

Proof Of Evidence: Landscape Character and Visual Amenity Matters.

Evidence of Katharine Ellinsfield BSc(Hons) PGDipLA FLI PISEP

In respect of land off School Road, Elmswell, Suffolk

On behalf of Christchurch Land & Estates (Elmswell South) Ltd.

Date: 06/08/2025 | Pegasus Ref: P22-1167

Appeal Ref: APP/W3520/W/25/3364061 | LPA Ref: DC/23/05651

Author: KMSE



Contents.

1. Introduction.....	3
2. Landscape & Visual Overview	6
3. The Development Proposals.....	9
4. The Reason for Refusal.....	15
5. Summary and Conclusions	29

Appendices.

Appendix A	Updated Photomontages
Appendix B	Gateway view photography
Appendix C	Mid Suffolk District Council Pre-Application Enquiry response

1. Introduction

Qualifications & Experience

- 1.1. My name is Katharine Morgan Schofield Ellinsfield. I hold a Bachelor of Science degree with dual honours in Landscape Design and Ecology and a Postgraduate Diploma in Landscape Architecture, both awarded by the University of Sheffield. I am a Fellow of the Landscape Institute (FLI) and have been a Chartered Landscape Architect since 2011. I also hold an Associate Certificate in Environmental Management and am a Practitioner member of the Institute of Sustainability and Environmental Professionals (PISEP). I am an Approved Building with Nature (BwN) Assessor.
- 1.2. I hold the position of Associate Landscape Architect in the Birmingham office of the Pegasus Group. The company undertakes all aspects of planning, urban design, landscape design and environmental planning. I am involved in all of these areas of work and have specific expertise in the assessment of landscape and visual impacts, strategic landscape and green infrastructure (GI) design.
- 1.3. In 20 years of practice I have had experience of coordinating, managing and undertaking built development Environmental Impact Assessments (EIAs), Townscape and Landscape and Visual Impact Assessments. I have advised upon and appraised the potential impacts of development projects across a range of scales, often involving environmentally sensitive sites, from initial advice and conceptual design through to final completion and long-term aftercare. I have been involved in site selection and early-stage site appraisal, constraints analysis, green infrastructure design, masterplanning, and detailed design.
- 1.4. I have advised on landscape and visual impact issues on a wide range of residential developments and have been involved in many large-scale schemes across the UK, encompassing sustainable urban extensions and major employment projects. I have prepared and given landscape evidence at a number of hearings and public inquiries. Recent expert witness work includes a successful appeal in relation to solar energy development on land near Winterton, North Lincolnshire¹, residential development in Spondon, Derby², and residential development on behalf of the local authority for land at Linford Lakes, Wolverton Road, Great Linford, Milton Keynes³.
- 1.5. The evidence contained within my proof related to this appeal is given in accordance with the guidance of my professional institution. I confirm that I understand that my duty as an expert witness overrides my duty to those instructing me and requires me to give my evidence impartially and objectively. The opinions expressed are my true and professional opinions.

¹ Appeal ref. APP/Y2003/W/23/3317097

² Appeal ref. APP/C1055/W/24/3356476

³ Appeal ref. APP/YO435/W/23/3321221

Background

- 1.6. This appeal relates to an outline application (planning ref: DC/23/05651) on land to the west of School Road, Elmswell (hereby referred to as the “Appeal Site”). The development proposals (the “Appeal Scheme”) are described as:
- “Erection of Care Village comprising 66 bedroom care home (C2 Use), 37 No. Extra Care Bungalows (C2 Use), 3 No. Almshouses (C3), Management Office (E(g)(i) Use), Club House, Community Growing Area, Orchard, Community Bee hives and Open Space Provision”*
- 1.7. The planning submission included a Landscape and Visual Impact Assessment (LVIA) which was prepared in support of this application (CD2/18) in accordance with recognised guidance, providing an assessment of the effects upon the landscape and visual resources as a result of the proposed development.
- 1.8. The appraisal of visual effects makes reference to a series of photomontages of the scheme generated using a model of the proposed development that is based upon the Site Plan As Proposed (CD2/9), which in turn is informed by the scheme’s parameters. The Proposed Site Plan indicates the assumed distribution of built form across the Site shown in the photomontages.
- 1.9. The Illustrative Landscape Masterplan (ILMP, CD2/15) together with the appeal scheme’s Landscape Strategy set out in the LVIA detail the careful approach adopted by the design team in their evaluation of the Appeal Site and the preparation of a varied and multi-functional green infrastructure (GI) framework that responds to the existing community and new residents. These GI proposals are referenced within the assessment of effects upon both the landscape and visual resources.
- 1.10. Pre-application consultation was also undertaken with Mid Suffolk District Council (MSDC) in order to present and discuss the proposals. In response to feedback received, the Proposed Site Plan and ILMP were both revised in advance of the planning application submission to reflect comments from the relevant officers.
- 1.11. Despite this considered approach, the application was refused by MSDC in June 2024, with 6 reasons for refusal (RfRs), one of which related principally to impacts upon the character of the landscape and the urban / rural edge of the village, and visual amenity.

Scope of the Evidence

- 1.12. I have been appointed by Christchurch Land & Estates (Elmswell South) Limited (the appellant) on behalf of whom my evidence is written for this appeal relating to land off School Road, Elmswell.
- 1.13. This Proof of Evidence relates specifically to matters pertaining to landscape character and visual amenity. In this capacity, I shall be seeking in particular to demonstrate,;
- That while there are likely to be some impacts upon the character of the landscape and visual receptors, these would be limited both in level of effect and geographical scope;
 - The degree to which the proposed landscape strategy delivers effective mitigation in terms of addressing adverse impacts upon the character of the landscape and views;

- The response of both the built form and green infrastructure with regard to identified important views around Elmswell as defined in the Neighbourhood Plan, and the resulting extent to which these important views can be successfully retained; and
- The limited role of the Appeal Site itself in terms of its contribution to the character and experience on the approach towards, and entrance to the village of Elmswell.

1.14. A further Proof of Evidence is provided under separate cover specifically addressing Heritage matters, prepared by Mr Thomas Copp of TCMS Heritage. However, as heritage assets contribute to the overall present-day landscape character, context and setting of an area, where appropriate my proof will reference relevant such assets as is pertinent to the RfR and landscape and visual matters only.

1.15. It comprises the following:

- Section 2 sets out a description of the Appeal Site and the surrounding landscape, details from relevant published landscape character documents, and the visual context.
- Section 3 sets out the development proposals and landscape strategy, and landscape and visual effects summaries as reported in the LVIA.
- Section 4 considers the pre-application consultation, Committee Report, and the Reason for Refusal, including Policy Compliance.

2. Landscape & Visual Overview

- 2.1. The Appeal Site has been described and illustrated in the application documents (notably the LVIA; CD2/18). This section therefore does not seek to duplicate the baseline information presented in the submitted LVIA but instead sets out an overview of the Appeal Site and the local landscape, so as to present an appropriate context and analysis for this Proof.
- 2.2. The summary describes the Appeal Site and key aspects of its context, landscape character and visual amenity considerations, focusing on those of greatest relevance to its character and appearance, and to its relationship with the surrounding area.

Site Description & Local Context

- 2.3. The Appeal Site consists of a single field parcel of 11.5 hectares (Ha) adjoining the western settled edge of Elmswell. The majority of the field is under arable cultivation, with a strip of rough ground and vegetation within the northern-most extents through which a public right of way (PRoW) crosses the Appeal Site east-west (Definitive ref. FP14).
- 2.4. The eastern boundary is defined by School Road and Parnell Lane, and to the south the Appeal Site meets Church Lane, the churchyard of St John's or curtilages of the Almshouses. The northern extents are defined by the embankment to the railway passing the Appeal Site. A ditch runs along the western boundary between the adjacent field and the field in which the Appeal Site is situated. Vegetation within the Appeal Site is limited, comprising an avenue of trees along Parnell Lane to the north-east boundary, and woodland cover extending into the north-west corner of the Appeal Site along and abutting the railway embankment.
- 2.5. The Appeal Site's contextual landscape is influenced by the transition between the built edge of Elmswell (to the east and south of the Appeal Site) and the farmed landscape to the west and (to a lesser degree) the north-west. Immediately to the east are existing residences off School Road and west of Parnell Lane, the railway line and Elmswell Hall beyond to the north, and arable land to the north and west. To the south; beyond the church and Church Lane; is a mix of settlement, farmland and infrastructure to the south including a cemetery, large single dwellings, allotments and the A1088 junction with the A14.
- 2.6. The topography of the area encompassing the Appeal Site and the west of Elmswell is variable, undulating and relatively low-lying; between 40 and 70m AOD. Elmswell itself sits on an arc of locally high ground largely between 65 and 70m AOD encompassing land to the east, Norton Little Green and the edge of Norton Wood. The land around the western edge of Elmswell including the Appeal Site is in part characterised by a minor valley: land slopes broadly east-west towards the field ditch along the western boundary (before rising again to more elevated ground around Elmswell New Hall and Norton Wood), and is influenced by the presence of St John's Church near locally high ground to the south of the Appeal Site.
- 2.7. At the local level therefore, there is a sense of enclosure to the Appeal Site at more immediate distances in the northern, eastern and southerly directions through a combination of landform and settlement / rail track earthworks, and to the west up to medium distance through the rolling nature of the topography combined with the patterns of tree cover.
- 2.8. There are no formal designations of relevance to landscape and visual matters, such as National Landscapes, National Parks or RPGs either within or close to the Appeal Site.

- 2.9. There are several nearby listed buildings, including St John's Church and the adjacent almshouses directly south of the Appeal Site, and Elmswell Hall c.150m to the north of the railway.

Landscape Character

- 2.10. Published guidance relevant to the Appeal Site comprises National Character Area NCA 83: 'South Norfolk and High Suffolk Claylands' (2014, CD8/2), Suffolk Landscape Character Assessment⁴ 'Ancient Plateau Claylands' LCT, and the Joint Babergh and Mid Suffolk District Landscape Guidance (the JBMSDLG) 'Ancient Plateau Claylands' LCA (2015, CD8/3).
- 2.11. Of most relevance is the assessment of character undertaken at District level, focusing on the 'Ancient Plateau Claylands' LCA, which encompasses the Appeal Site and the majority of its immediate setting and wider context. The identified key components include:
- A generally flat or only gently undulating plateau top, with attractive small valleys. Towards the edges it is more dissected with greater more complex slopes;
 - plantation and ancient woodland, blocks of the latter visibly present in the landscape;
 - Some large losses of hedgerow in places due to changing agricultural practices resulting in the creation of open arable "prairie" landscapes;
 - predominantly arable farmland retaining much of the older field patterns of irregular partitions along with numerous areas of pasture land with substantial blocks of woodland and established hedgerows; and
 - Former greens and commons ranging in size, some recognised in names 'Green' or 'Tye'.
- 2.1. Settlement character is noted as being scattered, ranging from farmsteads, 'clusters' of varying size to ribbon development, with soft landscaping ensuring the screening of settlements and avoidance of negative visual impact in this flat landscape.
- 2.2. The guidance also notes that the aim for this area is to '*retain, enhance and restore the distinctive landscape and settlement character*'. The guidance draws attention to the need to strengthen green infrastructure to reinforce and enhance existing field boundaries and also to safeguard the plantation and ancient woodland areas.
- 2.3. The LT's design principles note that the landscape is 'quite open' and to avoid development being visually intrusive, appropriate landscape design and screening will be needed.
- 2.4. The adjoining LCT to the south; the 'Rolling Valley Farmlands and Furze'; meets the Appeal Site's southern boundary where this extends to a short section of Church Lane. Components of landscape character relevant to the Appeal Site's context include:
- Valleys form narrow bands of well-drained terraces and slopes above the valley floors;
 - Small valley areas provide intimate pockets of landscape;

⁴ <https://suffolklandscape.org.uk/> Online resource only.

- Frequent occurrences of dry heaths, such as at Woolpit Heath;
- The river terrace heaths were exploited as commons, with some of these areas retained as unimproved open areas whereas others were enclosed and converted;
- The landscape has good tree cover and a few fragmented woodlands and hedgerows;
- Woolpit Heath area is one particular area of change within this landscape character.

2.5. The guidance states that the aim for this area is to 'retain, enhance and restore the distinctive landscape and settlement character', emphasising a need to strengthen the rolling valley landscape with appropriate planting and safeguarding the existing settlement pattern clusters, including through minimising of visual intrusion on the landscape (including skyline impacts), and safeguarding and increasing the woodland, tree and hedgerow cover.

Visual Amenity

2.6. In broad terms, the visual envelope extends to include localised areas of land around the Woolpit Interchange to the south, areas of elevated agricultural land to the west of Drinkstone to the south-west, paddocks and grazing around Tostock to the west, and gently rising arable land to the north and north-east towards Norton Little Green and Ashfield Road. Such perceptions of the Appeal Site, if visible, would be limited to partial, fleeting or glimpsed views.

2.7. However, it is considered that the area from which the Appeal Scheme would be readily apparent is focused primarily within the immediate and short-distance by Elmswell, the railway embankment, and high ground and vegetation upon which St John's Church and almshouses are situated, together with further relative high ground and woodland at mid-distance to the west around Elmswell New Hall.

2.8. The key receptors are therefore identified to comprise:

- PRow users crossing the Appeal Site and approaching from the west;
- Residents immediately east of School Road and Parnell Lane fronting towards the Appeal Site;
- Road users along School Road;
- Visitors to St John's Church;
- Residents at the Almshouses, Church Road, adjacent to St John's Church; and
- Users along part of Church Lane.

2.9. The Appeal Scheme would also be partially visible to select residents along Pightle Close, PRow users along limited sections of the footpath network on elevated farmland south of Harding's Farm and the west of Ashfield Road, and recreational users of the public open space off Church Road, behind homes along School Road. Travelers using the railway line between Thurston and Elmswell would also have very brief views of the Appeal Scheme.

3. The Development Proposals

- 3.1. This section considers the landscape strategy developed for the submitted scheme, and the landscape visual mitigation integrated into both the built and green infrastructure (GI) proposals. It also presents a summary of the resulting landscape and visual effects reported in the LVIA.

The Landscape Strategy

- 3.2. In order to contextualise the proposed landscape strategy and mitigation the key constraints and opportunities identified as part of the Appeal Site's landscape and visual contextual analysis are set out below:
- The single field parcel of the Appeal Site has no internal features, with any landscape elements confined to the perimeters. However, an existing PRoW crosses the northern extents of the Appeal Site;
 - The Appeal Site adjoins Elmswell's western settled edge, which is residential in nature. As a consequence, the Appeal Site and its immediate context display both settlement edge influences and rural characteristics;
 - The western boundary, defined by a ditch, is open in nature allowing direct views in;
 - In broad terms the Appeal Site is surrounded in most directions by higher ground. There is a railway embankment immediately to the north, and even to the south-west the roads around the Woolpit interchange and nearby landscape appears well vegetated;
 - The Appeal Site sits on a gentle slope which rises from the western ditch up to the east and consequently the north-eastern and south-eastern portions may be more prominent from relatively elevated parts of the surrounding landscape;
 - Tree cover in the local landscape is varied, including woodland blocks, linear tree belts along infrastructure routes, scattered tree groups and intermittent hedgerow standards;
 - In close proximity to the Site, the existing PRoW network to the south of the railway includes a single footpath route passing the northern edge of the Site from Elmswell village to Elmswell New Hall and the A1088 beyond;
 - Elements such as the highway infrastructure (including the A14 corridor) and the railway line and embankment / cutting are detractors in the landscape;
 - In the wider landscape to the north of the railway, evident hedgerow loss and limited woodland cover results in a relatively open character;
 - Key visual receptors are focused around the eastern and southern boundaries from the settlement edge's bordering roads, residences and church, as well as the passing railway and crossing PRoW; and
 - There are three 'Important Views' identified within the 2023 Elmswell Neighbourhood Plan (CD5/2) looking across or including the Appeal Site from the west, south and north-east looking towards St John's Church.

- 3.3. Working closely with other members of the design and environment team, a landscape strategy was developed for the scheme in response to the constraints and opportunities presented. Landscape and visual matters had a strong influence on the layout and distribution of land uses, as well as the nature and design of green space.
- 3.4. The proposed GI has been developed to avoid, reduce and offset any adverse effects arising from the Proposed Development and seeks to deliver long-term landscape, biodiversity and recreational benefits. The scheme also sought to positively address the urban-rural edge and its particular characteristics in this location, the sensitivity of proximate heritage assets, and integrate the Appeal Scheme in the wider countryside in this location primarily by locating built form in the northern half of the Appeal Site, presenting outward-looking development with a varied edge softened by structural planting, and retaining an open undeveloped setting to St John's Church.
- 3.5. The following table summarises the components of the landscape strategy that have been incorporated into the design of the Proposed Development as submitted:

Table 1: Summary of integrated landscape and visual mitigation

Strategy component	Key points	Published landscape character guidance, policy or evidence base documents
Development envelope	<ul style="list-style-type: none"> Restricted to the northern portion of the Appeal Site, with containment from the immediate physical features of the railway embankment and existing residential development, together with local topographical patterns. The development envelope is well related to the existing settlement edge: it is situated directly adjacent to Elmswell which comprises both established and recent residential development that is currently relatively apparent in existing views the Appeal Site, where possible. The development envelope integrates structural landscaping and incidental open space throughout, serving different functions such as visual amenity and recreational opportunities for occupants, providing a landscaped setting to residences, softening views of build form, or offsetting from existing trees along Parnell Lane Alignment of proposed built form to retain visual relationship between St John's Church and Elmswell Hall Omission of development form, and inclusion of open space in the eastern corner to preserve the 'Important View' from the village identified in the Elmswell Neighbourhood Plan Open space in the southern half of the Appeal Site, together with a modest area of woodland planting, to provide an undeveloped and sympathetic setting to St John's Church, reinforcement of existing trees around the churchyard and additional habitat opportunities. 	Maintain the historic dispersed settlement pattern.

Strategy component	Key points	Published landscape character guidance, policy or evidence base documents
Existing vegetation and Site features	<ul style="list-style-type: none"> Integration of the existing avenue of trees into a green corridor along Parnell Lane forming an 'outward-looking' landscaped frontage along the north-eastern boundary. Retain existing tree specimens along the Appeal Site boundaries; adjacent to the ditch towards the south-west and along School Road. Continuation and reinforcement of existing rail embankment structural vegetation with new woodland planting directly north of the PRoW. New woodland planting adjacent to existing established trees around St John's churchyard. 	<p>Maintain the tree cover character of hedgerow oaks, and enhance the age structure of the hedgerow oak population.</p> <p>Seek opportunities to enhance tree cover along highways and other non-farmed locations.</p> <p>Conserve and restore the pattern and composition of the hedgerow structure (including hedgerow oaks) through appropriate management, and new planting/replanting.</p>
Proposed landscape strategy	<ul style="list-style-type: none"> New hedgerows define and contain the southern edge of built development, and connect with further new hedge lines along the western and eastern boundaries to reinforce the existing field pattern and implement a series of linear features crossing Appeal Site providing wildlife corridors. The 'sub-division' of the Appeal Site by hedgerows is reflective of its historic field pattern, which formerly comprised several fields. The alignment of the new surface water runoff ditch is integrated into the proposed green infrastructure framework along the southern edge of the development envelope. New footpath link from north to south through the Appeal Site, connecting onto the existing PRoWs to the north and Church Lane to the south. Additional publicly accessible green space in the south of the Appeal Site to incorporate wildflower meadow creation to provide informal public recreation opportunities as well as biodiversity enhancements, as well as new community orchard and growing space for residents. Considered placement of new trees and hedgerows to 'frame' sightlines of Neighbourhood important views. 	<p>Enhancement of the existing field boundary treatments and pattern through the integration of new hedgerows</p> <p>Strengthening of woodland by extending structural landscape planting along and in close proximity to the railway embankment</p> <p>Green infrastructure design seeks to provide softening and screening of Proposed Development within views</p>
Detailed Design	<ul style="list-style-type: none"> Notwithstanding the outline nature of the application, built form is indicated as 'outward facing' around the development envelope fringes. Taller (two-storey) built form situated towards areas of the development envelope at lower elevation to reduce visibility of the scheme within the wider landscape. Given the large proportion of GI there are opportunities to design and create a landscaped setting to built form and publicly accessible open space of high-quality at the detailed stage. 	<p>Layout seeks to minimise the potential visibility of the scheme within what the district guidance describes as "quite an open landscape". This has been carefully planning in conjunction with the form and distribution of new and proposed landscape planting.</p>

Landscape Effects Summary

- 3.6. The character of the Appeal Site and its immediate context would alter from settlement fringe agricultural to a partially residential one with green space and structural landscaping, noting that just over half the Appeal Site would be remain agricultural albeit as publicly accessible meadow. It would retain and strengthen key characteristic features such as the inherent sloping / undulating topography, scattered boundary trees, and the ditch, with new hedgerows and woodland planting amongst other structural landscaping proposals.
- 3.7. The perception of change in landscape character terms would extend only a very limited distance beyond the Appeal Site due to both physical and visual containment of the Appeal Site within the local landscape.
- 3.8. Consequently, it is considered that development proposals within the Appeal Site would not result in a long-term impact significance upon the Ancient Plateau Claylands LCA any greater than Negligible Adverse. The significance of effects would also reduce over time upon the Appeal Site and its immediate context as the landscape framework has established and matures: these effects would be of no greater than Minor Adverse significance on balance.
- 3.9. The table below summarises the effects reported.

Table 2: Assessment of Landscape Effects

Character Area	Sensitivity	Magnitude of impact		Significance of Effect
Ancient Plateau Claylands LCA	Medium	Completion	Negligible to Low	Minor Adverse
		Year 15	Negligible to Low	Negligible Adverse
Rolling Valley Farmlands & Furze LCA	Medium	Completion	None to Negligible	Negligible Adverse
		Year 15	None to Negligible	Neutral
Site and its immediate context	Medium	Completion	Medium	Moderate adverse
		Year 15	Medium	Minor adverse

Visual Amenity

Visual Effects Summary

- 3.10. The extents of likely views of the Appeal Scheme are considered to be limited. Consequently, the likely notable visual impacts are primarily restricted to a range of receptors in the Appeal Site's immediate context, and approaching at short to medium distance. These comprise:
- **PRoW users crossing the Appeal Site:** Change to views would be observed to both sides of the path, constituting development with foreground planting to the south, and new woodland planting to the north. As planting to the north and south of the path establishes views of development would be progressively and increasingly filtered.

- **PRoW users approaching from west:** there is a single public footpath with direct views of the Appeal Site: from this route the Appeal Scheme would become increasingly apparent on the approach. Effects would reduce over time, reflecting the positive impacts of informal green infrastructure proposals increasingly softening the built form, and creation of new hedgerows to the meadow field boundaries.
- **Existing residential receptors immediately to the east:** There are judged to be eight residences east of Parnell Lane with potential direct views of new built form where new residences would be visible at short-range, filtered by open space and new roadside hedgerow or existing trees. For the remaining small number of existing properties, new development would be seen obliquely, with direct views remaining open and agricultural with positive impacts from new hedgerows.
- **Road users approaching and passing along School Road:** the nature of the view would change depending upon the direction of travel and position along the road. Greatest impacts would be experienced around and approaching the junction with Parnell Lane where built form would occupy and foreshorten the majority of the view but seen in the context of existing dwellings opposite to the east. Travelling south, however, receptors would observe newly created meadow and field boundary hedgerows: while they may curtail views across the adjoining farmland these new hedgerows would bring positive change, deliver structure locally within the landscape.
- **St John's Church and alms houses:** the church grounds themselves are at least partially enclosed by perimeter existing trees and vegetation which notably filter views of the Appeal Site (and would similarly of the Appeal Scheme). views from the alms houses are less obscured. The primary visible element comprises the wildflower meadow, which precipitates minimal change to the foreground. There may be some perception of the proposals within the north of the Appeal Site, comprising both built form and the wider framework of green infrastructure.
- **Receptors along Church Lane:** for a short section there would be direct unimpeded views of the Appeal Scheme beyond foreground fields, comprising new meadow bound by hedgerows with new built form sitting below the horizon in front of existing homes.

- 3.11. The visual assessment demonstrated the positive influence of mitigation that formed an inherent component of the design and layout of the scheme, with Year 1 and Year 15 assessments demonstrating a reduction in impact, including for receptors along the settled edge of Elmswell, but particularly from the west and south-west at all distances where the beneficial impacts of the proposed GI framework would make greatest contributions in terms of reinforcing the field pattern, screening new and existing built form along the western developed edge of the village. The ability to successfully mitigate potential adverse effects is a key consideration in respect of potential visual impacts
- 3.12. For the relevant existing residential properties located to the east of Parnell Lane, there would be a considerable change, where views look directly at built form within the Appeal Site. However, as noted above, for the limited number of development proposals have sought to provide mitigation that will soften views over time. Indeed, properties directly opposite the Appeal Site along School Road are considered to be subject to beneficial effects over time.
- 3.13. For reference, the assessed visual effects are summarised in the following table. The representative photoview locations and corresponding detailed viewpoint assessment are included within the figures of CD2/18.

Table 2: Assessment of Visual Effects

Viewpoint	Receptor Sensitivity	Year 1		Year 15	
		Magnitude	Significance	Magnitude	Significance
1. Parnell Lane looking south-west	High (residential) Medium (road)	Medium / High Low / Medium to Medium / High	Moderate / Major Adverse Minor Adverse to Moderate / Major Adverse	Medium / High Low to Medium / High	Moderate Adverse Negligible / Minor Adverse to Moderate Adverse
2. PRoW 'Elmswell 14' west of the Appeal Site, looking south-east	High	Medium	Moderate / Major Adverse	Medium	Minor Adverse
3. PRoW 'Elmswell 14' at mid-distance west of the Appeal Site	High	Low / Medium	Moderate Adverse	Medium	Minor Adverse
4. near St John's Church and almshouses immediately south of the Appeal Site	Medium (visitor) High (residents)	Low Medium	Minor Adverse Moderate Adverse	Low Medium	Minor Adverse Minor / Moderate Adverse
5. Church Lane looking north-east	Medium	Low / Medium	Moderate Adverse	Low / Medium	Minor Adverse
6. Heath Road / A14 J.47 Woolpit Interchange, looking north-east	Medium	Low	Minor Adverse	Negligible / Low	Negligible Adverse
7. Unnamed lane near Drinkstone looking north-northeast	Medium	Nil	Nil	Nil	Nil
8. PRoW 'Tostock 1' near Tostock looking east	High	Nil	Nil	Nil	Nil
9. PRoW 'Norton 7' north-west of Elmswell Hall looking south	High	Negligible to Low	Minor adverse	Negligible	Neutral / Negligible Adverse
10. PRoW 'Elmswell 1' west of Green Farm looking south-west	High	Negligible	Negligible Adverse	Negligible	Neutral / Negligible Adverse
11. PRoW 'Elmswell 3' just west of Ashfield Road looking south-west	High	Nil / Negligible	Nil / Negligible Adverse	Nil / Negligible	Neutral
12. PRoW 'Norton 35' east of The Grove looking south	High	Negligible	Negligible Adverse	Negligible	Neutral
13. PRoW 'Norton 30' south of Norton Little Green looking south	High	Negligible	Negligible Adverse	Negligible	Neutral
14. public open space to the rear of School Road / Pightle Close looking north-west	Medium recreational)	Negligible to Low	Minor adverse	Negligible to Low	Negligible to Minor Adverse
	High (Residential)	Negligible to Low	Minor to Moderate Adverse	Negligible to Low	Minor Adverse

4. The Reason for Refusal

Pre-application Consultation

- 4.1. Prior to submission of the planning application, the appellant's team consulted with the local authority. An on-site meeting was held on 13th September 2023, with attendees including the planning officer, landscape officer, and heritage officer.
- 4.2. The Pre-Application Consultation Response from MSDC, received 20th October 2023 (ref. DC/23/O3703) set out commentary from Places Services which – relating to landscape and visual resources matters – included the following observations:
- Three of the Important Views defined within the Elmswell Neighbourhood Plan (ENP) under Policy ELM2 may be impacted by the development proposals;
 - The care home building would form the new western edge of settlement and due to its size could visually compete in the landscape with the Church and Elmswell Hall;
 - The layout does not relate well to recent adjoining residential development north of School Road, and introduces built form close to an avenue of trees along Parnell Lane;
 - The relationship of the plots close to the junction of Parnell Lane and School Road is *"angular and tight to the boundary"*
- 4.3. The key recommendations from the landscape officer noted that:
- The application should be accompanied by an LVIA produced in accordance with industry guidance "GLVIA3" that includes appraisal of the Appeal Site's context and character, consideration of constraints and opportunities, visual impact analysis and identification of appropriate mitigation;
 - Visual representation included in the LVIA should be produced in accordance with the Landscape institute's Technical Guidance Note TGN 06/19 to ensure accurate judgements are presented as part of the assessment of visual effects; and
 - Inclusion of a Green Infrastructure Strategy, demonstrating landscape and visual mitigation, response to context and the surrounding movement network, public open space proposals, SuDs, the structural planting principles, and habitat proposals.
- 4.4. Other relevant planning advice and heritage comments also noted the following:
- The heritage officer opined that the Important View from School Road did not represent a straight sightline but a radiating view encompassing St John's Church and its historic setting (page 19)
 - The height of built form is a "key concern" in relation to the Appeal Site's undulating topography and the key views, with any successful design approach needing to be landscape-led (page 33).

- 4.5. Following the pre-application consultation, the development layout was reviewed and revised in order to address concerns relating to the extents of built development in closest proximity to the junction of Parnell Lane with School Road.
- 4.6. This sought to reduce the built form presence at this point, more closely reflecting the building line of recent development to the east along School Road, and to minimise impacts upon ENP Important View 4.
- 4.7. The alterations to the proposed developable area extents are illustrated below:



Plate 1: Extract of the proposed layout as shown on the Pre-Application consultation ILMP



Plate 2: Extract of the proposed layout as shown on the submitted consultation ILMP

The Delegated Report

- 4.8. The report to planning committee (CD 3/1) included responses from Natural England, the County Council Rights of Way Department, and Place Services (the council's landscape officer).
- 4.9. There were no objections to the Appeal Scheme from Natural England.
- 4.10. The Rights of Way Department also placed no objection, subject to the inclusion of a north-south footpath link through the Appeal Site connecting the PRoW to the north with Church Lane. This proposed connection has been included in the Appeal Scheme and is indicated on the ILMP.
- 4.11. Comments received from Place Services as summarised within the Committee Report noted the "commendable approach" taken in the development of the scheme's design and acknowledged the limited impacts. However, the landscape officer was unable to support the Appeal Scheme, as although effects would be limited there will still be harmful adverse effects to the fabric of the landscape of the Appeal Site, and to a limited extent the district level landscape character, as well as some adverse visual effects.
- 4.12. The planning officer noted (para 7.4) that *"the layout of the site at this stage seems appropriate and nothing has been presented to Officers which would indicate that the proposed indicative design documents are inappropriate for the location"* and that there is a good degree of set-back of the proposed development from the eastern boundary opposite the development to the east of Parnell Lane, with no adverse impact the residential amenity of the area considered. However, the following observations were also made in the assessment of the application:
 - Any proposed new development should not have a detrimental visual impact on key landscape and built form features identified within ENP's Important Views, of which in this case it is considered that views 1, 2 and 4⁵ would be affected.
 - While it is recognised that built form has been restricted to the north of the Appeal Site, and taller built form is proposed towards the western edge so that topography reduces its impact, the visual impact of the development cannot be fully mitigated.
 - The built form in the west of the proposed developable area would present a large single elevation to the landscape. While built form is arranged to protect Policy ELM2 views, planting would then on maturation impinge upon the protected views.
 - Change in land management to orchard and meadow would alter the settings of St John's Church and Elmswell Hall whose significance is elevated by their agricultural context.
 - The proposed woodland to the west of the church would erode its prominence and visibility within the landscape.

⁵ para 9.2 refers to "View 4". Elsewhere, such as in the Pre-application advice from the Heritage Team this is referred to as Key View 5: this inconsistency is considered to arise from a discrepancy between the ENP Policies Maps with 7 identified views and the supporting 'Appraisal of Views' document, with 19. As the formal policy document, this evidence will use the ENP's View 4.

4.13. The following briefly considers some of these points:

- The acceptability of the built form offset to Parnell Lane and the neighbouring residential edge expressed by the planning officer in their report seems to be in conflict with comments provided by the landscape officer at the pre-application stage, however as the frontage address was not mentioned in the Place Services consultee responses in the committee report, it can only be assumed that the final development proposals considered by officers prior to their recommendation to committee were in this regard considered to be satisfactory.
- Referring to the ENP important views, photomontages have been produced in support of the planning application (CD2/18, Appendix C), utilising photography taken during the winter months (early March, 2023). Consequently, these represent a 'worst-case scenario' in terms of foliage cover and thus vegetative screening. The verified views demonstrate that the Appeal Scheme is not apparent within Views 1 and 2, obscured by topography, intervening vegetation, or both. Therefore, this comment from the planning officer appears to disproportionately represent the impacts of the Appeal Proposals in relation to the Important Views, whereby in fact only View 4 is actually relevant in this particular regard.
- In relation to the mitigation of visual impacts, woodland and structural planting proposals have been carefully designed so as to relate sympathetically to the pattern of the landscape and existing features within it, while softening views of built form. This proposed GI includes hedgerows to the perimeter of the retained field in the south of the Site, which as shown primarily in Photomontage 4 I do not consider to "*impinge upon the protected views*": the undeveloped agricultural context to St John's Church is readily apparent, and intervening new structural planting – including the orchard – remains set in towards the valley bottom even in the longer-term visualisation and does not extend to the skyline along which St John's Church is a notable feature.
- The woodland planting towards the south-western corner of the Appeal Site was proposed in order to provide additional breadth of habitat opportunities across the scheme. It adjoins existing mature trees already around and within the church yard (which are on higher ground), and is no more extensive than other small tree blocks of a comparable – if not greater – elevation on the opposite side of Church Road around the cemetery and allotments.

4.14. Ultimately, the concluding landscape matters summarised in the recommendation of the officer's report to committee comprised:

- The harmful impact on the landscape approaching Elmswell from the A14 and Woolpit;
- intrusion of development on the link between Elmswell Hall and the St John's Church and removal of the agricultural land between the two; and
- impacts on important views of Elmswell identified within policy ELM2 of the Elmswell Neighbourhood Plan.

4.15. These matters will be considered in further detail when examining the Reasons for Refusal and the Appeal Scheme's compliance with policy, below.

- 4.16. Further to the above, it is worth noting that neither the planning officer nor the landscape officer expressed disagreement with the scope of the assessment presented within the LVIA or the levels of effects reported upon landscape resources or visual receptors.

The Reason for Refusal

- 4.17. Despite the careful approach taken with the scheme design presented in the planning application, MSDC chose to refuse the proposal (CD3/2).

- 4.18. Six reasons for refusal were provided, with the fourth relevant to this Proof:

"The proposed development would lead to a [sic] irreparable loss of the countryside landscape to the edge of Elmswell. This area creates the entrance to the village itself through the transition from a rural area to an urban area and views of the Church of St. John from the rural area and over the landscape itself are identified within policy ELM2 of the Elmswell Neighbourhood Plan and is also noted to be high quality agricultural land (Grade 2) and adequate justification for its loss is not provided. The impact on the landscape is considered to be harmful with adverse impacts noted with regards to the onsite landscape and to a limited extent on the district level landscape. This is contrary to policies LP15, LP17 and LP24 of the Babergh and Mid Suffolk Joint Local Plan, policy ELM2 of the Elmswell Neighbourhood Plan and paragraph 84 of the NPPF"

- 4.19. Matters relating specifically to landscape character and visual amenity within this RfR will be considered below. These comprise, in summary:

- the sensitivity and openness of the landscape to the edge of Elmswell of which the Site forms part;
- The area that creates the entrance to the village through the urban – rural transition and through views of the church from the surrounding area as recognised within ENP Policy ELM2, and the role of the Appeal Site;
- The impacts upon the landscape of the Appeal Site and a district level and the performance of the proposed landscape strategy and mitigation.

- 4.20. In order to address the second point fully, the nature of the south-western entrance to the village and the Appeal Site's role in this regard is considered on its own merits. I will approach the other interrelated matters of the church's presence and visibility, and defined Important Views in the following contexts:

- a) The factors and features contributing to Policy ELM2's Important Views of relevance to the Appeal Site;
- b) The contribution of the Appeal Site within each of these views and its visual relationship with the church; and
- c) The potential impacts of the Proposed Development upon these important views.

Elmswell's western Settlement Edge

- 4.21. In terms of sensitivity, the Appeal Site and surrounding area does not comprise a valued landscape for the purposes of paragraph 180 (a) of the NPPF, nor does the Appeal Site lie within any formal designations of relevance to landscape and visual matters.
- 4.22. The LVIA presented a detailed analysis of the Appeal Site's sensitivity, including a determination of its value (with reference to industry-adopted criteria set out in GLVIA3, page 84, Box 5.1 (CD8/1) and to LI TGN 02/21 (CD8/4)) and likely susceptibility to the development proposed. The Appeal Site was judged to be of medium value and medium susceptibility, with the overall sensitivity considered by the LVIA to be 'medium', a judgement (along with others in relation to landscape effects) with which MSDC are generally in agreement (Place Services (landscape) consultee response, 12th December 2023). This appraisal recognised notable features in the vicinity as part of its overall consideration of contributing factors, such as St John's Church, and while attractive (as is virtually every green field development site) the Appeal Site is unremarkable.
- 4.23. With regard to openness, I consider below both the openness of the Appeal Site itself, and that of the wider landscape context of which it forms part. The landscape context of a site can be related through a description of its specific locality, or in terms of relevant character areas or types as defined within published assessment and guidance documents.
- 4.24. As identified in the overview within Section 2 of this Proof, the Appeal Site's western boundary is currently open to the adjoining agricultural land beyond the defining ditch. However, the Appeal Site benefits from some visual and physical enclosure as a result of a combination of features within the local landscape. These comprise the slightly falling elevation broadly from the north to south, the undulating topography in an east-west direction resulting in higher ground to the west and east / south-east of the Appeal Site, the position of Elmswell and the Church on this higher ground to the east and south and Norton Wood to the west, and the elevated railway embankment upon which some contextual tree cover provides additional screening from the north.
- 4.25. In published landscape character assessment terms, the BMSDLG describes the character of the 'Ancient Plateau Claylands' LCA (which encompasses the Appeal Site and the majority of land around Elmswell) as including some areas which *"have experienced large losses of hedgerow due to changing agricultural practices resulting in the creation of open "prairie" landscapes"*.
- 4.26. While this openness can be observed in this landscape character area around Elmswell, the nature of the urban-rural fringe varies around the village. Considering the small segment of the settlement edge to the west (of which the Site forms part) there is a sense of enclosure from the wider landscape character area created by the landform, the existing settled edge of Elmswell, the rail embankment and associated tree cover, as described above. This contrasts with the landscape around the village to the north, where farmland is more open in nature, is comparatively elevated, with less tree cover and the settled edge more apparent from across a broader area of the countryside.
- 4.27. Therefore, while at the more immediate scale the Appeal Site itself has an open western boundary to adjoining land, it forms part of a segment of farmland in the south of the character area with a relative sense of enclosure and separation from the wider comparatively more open and elevated landscape to the north of the railway line.

- 4.28. In terms of the Appeal Scheme's response, built form is to be focused towards existing proximate residential development and rail infrastructure (where there is both a relative sense of enclosure and physical and visual separation from the wider landscape to the north) and the southern half of the Site is to remain undeveloped and under management as meadow grassland, preserving the agricultural context of Elmswell right up to School Road where this highway adjoins the Appeal Site.
- 4.29. Furthermore, in recognition of the open landscape and characteristic hedgerow loss, the appeal scheme incorporates new hedgerows both to the western boundary and along the east, responding to the aims and objectives of the Ancient Plateau Claylands in reference to the open "prairie landscape" and reinforcement of field boundaries.
- 4.30. Consequently, the extent to which the Appeal Scheme would influence the rural edge of Elmswell is very limited. At a site level, this is due to the scale and positioning of the built form within the Appeal Site close to existing development, and at a local level, relative to the proximate combination of settlement, topography and tree cover that provide physical and visual enclosure. In the broader sense the Appeal Site is located in the 'quite open' and elevated 'Ancient Plateau Claylands' that encompass most of Elmswell's settlement, although the Appeal Site sits within a small fringe portion of the LCA that slopes towards the adjoining valley farmlands, with its sense of transition from the broader plateau further underlined by its separation by the railway line.

Impacts upon Important Views

- 4.31. Important Views (IVs) addressed within Policy ELM2 are identified and described within the ENP's accompanying 'Appraisal of Views' document (ENPAV) published in April 2022. The IVs comprise public vantage points within the built up area of Elmswell or across the surrounding countryside to or from the village within which proposed development should not have a detrimental impact upon key landscape and built features.
- 4.32. For the relevant IVs 1, 2 and 4 (where the view looks across the landscape or from the edge of Elmswell in the direction of or across the Appeal Site) the specific nature of the view varies, but in all cases the identified key feature is considered to be St John's Church:
- IV1: St John's church is the key feature, described as 'commanding' over the surrounding landscape.
 - IV2: the church is described as adopting a commanding position, in this instance with reference to defining the village gateway.
 - IV4: demonstrating the church's prominence over the adjacent valley this view is described as "*outstandingly important*".
- 4.33. As part of the original planning application submission, a series of photomontages (verified views) were generated, including two at ENP Important View positions 1 and 2. IV4; from School Road near the junction with Parnell Lane; was omitted from this exercise as at the time of winter photography to support the assessment a contractor's compound associated with the nearby residential development to the north of School Road was situated directly across the view and obscuring it, thus preventing the generation of an accurate visual representation of the Appeal Scheme from this location. Nevertheless, the view was considered within the scope of the LVIA and impacts on receptors at this location were assessed.

- 4.34. The compound has since been removed following completion of the construction and subsequent occupation, and consequently the Appeal Site has been recently re-visited to acquire photography to generate a verified view of the Appeal Scheme from IV4. The photomontages representing completion and long-term views are included at Appendix A to this proof, together with revised montages from the remaining original four viewpoints to include updated photography subsequent to the removal of the compound.
- 4.35. Both the verified views included within the planning application ('the original montages', CD2/18 Appendix C) and the new and updated visualisations presented within this Proof ('the updated montages', Appendix A of this proof of evidence) will be referenced below as necessary to illustrate the examination of impacts upon the IVs.
- 4.36. IV1 is situated at the western end of Church Lane near the junction with the A1088. At the exact location of the View there is an intervening hedgerow which results in some filtering of the landscape beyond,⁵⁸ even during the winter months. This is evident in both the ENPAR document's photography and the original montage (verified view Viewpoint 1) for IV1 taken in the winter months. While the church retains the influence over the landscape described in the ENPAV, the hedgerow reduces its apparency and screens much of the view generally including towards the western edge of Elmswell and of the Site: this screening is increased when vegetation is in leaf (as illustrated in the updated montage verified view Viewpoint 1). Even from in front of this hedgerow, while the proposed meadow in closest proximity to the church would partially be seen where this adopts most elevated ground, intervening topography would obscure the built development proposed within the Appeal Site (as illustrated by the ZTV) from this location.
- 4.37. Receptors would need to continue much further east along the lane from IV1 to gain views of the Appeal Scheme. This is somewhat contrary to the assertion of the NPAV which stipulates that *"unscreened development on the edge of the village, especially along School Road, would have a significant detrimental impact on this view"*, as existing residential built form along School Road on higher ground than the Appeal Site is an existing feature within the view (on the horizon alongside the church), and in which the Appeal Site has limited presence.
- 4.38. IV2 looks towards the village from the Woolpit Interchange; the junction of the A1088 and Church Road with the A14. The church is identifiable in the view positioned upon rising ground on the horizon. The Appeal Site is not readily apparent as it is largely screened by intervening vegetation as well as a result of the orientation of the Site relative to the viewpoint and the nature of the topography. Where visible it forms a marginal component of this view comprising the corner of the field along the southern boundary where it meets Church Lane and the churchyard seen at mid distance below the church and the skyline.
- 4.39. In terms of the Appeal Scheme, this small area would form part of the proposed block of woodland planting in the south of the Appeal Site, sitting largely behind existing trees south of Church Lane and below trees around the churchyard. This would enhance the existing impression of the well treed setting to the church, and sitting to the left of the building within the view would not obscure visibility of the church in this IV. The built form, illustrated on both the original and updated montage versions (verified view Viewpoint 2) as sitting behind intervening vegetation, would be screened within IV2.

- 4.40. IV4 looks in a south-westerly direction across the Appeal Site towards Woolpit from School Road⁶. It encompasses the church and immediate surrounds, positioned on relative higher ground above a small valley. The Appeal Site forms part of the Church's setting to the north and occupies the foreground of the view, with the wider rural landscape seen beyond.
- 4.41. The layout and design of the Appeal Scheme would allow the retention of a field of view including the church and the landscape beyond towards Woolpit, as well as an appreciation of the church's position above the valley. New hedgerows to the boundaries and crossing the Appeal Site would enhance the perception of the valley by reinforcing the land pattern that overlays the rolling topography. As noted in paragraph 4.7, revisions to the built form extents following the pre-application consultation sought to maximise the visible agricultural context to the north and west of the church and minimise impacts upon visual receptors at IV4.
- 4.42. As previously identified in the submitted montages and LVIA, the Appeal Scheme would not be apparent within Views 1 and 2 primarily due to intervening topography and vegetation. No discernible effects were therefore reported to occur within views for receptors at these locations or impacting the factors contributing to the importance of the views themselves.

The Entrance to the Village

- 4.43. The RfR would appear to imply that the countryside landscape within the Appeal Site *"creates the entrance to the village itself through the transition from a rural area to an urban area"*.
- 4.44. In Section 3 'Neighbourhood Plan Policies' of the ENP it is noted at paragraph 3.6 that *"land rises noticeably from junction 47 of the A14 north-east to that plateau where St John's Church commands a prominent position as a gateway to the village"*, however, there are no alternative references of note in terms of particular signifiers of the village's entrances or gateways other than the ENPAV View 2 description, which again identifies the church as a *"commanding gateway to the village from this main access road"*.
- 4.45. There is also no mention within IV4's description to suggest that the view illustrates a 'village gateway' or that Appeal Site or land in its immediate context is at or constitutes a key entrance to Elmswell.
- 4.46. The nature of the approach and arrival into Elmswell has been further considered as part of this evidence and is illustrated through a series of photographs, provided at Appendix B to this Proof. These comprise the following 'Gateway Views':
- 1 - Woolpit Interchange (south): besides the road network, elements of the view comprise field compartments defined by highway sections, large modern agricultural buildings, street furniture, roadside vegetation and some tree cover. The horizon is formed by rising ground along the railway embankment and towards Elmswell New Hall together with settlement and vegetation along the edge of Elmswell. This is punctuated by built form including St John's Church. The Appeal Site is not readily visible, although there may be marginal perceptions of the Appeal Scheme in terms of new built form and tree planting; this would be experienced in the context of the transient nature of the receptor at this viewpoint, and long distance from the Appeal Site.

⁶ ENPAV describes this view as "view north School Lane south-east towards Woolpit and beyond". Given this and the view icon on the map extract, the described direction of view is assumed to be a typographical error, which should indeed read 'south west'

- 2 – Woolpit Interchange (north): to the north of the A14, views approaching Elmswell from lower elevation observe the tree lined roundabout and Church Road, rising to higher ground upon which St John’s church sits which is set within what appears to be a well wooded context. There are partial and well filtered glimpses of proximate farmland. The Appeal Site is not easily discerned and comprises only its very southern corner adjoining Church Lane adjacent to the church grounds.
- 3 – Church Road, approaching St John’s Church: the foreground is relatively open and agricultural to the north-west, enclosed to the south-east by established roadside hedgerow and trees. The railway embankment, buildings and trees around Elmswell Hall sit along a narrow section of mid distance horizon. At this point, road users have just passed road signage denoting arrival in Elmswell, and are adjacent to the cemetery and allotment gardens. St John’s Church is a key feature of this view on rounding the bend in the road after the allotments. The only readily apparent part of the Appeal Site comprises the very southern corner meeting the church grounds and Church Lane, which would comprise tree planting and meadow creation.
- 4 – Church Road at the junction with School Road: just prior to this point, the view becomes enclosed to both sides by the church and almshouses raised above road level to the north, and residences with vegetated property boundaries to the south. Views focused along the road. On reaching Gateway View 4, views are notably influenced by existing settlement, with dwellings on all three points of the junction (the almshouses to the left, Church Mount centrally and Hilltop Cottage to the right). The Appeal Site meets the junction at a point, and consequently any open views into the southern area are fleeting before road users continue along a developed road.

- 4.47. Overall this would suggest, including in MSDC’s own development plan documents, that it is the church that defines the recognised entrance to Elmswell, both in terms of its presence on the approach to the village and in marking arrival itself, and reinforced on passing the cemetery, allotments and welcome signage. Additionally, from this approach, given the pattern of existing tree cover and topography the relationship between the Appeal Site and St John’s Church is not apparent as the Appeal Site is predominantly screened from view.
- 4.48. Furthermore, the photomontages (original and updated), gateway views and LVIA Viewpoints demonstrate there would be marginal, if any, views of the Appeal Scheme on the approach to the village from Woolpit right up until receptors along Heath Road and Church Road meet the Appeal Site’s southern boundary at the junction with School Road, including at IV2.
- 4.49. Additionally, even after entering the village and meeting the Church Road / School Road junction, the Appeal Scheme would retain the undeveloped nature of the Appeal Site as experienced at and passing Gateway View 4 along Church Road.
- 4.50. Therefore, I do not consider the Appeal Site to make any notable contribution to the visual experience on approaching or at the point of arrival in Elmswell from the key route along Church Road and the Woolpit Interchange to the south-west, including at IV2, which focuses upon land and tree cover to the south of the Appeal Site as well as the Church.
- 4.51. Consequently, there appears to be limited – if any – evidence to support the assertion in the recommendation of the Committee Report that the development proposed within the Appeal Site would result in ‘a harmful impact on the landscape approaching Elmswell from the A14 and Woolpit’, particularly as the Appeal Site currently does not form a consistent or readily identifiable element of existing views, nor would the Appeal Scheme on completion.

Landscape and Visual effects

- 4.52. Beyond the Appeal Site itself and its immediate context, the perception of change and related impacts upon both the landscape and visual receptors arising from the development of the Appeal Site are considered to be retained within a relatively limited scope due to both physical and visual containment of the Appeal Site within the local landscape.
- 4.53. MSDC are generally in agreement with both the limited extent of impacts upon the contextual landscape (CD3/2) and the assessed level of effects on the Appeal Site and District level LCAs at completion of the proposed development ((Place Services (landscape) consultee response, 12th December 2023).
- 4.54. With regard to the visual effects, there also appears to be broad agreement as expressed within the Places Services consultee response, however it is also stated that *"we do not agree with all the judgements"*; although no further justification or assessment is provided to support this; and that *"we agree that overall the long-term visual effects range from Moderate Adverse for some residential receptors to Minor Adverse for road, rail and PRow users"*; where no details are set out defining to which receptors this refers or how these levels of effects relate to the assessed visual impacts presented in the LVIA.
- 4.55. In terms of the long-term impact on the Appeal Site, the landscape officer expressed that this would remain Moderate Adverse *"due to the permanent nature of the built development from agricultural to developed land"* and the 'deviation' of the southern open space to meadow and other structural landscape features. MSDC's judgement in this regard would therefore appear to reflect the opinion that the proposed mitigation measures would be insufficient to reduce the adverse effects, even with some implication at various points within the Committee Report that a degree of harm may be derived from both the open space and structural planting proposals (CD 3/1, Para 9.5 and recommendation 4 as well as in the wording of RfR 4 itself).
- 4.56. I do not agree with this opinion, as not only does this overlook the increasing degrees of screening to be derived into the long term of both the Appeal Scheme and recent development to the east of Parnell Lane (including as shown in the photomontages) but it additionally does not recognise the demonstrable positive impacts in terms of reinforcement of and enhancements to the Appeal Site's landscape structure and contextual GI asset connectivity.
- 4.57. Through careful consideration of the constraints and opportunities presented by the Appeal Site, iterative design (including following pre-application consultation) and the development of a responsive landscape strategy with an extensive retained area of open space as meadow, the Appeal Scheme demonstrates a carefully developed layout and well integrated effective mitigation that delivers long-term landscape, biodiversity and recreational benefits.
- 4.58. Both the planning and landscape officers recognise within the consultee response and referenced within the committee report on numerous occasions the positive initiatives taken in the design and landscape strategy of the Appeal Scheme. Unless otherwise stated these extracts are taken from the Place Services consultee response, 12th December 2023:
- "At a high level the proposal has responded to the wider constraints and opportunities of the site. As a result the developed area has been restricted to the northern end of the site to take advantage of the screening provided by the natural and manmade landform"* (pg. 3, para. 2).

"...the importance of key views identified within the Elmswell Neighbourhood Plan and the intervisibility of the Church and Elmswell Hall within Heritage and Settlement Sensitivity Assessment have been shown on the Constraints and Opportunities Plan... The built form has been placed to retain these views" (pg. 3, para. 4)

"The taller buildings have been placed on the western edge of the site to take advantage of the topography to limit their visual influence" (pg. 3, para. 5)

"...overall we acknowledge the design development of the scheme has taken a commendable approach" (CD3/1, summary)

"The layout of the site at this stage seems appropriate and nothing has been presented to Officers which would indicate that the proposed indicative design documents are inappropriate for the location" (CD3/1, para 7.4)

"There is a good degree of set-back within the neighbouring development.... based on the evidence within the application, it is therefore not considered that the proposed development would adversely impact the residential amenity of the area" (CD3/1, para 8.2)

4.59. However, further to the landscape strategy described in the LVIA (replicated at Table 1 for reference) and commentary at paragraph 4.13 above, a number of additional points within consultee response and the committee report will be directly addressed below:

- Despite the landscape officer acknowledging the preparation of the LVIA in accordance with GLVIA3 and the photomontages (verified views) in line with TGN 06/19 (which demonstrated the lack of visibility of the built form within the Appeal Site within IVs 1 and 2; from the west and south-west) the planning officer's application assessment indicated that these two views would be affected, and that planting proposed to soften the western built facades would *"impinge upon the protected views"*. This is not an accurate reflection of the detailed visual representations presented in the LVIA (which were available to both the landscape and planning officers during preparation of their respective consultee response and committee report), nor of the visual effects in which it was receptors along the PRoW to the west who would observe change arising from built form and latterly the establishing planting along the western boundary and not at IV1 or IV2.
- The landscape officer makes reference to the inclusion of formal paths through the public open space. Routes to facilitate recreational access through the southern half of the Appeal Site are typically proposed as informal mown paths, to retain emphasis on the meadow nature of the retained open space
- The landscape officer states that the hedge planting along School Road would result in the loss of views for these receptors. It is not the intention of hedgerow planting to screen the Site, nor is this reflected in the assessment within the LVIA; rather, as is the case elsewhere across the Appeal Site, new native hedgerow has been incorporated into the design of the Green Infrastructure as a direct response to the JBMSDLG's key components, guidance and design principles as set out for the 'Ancient Plateau Claylands' LCA.
- It is opined by the landscape officer that despite the layout taking advantage of the landform to aid screening, that the visual effects of the built form cannot be fully mitigated. This is presumably connected to the later point regarding a *"single large*

elevation ... facing onto the countryside” along the western boundary, which is also referenced by the planning officer (para 9.5 CD3/1) in terms of established planting then impinging upon Important Views. The impacts on IVs aside (addressed above), this would appear somewhat contradictory, with planting both providing insufficient mitigation and resulting in visual impingement in the long term on maturation.

Policy Compliance

- 4.60. RfR4 states that the scheme *“is contrary to policies LP15, LP17 and LP24 of the Babergh and Mid Suffolk Joint Local Plan, policy ELM2 of the Elmswell Neighbourhood Plan and paragraph 84 of the NPPF.”*
- 4.61. Of these policies, LP17, LP24 and ELM2 are of direct relevance to matters of landscape character and visual amenity and will be addressed briefly in addition to the examination already presented above.
- 4.62. Joint Local Plan Policy LP17 seeks the conservation and enhancement of landscape character as this relates to the integration of proposed development with the existing character of the area and the reinforcement of its local distinctiveness and settlement identity, while being sensitive to the landscape and visual amenity impacts on the natural and built environment.
- 4.63. As required by this policy the planning application was supported by an LVIA, produced in accordance with industry guidance, which identified likely sources of impacts of the Appeal Scheme and proposed mitigative measures integrated within the Green Infrastructure framework to address these. The LVIA also set out how the landscape strategy had been developed in response to the Site’s features, setting and surroundings, incorporating and reinforcing features that reflect its character and pattern, and in order to directly respond to the landscape character area’s guidance and design principles. The assessment demonstrated the limited extents of the likely effects (in scope and significance) upon identified landscape and receptors.
- 4.64. Policy LP24 is primarily concerned with matters of design and masterplanning, as well as referencing heritage matters, which are not the subject of this Proof of Evidence. Nevertheless, the illustrative built layout was developed iteratively and responded to potential landscape and visual impacts in terms of siting, form and distribution, topography, and structural landscape setting, with landscape proposals in the southern half of the Appeal Site seeking to present a sympathetic address to the adjoining listed buildings that retained the current open setting.
- 4.65. However, amongst the Policy’s numerous requirements of development proposals in terms of design, is the need to respond to and safeguard the existing character/context of the site and important natural features such as trees and hedgerows. It also requires that proposals shall respond to the wider townscape / landscapes and safeguard and natural built features of merit, and shall incorporate high levels of soft landscaping, trees and public open space that creates, and connects to, green infrastructure networks.
- 4.66. As noted above, the Appeal Scheme took into careful consideration the existing features including existing woodland extending into the Appeal Site from along the railway embankment, tree specimens and the boundary ditch, utilising new green infrastructure elements to connect these and other peripheral landscape features, offering a reinforced structural landscaping framework within the landscape local to the Appeal Site.

- 4.67. The Appeal Scheme also clearly demonstrated response to the requirements for high levels of well connected soft landscaping and open space, with over half the Appeal Site comprising Green Infrastructure, although the extent of (blocks of) tree planting was carefully focused to locations that reflected existing tree cover (in close proximity to the rail embankment and adjoining the Church grounds on lower ground) so as to minimise interruption of views or the open character of land immediately north of St John's Church.
- 4.68. In terms of ELM2, the LVIA presented assessment of views at the three relevant IV locations, as well as supporting photomontages both at the time of the landscape and visual assessment work and updated more recently. The LVIA concluded that at two of the three IVs there was not considered to be any perceived effects upon receptors or the qualities of the IVs themselves. From IV4, the design has sought to retain a field of view including the church and the landscape beyond towards Woolpit, as well as an appreciation of the church's position above the valley.

5. Summary and Conclusions

- 5.1. This Proof of Evidence is written on behalf of Christchurch Land & Estates (Elmswell South) Limited and relates to an appeal against refusal of planning permission by Mid Suffolk District Council in respect of an outline application for the construction of a care village comprising a 66 bedroom care home, 37 No. Extra Care Bungalows, 3 No. Almshouses, Management Office, Club House, related infrastructure and green infrastructure on the western settlement edge of Elmswell, Suffolk. The application was accompanied by a suite of supporting information encompassing all the baseline environmental studies carried out by the team, including an LVIA.
- 5.2. This evidence has been prepared in respect of landscape and visual matters, considering the LVIA, pre-application consultation, consultee responses, the report to committee and the subsequent Reasons for Refusal.
- 5.3. On the basis of the Reasons for Refusal, the main issues of relevance to landscape and visual matters are considered to comprise the landscape to the western edge of Elmswell including its sensitivity, openness, and the entrance to the village as approached from Woolpit to the south-west, the levels of impacts upon the landscape of the Appeal Site, at district level, and upon visual receptors and the performance of the proposed landscape strategy and mitigation.
- 5.4. In terms of sensitivity, the Appeal Site and surrounding area does not comprise a valued landscape for the purposes of paragraph 180 (a) of the NPPF, nor does the Appeal Site lie within any formal designations of relevance to landscape and visual matters.
- 5.5. The LVIA, produced in accordance with the 'Guidelines for Landscape and Visual Assessment, Third Edition, and with the Landscape institute's Technical Guidance Note TGN 06/19 (Visual Representation of development proposals) assessed the overall sensitivity of the Appeal Site to be 'medium'. This appraisal recognised notable features in the vicinity as part of its overall consideration of factors contributing to sensitivity, such as St John's Church, and while attractive (as is virtually every green field development site) the Appeal Site is unremarkable.
- 5.6. Beyond the Appeal Site and its immediate context, the perception of change and related impacts upon both the landscape and visual receptors arising from the development of the Appeal Site are considered to be retained within a relatively limited scope due to both physical and visual containment of the Appeal Site within the local landscape.
- 5.7. MSDC are generally in agreement with the sensitivity judgements, limited extent of impacts upon the contextual landscape and the assessed level of effects on the Appeal Site and District level LCAs at completion of the proposed development, and some of the visual effects. However no further detail or assessment has been provided where there is disagreement with the precise levels of effects as assessed in the LVIA.
- 5.8. It is deduced from the committee report, landscape consultee response and RfR that it is the opinion of MSDC that the proposed mitigation measures would be insufficient to reduce the adverse effects, or even that a degree of harm may be derived from both the open space and structural planting proposals. Not only does this overlook the increasing degrees of screening to be derived into the long term of both the Appeal Scheme and recent development to the east of Parnell Lane (including as shown in the photomontages)

but it additionally it does not recognise the demonstrable positive impacts in terms of reinforcement of and enhancements to the Appeal Site's landscape structure and contextual GI asset connectivity.

- 5.9. However, there are points of apparent contradiction between and within the landscape consultee response and committee report, and both the planning and landscape officers recognise on numerous occasions the positive initiatives taken in the design and landscape strategy of the Appeal Scheme.
- 5.10. The LVIA set out how the landscape strategy had been developed in response to the Appeal Site's features, setting and surroundings, incorporating and reinforcing features that reflect its character and pattern, and in order to directly respond to the landscape character area's guidance and design principles. As identified above, the assessment demonstrated the limited extents of the likely effects (in scope and significance) upon identified landscape and receptors.
- 5.11. The landscape strategy for the Appeal Scheme also responded strongly to the requirements for high levels of well connected soft landscaping and open space, with over half the Appeal Site comprising Green Infrastructure, with the extent and location of tree planting carefully focused in locations that reflected existing tree cover so as to minimise interruption of views or the open character of land immediately north of St John's Church.
- 5.12. Regarding openness, while at the more immediate scale the Appeal Site itself has an open western boundary to adjoining land, it forms part of a segment of farmland in the south of the character area with a relative sense of enclosure and separation from the wider comparatively more open and elevated landscape to the north of the railway line.
- 5.13. Consequently, the extent to which the Appeal Scheme would influence the rural edge of Elmswell is very limited. At a site level, this is due to the scale and positioning of the built form within the Appeal Site close to existing development, and at a local level, relative to the proximate combination of settlement, topography and tree cover that provide physical and visual enclosure. In the broader sense the Appeal Site is located in the 'quite open' and elevated 'Ancient Plateau Claylands' LCA that encompass most of Elmswell's settlement, although the Appeal Site sits within a small fringe portion of the LCA that slopes towards the adjoining valley farmlands, with its sense of transition from the broader plateau further underlined by its separation by the railway line.
- 5.14. A detailed analysis of the relevant Important Views has been undertaken, considering the key contributing factors and features to the IVs, the Appeal Site's contribution to each and the visual relationship with St John's Church, and the potential impacts upon the views. The Appeal Scheme would not be apparent within Views 1 and 2 primarily due to intervening topography and vegetation. No discernible effects are therefore considered to occur within views for receptors at these locations or impacting the factors contributing to the importance of the views themselves. At IV4, the layout and design of the Appeal Scheme would allow the retention of a field of view including the church and the landscape beyond towards Woolpit, as well as an appreciation of the church's position above the valley.
- 5.15. The nature of the approach and arrival into Elmswell has been considered as part of this evidence and is illustrated through a series of 'gateway' photographs. From this approach, given the pattern of existing tree cover and topography, the relationship between the Appeal Site and St John's Church is not readily apparent as the Appeal Site is predominantly screened from view.

- 5.16. Overall, it is my view that it is the church that defines the recognised entrance to Elmswell, both in terms of its presence on the approach to the village and in marking arrival itself.
- 5.17. Therefore, the Appeal Site is not considered to constitute the key 'gateway' to the village, it does not make any notable contribution to the visual experience on approaching or at the point of arrival in Elmswell, nor would the Appeal Scheme result in a harmful impact on the landscape approaching from the A14 and Woolpit as suggested in the Reason for Refusal.
- 5.18. In conclusion, through careful consideration of the constraints and opportunities presented by the Appeal Site, iterative design and the development of a responsive landscape strategy, the Appeal Scheme demonstrates a carefully developed layout and effective mitigation that reflects landscape character objectives, helps to integrate the development proposals into the landscape and delivers long-term landscape, biodiversity and recreational benefits.



Appendix A: Updated Montages



Appendix B: Gateway Photography



Lichfield Office

Central House, Queen Street, Lichfield, WS13 6QD

T 0121 308 9570

Lichfield@pegasusgroup.co.uk

Offices throughout the UK and Ireland.

Expertly Done.

DESIGN | ECONOMICS | ENVIRONMENT | HERITAGE | LAND & PROPERTY | PLANNING | TRANSPORT & INFRASTRUCTURE



All paper sources from sustainably managed forests

Pegasus Group is a trading name of Pegasus Planning Group Limited (07277000) registered in England and Wales.

Registered office: 33 Sheep Street, Cirencester, Gloucestershire, GL7 1RQ

We are ISO certified 9001, 14001, 45001



Pegasus_Group



pegasusgroup



Pegasus_Group

PEGASUSGROUP.CO.UK