the site. Efficient use of the land is required (see Chapter 11 of the NPPF). This outline proposal draws an appropriate balance between making an efficient use of land and protecting the character and appearance of the area. It is difficult to argue that a lower overall density of development could or should be acceptable, given the requirement to optimise the use of the site and the very substantial areas of Open Space and landscaping which are provided.

Whether the landscape buffers to the southern and western boundaries provide sufficient space for landscaping to suitable mitigate the development and whether the east to west landscape buffers are adequate

6.64 I have reviewed the planning application material and the subsequently produced photomontages and detailed landscape plan, and consider that these show that the buffers proposed are more than sufficient in size and orientation to accommodate sufficient

mitigation planting. Alongside the other requirements, such as areas for recreation and drainage.

- 6.65 The landscape buffers are very substantial and high quality and will provide (unanswerably) a high quality interface with the open countryside and Moat Road.

Whether the appeal proposals are inappropriate for the rural edge of Headcorn

- 6.66 Based upon the above consideration of the site layout and landscaping, and the potential level of change illustrated on the photomontages, I consider that the appeal proposals are or can be made through consultation at the RM stage, acceptable for this edge of settlement location.
- 6.67 A scheme for approximately 110 homes is promoted through the allocation in the Local Plan. This proposal would have no materially different impact compared to such a scheme, in respect of the rural edge of Headcorn in this location.

Section 7 Summary and Conclusions

- 7.1 My name is Charles Mylchreest. I have been instructed by the appellant, The Master Fellows and Scholars of the College of Saint John the Evangelist in the University of Cambridge and Catesby Strategic Land Ltd, to provide advice, evidence, and expert opinion with regard to the effects, in landscape and visual terms, of the appeal proposals at Moat Road, Headcorn. Specifically, my evidence explores the landscape matters embedded in RfR 1 and is structured around the main issues that I have derived from a review of third-party representations, the contents of the OCR, the various Proofs of Evidence and my own site appraisals.
- 7.2 I have visited the appeal site and local area on several occasions, both during the summer and winter months, and have therefore been able to reliably consider the location and context of the appeal site and the potential effects that might arise. I have also been involved in the evolution of the proposals from their inception and have been directly involved in consultation with the Local Authority as part of the Local Plan Review process. I also authored the LVIA.

SITE CONTEXT AND CHARACTER

- 7.3 The site is directly adjacent to the existing settlement of Headcorn on two sides (north and east) and is visually and perceptually influenced by this. The modern development to the north at Catkins Gardens provides a useful marker for how modern development would appear in this general location and shows that development can be integrated in this general context without unacceptable landscape and visual impacts. That site was not allocated and is also within the Low Weald LLV (as is the rest of Headcorn).
- 7.4 I am therefore not surprised that the Council chose to allocate the appeal site as part of the Local Plan Review – in a landscape and visual sense it provides a logical and spatially appropriate site for further expansion of the village.
- 7.5 The site is elevated above the surrounding area as my Proof Plans show. However, I strongly disagree with the Council who consider the site to be ‘visually prominent’. My evidence shows that were the site prominent, it would be much more widely visible from receptors in the surrounding area. As it is, the site – and as the photomontages show the developed site – appears as a gently elevated spur extending from the western settlement edge. In physical terms, being only c.15m above the lower lying landscape to the south, I simply don’t see how the appeal site can be considered visually prominent.
- 7.6 In the Inspector’s Final Report (**CD8.1** paragraph 293), the allocation of the appeal site was addressed in this regard as follows, which I consider provides an effective summary of the site and context:

“293. Land at Moat Road to the west of the village is allocated for approximately 110 dwellings at Policy LPRSA310. In spatial terms, the site is well-located, being within walking and cycling distances to the village services and facilities. Whilst the site occupies gently

rising land from the wider valley floor of the River Beult and its tributaries, development would occur against a backdrop of existing housing on higher land. Various requirements in the policy would be effective in seeking necessary landscaping and design responses to the local character.”

PLANNING POLICY

- 7.7 The key policy implication is that the site is allocated for residential development of ‘approximately 110 units’ in the MBLPR. This is critical for my evidence as it infers that a level of change and harm upon the appeal site and local area must be acceptable.
- 7.8 There are no policy restrictions affecting the appeal site other than its location within the Low Weald LLV. Indeed, the site being a residential allocation within the MBLPR indicates to me that there is no in principle constraint (in landscape policy terms) to development of the site – in fact quite the opposite is true; there is specific policy support for development, and importantly, development of precisely the size and scale proposed. There must therefore also be support for an elevated level of landscape and visual impact. The site is now fully within the settlement boundary on the Proposals Map.
- 7.9 I do accept, however, that the allocation requires a range of criteria to be fulfilled for development to be considered ‘acceptable’, with a number of these relating to landscape and visual and design matters. It is therefore not just about the level of change brought about by the proposals, but the way in which they are designed and delivered, that is relevant.
- 7.10 On this basis my evidence necessarily focusses on the extent to which the appeal proposals comply with the criteria under Policy LPRSA310 Land at Moat Road, rather than considering in detail compliance with other landscape- and design-related policies. In doing so I have still considered the extent of landscape and visual harm and the way in which the proposals respect the underlying landscape character.

LANDSCAPE HARM AND POLICY COMPLIANCE

- 7.11 The proposals will result in some harm to the underlying landscape of the site, to the wider area, and to the visual amenity of visual receptors using local PRoW, roads and neighbouring residences. I consider that such a level of harm would have been reasonably expected as a result of the site’s allocation, and I don’t consider there to be any elevated harm which would not result from a scheme of, for example, 100 or 110 units. For a development of this kind of scale, there will inevitably be a fundamental loss of the fieldscape, and a change which permeates beyond the site boundaries.
- 7.12 In a visual sense I consider the change to be relatively contained for a development of this scale. This reflects the retention of the boundary vegetation on the western and southern boundaries and also the internal vegetation, and the enhancement of this as part of the Landscape Strategy. Existing settlement to the north and east restricts visibility and provides a developed context in views. The allocation of the site is unsurprising in this context and appears entirely logical to me.

- 7.13 Having explored all of the relevant factors in my evidence relating to landscape and visual harm I am reassured that the proposals – despite comprising indicatively more units than the approximate number given by the allocation – meet the relevant landscape criteria of LPRSA310 in full. Only two criteria were supposedly in conflict, and I have reviewed these in detail in the previous section. I believe the proposals have achieved through their design and evolution, a scheme which is clearly informed by its context and sensitivities, and has evidently been landscape-led from the outset – as far back as the Local Plan Review in 2019.
- 7.14 Similarly, I consider that the proposals – insofar as they can for an allocated site where fundamental change must be accepted in principle – protect and enhance the natural environment through meeting the aspirations of the LCA and by achieving a high quality of design which respects areas of landscape, ecological and heritage sensitivity.
- 7.15 I therefore consider the appeal proposals meet the relevant criteria of Policy LPRSP14(A) sub part 1b and Policy LPRSP15 sub parts 2, 6 and 7, and also NPPF paragraph 187(a).

CONCLUSIONS

- 7.16 This is an outline application for up to 115 homes, with all matters reserved save for access. There are, therefore, two matters for determination: (i) the principle of development for up to 115 homes; and (ii) the detail of the access. The site is allocated. The principle of residential development of the site is acceptable for approximately 110 homes and is supported in the Plan period. There has been no objection to access being taken from Moat Road – indeed there is no other practical option.
- 7.17 The Council's RFR does not acknowledge, transparently or at all, that this is an allocated site, on which the principle of development is not only acceptable but also promoted in the Plan period. The inevitable impacts of such a residential development on the site and immediate locality cannot rationally justify the refusal of the scheme in landscape and visual terms, as this would frustrate the allocation of the site. RfR1, and the contentions therein, therefore, need to be considered in the context of the site being allocated and the principle of residential development being supported.
- 7.18 I contend that the proposals also comply with the allocation criteria in full, and do not seek to 'over develop' the site in landscape terms. Therefore, I find the levels of impact upon the underlying landscape resource – whether at the site level or as experienced more widely – are within acceptable levels for a site of this size, in this location, and do not go beyond what would have been reasonably anticipated by the allocation of the site.
- 7.19 I therefore consider there to be no landscape and visual reasons that would justify the refusal of the scheme.

For **Appendices EDP 1-9** and **Proof Plans CM 1-9**, when reading as a hard copy please refer to standalone A3 document.

When viewing as an electronic copy, these will be contained in the same file, after this page.

Appendix EDP 1
Sketch Layout Masterplan
(SKMP-01 Rev A5)



Romsey T: 01794 367703
 Portishead T: 01275 407000
 Camberley T: 01276 749050
 F: 01794 367276 F: 01794 367276 F: 01794 367276

www.thrivearchitects.co.uk

This drawing is the copyright of Thrive Architects Ltd ©. All rights reserved. Ordnance Survey Data © Crown Copyright. All rights reserved. Licence No. 100007359. Permission is granted to scale from this drawing for the purposes of **Local Authority Planning Approval only**. For all other purposes DO NOT scale from this drawing. Contractors, Sub-contractors and suppliers are to check all relevant dimensions and levels of the site and building before commencing any shop drawings or building work. Any discrepancies should be recorded to the Architect. Where applicable this drawing is to be read in conjunction with the Consultants' drawings.

Rev	Description	Date	Au	Ch
A	Planning Issue	08.11.22	VL/GJ	--/--
A1	Revised Layout	22.08.23	VL/HP	
A2	Amendments	29.08.23	VL/HP	
A3	Revised Layout	25.03.24	VL/HP	
A4	Amendments	26.03.24	VL/HP	
A5	Amendments (after meeting)	26.03.24	VL/HP	

Project	Moat Road, Headcorn		
Drawing	Sketch Layout Master Plan - 01		
Client	CATESBY ESTATES PLC		
Job no.	CATE211030	Date	08.11.22
Dwg no.	SKMP-01	Rev.	A5
Author	VL/HP	Checked	-/-
Status	PLANNING	Scale	1:1000@A0
Client ref.	-	Office	Romsey



Appendix EDP 2
Final Landscape Strategy Plan
(edp5739_d009e 14 January 2025 RBa/CMY)



Existing waterbody and surrounding vegetation retained outwith the site boundary.

Significant western green buffer accords with the aspirations of the draft allocation.

Significant area of Public Open Space along western boundary of the site ensures good integration with the wider landscape. The maturing growth of the vegetation will also help screen views from the west at Black Mill Lane and beyond.

Sustainable drainage systems provide landscape and biodiversity value.

Additional planting within southern part of western boundary to increase screening provided by the existing hedgerow.

Realigned PRoW through the site.

Sustainable drainage systems provide landscape and biodiversity value.

Screen planting provided to soften the appearance of the substation.

Landscape buffer between the site and the Bovis development to the north ensures physical and perceptual separation.

Selective infilling of eastern site boundary to increase screening and filtering to existing residential properties.





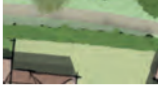





10m landscape buffer along eastern site boundary to existing residential area. This buffer will provide offset for amenity purposes and also biodiversity value.

Central area of Public Open Space provided around enhanced existing vegetation and trees. New tree and shrub planting as well as wildflower grassland margins.

Large area of Public Open Space in south-eastern corner of the site provides area for recreation and buffering to existing residents. This treatment complies with the aspirations of the draft allocation for the site.

Hedgerow to frontage to mirror existing character of Moat Road



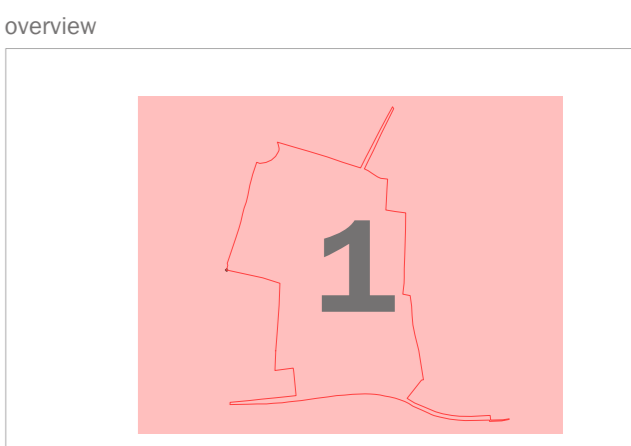
-  Site Boundary
-  Existing Trees
-  Existing Hedgerow
-  Proposed Trees
-  Proposed Hedgerow
-  Proposed Shrub
-  Attenuation Basin
-  Area for Play
-  Amenity Grassland
-  Pedestrian/Cycle Routes

client	Catesby Strategic Land Ltd		
project title	Land North of Moat Road, Headcorn, Kent		
drawing title	Landscape Strategy Plan		
date	14 JANUARY 2025	drawn by	RBa
drawing number	edp5739_d009e	checked	CMY
scale	1:1,250 @ A2	QA	Gyo

Appendix EDP 3
Detailed Landscape Strategy Southern Edge
(edp5739_d010d 16 January 2025 HEi/CMY)



Site Boundary



This drawing is to be read in conjunction with all other drawings and specifications within the package. Please therefore refer to the project brief for design development and construction details. All dimensions are indicated unless otherwise specified. We warrant that the drawings, whether intended to be used for construction or otherwise, are the work of our firm and that we are not aware of any fraud or illegality that may have been committed in connection with the design or construction of the project. This drawing must not be copied or used in whole or in part without the prior written consent of EDP.

purpose of issue	PLANNING	18-03-2024	HEI
g	Amendments to location of green shelter	18-03-2024	HEI
c	Amendments to location of dwellings	18-07-2024	HEI
o	Original	25-08-2023	HEI
rev	description	date	by

client
Catesby Estates PLC

project title
Land North of Moat Road, Headcorn, Kent

drawing title
Detailed Landscape Strategy
Illustrative Overview Sheet 1 of 4
date
15 JANUARY 2025
drawing number
edp5739_05104
scale
Not to scale @ A0

drawn by
HEI
checked
CMY
QA
GWO



Registered office: 01285 740427 www.edp-uk.co.uk info@edp-uk.co.uk

