

Town and Country Planning Act 1990 –Section 78

Appeal by Gladman Developments Ltd

“Outline planning application with all matters reserved, except for the means of access, for the erection of up to 200 No dwellings with public open space, landscaping and sustainable drainage system (SuDS) with vehicular access point off Langaller Lane, Creech St Michael”

LPA Ref: 14/17/0033

Appeal Ref: APP/D3315/W/18/3205705

Proof of Evidence by
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Representing Taunton Deane Borough Council



Inermis

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1 Qualifications and experience

- 1.1 Andrew David Leithgoe will say that I am principal of Inermis Environmental Solutions, and formerly of Leithgoe Landscape Architects. I hold a Diploma in Landscape Architecture.
- 1.2 Prior to founding my own firm I was employed in local government and in private architectural practice and have worked in most sectors of the built environment. I have been a professional member of the Arboricultural Association since 1989. I was elected a Fellow of the Landscape Institute in 1992. Recent involvement includes the dismissal of twin appeals for solar farms in an Area designated as being of Great Landscape Value and for the approval of an extension to Jersey Airport. My Landscape and Visual Impact Appraisals formed part of these submissions.
- 1.3 Latterly, on behalf of a private development company, I have been a member of various multidisciplinary teams engaged in bringing forward parcels of housing land to the east of Exeter. In this role I have been the author of the Landscape and Visual Impact Assessment chapter of the environmental statements and a contributor to the landscape aspects of design and access statements prepared by the teams.
- 1.4 I am familiar with the site at Langaller Lane and with Creech St Michael and the surrounding countryside. I have personally walked all the Public Rights of Way to which reference is made in the appellant's LVIA.
- 1.5 I shall comment on the appellant's photographs and have included additional photographs of my own which form a separately bound appendix to this proof.

2 Introduction

2.1 On 17th April 2018 Taunton Deane Borough Council, the local planning authority (LPA), refused planning permission for 200 new homes at Langaller Lane Creech St Michael, Ref 14/17/0033. Gladman Developments have lodged an appeal APP/D3315/W/18/3205705 against the decision.

2.2 There are 4 reasons for refusal, of which I shall be addressing RFR3 :-

1. The proposed development site lies outside the defined settlement limits of Creech St. Michael. It would result in a large scale unplanned extension of the village, preventing a full assessment of the most sustainable options for future growth that would consider a range of factors such as available and planned infrastructure, walking distances to key facilities and provision of services in order to achieve sustainable development. The Council recognises the aim to boost significantly the supply of housing, but it considers that delivery rates in Taunton Deane remain healthy and there is a substantial pipeline of future sites to meet five year supply requirements across the Borough. Policies for the supply of housing are therefore not out-of-date and the tilted balance is not invoked. A further 200 dwellings being apportioned to the village would not accord with the role and function set for it by the Core Strategy and would actually see it accommodating more new homes than either of the two Major Rural Centres outlined by the Plan thus undermining spatial policy to a serious extent. Added to this the development will put pressure on local services which are limited in their ability to be able to cope with such an unplanned large expansion of the village. It is, therefore considered to be contrary to Policies SD1, CP1, CP4, CP6, CP8 SP4, DM1, & DM2 of the Taunton Deane Core Strategy 2012. There are no material considerations that would outweigh these significant and demonstrable harms or the fundamental conflict with the development plan. The proposal it is considered does not fulfil the requirements for Sustainable Development as set out in policy SD1 and the National Planning Policy Framework (2012).

2. Insufficient information has been provided to demonstrate that the proposed development is not contrary to Section 4 of the National Planning Policy Framework (2012) and Policy DM1 of the Taunton Deane Borough Core Strategy (Adopted 2011 – 2028) since the proposed development is likely to result in a severe transport impact that could be prejudicial to the safety, amenity and convenience of highway users.

3. The development of this large open unallocated greenfield area outside the settlement boundary of Creech St. Michael it is considered would be contrary to Policies CP8, DM1, DM2, and SP4 of the Taunton Deane Core Strategy 2012, and Policies ENV1, and SB1 of the Taunton Deane Site Allocations and Development Management Plan 2016. The proposed development if allowed would create a significant visual intrusion into this area of countryside changing the character and appearance of the environment surrounding Creech St. Michael, and would lead to a direct loss of the important gap separating Taunton and this outlying village settlement. The coalescence of the village with the greater Monkton Heathfield development planned for the eastern side of the M5 motorway is considered unacceptable in visual terms notwithstanding any proposed open space buffer set out with this application and the Green Wedge buffer which partially separates the Monkton Heathfield development from the Motorway. The site is valued for its own intrinsic sake as part of the countryside surrounding the village and should therefore be protected from sporadic unplanned development.

4. There is no mechanism in place to secure appropriate affordable housing provision, surface water attenuation and management, children's play facilities and any other wider recreational contributions, a public art contribution or an acceptable travel plan as part of the development. The proposal is, therefore, contrary to Policy CP4 of the Taunton Deane Core Strategy and Policies A2, D13 and C2 of the Taunton Deane Site Allocations and Development Management Plan.

2.3 The above reasoning for refusing planning permission was stated in the planning officer's report prior to the consideration of the application. The Council's landscape officer commented on the application as follows ;

14/17/0033 Landscape

The site lies at the northern edge of Creech St Michael. It is approximately 11ha in size and comprises of one large field. It lies within Landscape character Area1a The farmed and Settled Low Vale – Vale of Taunton Deane

The Site has a distinctly domed landform, falling to the south, east and west from a point located roughly centrally within the field. I agree that there are no landscape features of note contained within the Site.

A public footpath crosses the southern part of the Site.

I support the findings of the LVIA produced by CSA environmental which conclude that the new development would be well related to the existing settlement edge of Creech St Michael.

Landscape and Biodiversity Officer

Taunton Deane Borough Council and West Somerset District Council

- 2.4 The application is in outline with all matters reserved save for the provision of an access point on Langaller Lane. A number of reports and supporting information including a tree survey, design and access statement, an illustrative layout, sketches and a development framework plan have been submitted.
- 2.5 A consultant arboriculturist prepared a tree survey and arboricultural impact assessment which were based on the access location and development framework plan (indicative layout) formulated by the appellant's environmental consultant.
- 2.6 A Landscape and Visual Impact Assessment (LVIA), also prepared by the same consultancy, was submitted to accompany the application. I have studied these documents and they form a preliminary to my own assessment of what the landscape and visual impact would be if a new access was constructed and the appeal site was to be developed for residential purposes.

- 2.7 To avoid repetition or duplication, wherever possible I have made cross reference to the appellant's artwork, reports and photographs within the tree report, design and access statement and LVIA. The LPA contends that the appellant's submissions are not impartial and are selective in their findings and conclusions.
- 2.8 The access proposals to the site, off Langaller Lane, have been revised since the application was refused. A further revision was received on 14th December. In the time available before the deadline for submission of evidence, the LPA/Highway Authority has not been able to consider the implications of this further revision. As a consequence supplementary evidence may need to be placed before the Inquiry.

3 Site Description

3.1 The appeal site comprises farmland, currently one field, between the village of Creech St Michael and Monkton Heathfield.

3.2 Wider locality

The Taunton Deane Landscape Character Assessment (LCA) has been referenced by the appellant in their LVIA and the full document is available to the Inquiry. I have no disagreement with the LVIA as to the character of the location of the appeal site as quoted in the LCA. The appeal site lies within landscape type 1: Farmed and Settled Low Vale, and character area 1a: Vale of Taunton Dean.

:

'A wide, flat to gently undulating vale landscape defined by an underlying Keuper Marl geology - giving rise to loamy soils. The fertile soils allow for a very productive agricultural landscape – arable, pasture, orchards and market gardening are all characteristic. There is a strong connection to the river, its many tributary streams and brooks that offer adjoining landscape interest and lend character in the form of well-wooded corridors and water-loving tree species. The vale landscape type is very clearly shaped by the hand of humans with urban areas and major transport corridors (road and rail) creating a

marked contrast to the agricultural landscape and resulting in areas with a strong urban-fringe character. Villages, hamlets, scattered farms and individual dwellings are typical across this landscape type.'

3.3 Key characteristics of the Vale of Taunton Deane character area are described as follows:

'A low-lying vale landscape centred around the River Tone and the County town of Taunton extending up to the northern boundary of Wellington;

A flat to gently undulating terrain with an elevation ranging from (15m-50m AOD) - the landscape generally being lower and flatter to the east, rising and becoming more undulating in the west;

Principally underlain by a solid surface geology of Keuper Marls (of the Triassic Mercia Mudstone Group), giving rise to well-drained coarse and loamy soils (Grades 1, 2 and 3 agricultural land);

Strong sense of being with a vale or wide, shallow bowl-like landform – with the surrounding Quantock Hills AONB and Blackdown Hills AONB offering visual and physical containment;

Mixed agricultural land use system – dairying, stock rearing, cereals and fruit cropping (orchards);

Strong hedgerow network (with striking hedgerow trees – mainly oak) defining a field system that is both of ancient and recent enclosure;

Limited woodland cover – woodland generally restricted to occasional small copses on areas of higher ground;

A number of villages, hamlets and dispersed farms connected by a network of roads and winding rural lanes;

Notable rural-urban fringe character around the main towns of Taunton and Wellington;

Varied building age and vernacular – in the north red sandstone is prevalent but in the south, blue lias is more common. Painted stone and clay tiles are common throughout;

A number of hills that have been designated as Special Landscape Features make an important contribution to the wider landscape eg Knowle Hill, Norton Camp Hill, Rag Hill, the ridge between Stonegallows Hill and Lipe Hill and the river cliff at Bradford-on-Tone; and

The A38 and M5 motorway

The character and appearance of the appeal site may be said to accord with the LCA description.

3.4 Physical characteristics

Site area around 11 ha

Western boundary circa 130m length

Southern boundary - west to east – c 600m length of which c 250m is adjacent to existing residential development

The northern boundary is around 430m in length of which around 165m is adjacent to existing houses.

Current land use - Agricultural land grade 2/3a

Vegetation – deciduous species boundary trees and hedgerows

Land Form - domed surface (which may be partially attributable to fill from construction of the M5) levels c 23.5m AOD at the proposed site entrance point falling to c16m AOD around the southern boundary.

3.5 Visual characteristics

There are glimpse views from distant viewpoints, as described in the appellant's LVIA. The most prominent of these is the intervisibility between the appeal site and Thorn Hill, some 2.2miles distant to the south east. There is a footpath crossing Thorn Hill, and a nearby memorial seat, from which there a view across Taunton Vale. From here the appeal site is clearly visible as undeveloped farmland, between Creech St Michael and Monkton Heathfield.

App a P1

There is a reciprocal view from Langaller Lane, across the appeal site, towards Thorn Hill shown at **App b P2**. The appeal site is located between the M5 and the village of Creech St Michael.

There are footpaths crossing and bounding the perimeter of the appeal site from which there are open views of the local countryside, of which the appeal site forms a part.

The location of the proposed site entrance is shown to be the same as the existing field entrance on Langaller Lane. This is flanked by a c2m high hedge

which largely reduces the view across the appeal site, unless one is standing at the gate itself. The public footpath between Monkton Heathfield and Creech St Michael is on the north side of Langaller Lane.

3.6 Planning Context *another witness will address planning issues.*

As regards landscape issues, I note:

National Policy

The site is not designated as being within a National Park or Area of Outstanding Natural Beauty.

In the time following refusal of the application, a revised version of the National Planning Policy Framework was published in July 2018 At para 170 of Chapter 15. Conserving and enhancing the natural environment it is stated that

170. Planning policies and decisions should contribute to and enhance the natural and local environment by:

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystems services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

Local Policy

The application was refused as being contrary to policy CP8 of the Borough Core Strategy. This policy deals with environmental issues, including the location of development outside of settlement boundaries. The appellants LVIA, at para 2.18, offers a selective quotation from policy CP8

Development outside of settlement boundaries will be permitted where it will: "...be appropriate in terms of scale, siting and design; and

protect, conserve or enhance landscape and townscape character whilst maintaining green wedges and open breaks between settlements; and protect, conserve or enhance the interests of natural and historic assets; and ...provide for any necessary mitigation measures.”

The LPA contends that the application is contrary to these criteria, specifically with reference to the terms outside of settlement boundaries and open breaks between settlements. Policy CP8 states:

Unallocated greenfield land outside of settlement boundaries will be protected and where possible enhanced. Development within such areas will be strictly controlled in order to conserve the environmental assets and open character of the area.

Another witness will provide evidence on planning issues.

- 3.7 Green wedges have been a feature of local planning in the Borough since 1991. In 2015 the LPA commissioned a landscape assessment to provide an evidence base for a review of the designation of Green Wedges, to be located around the principal towns of Taunton and Wellington. Of these the East Taunton-Bathpool & Monkton Heathfield Green Wedge runs parallel to the western boundary M5 to the west of the appeal site, as indicated in the Taunton Deane Adopted Site Allocations Development Management Plan of 2016.

The consultants who produced 2015 review have latterly been commissioned by Creech St Michael Parish Council to assess the land to the east of the M5. Their report of April 2018 recommends that a new green wedge should be designated on land including the appeal site. The report forms the basis of proposed policy CSM 11 which is before the inspector currently examining the Creech St Michael Neighbourhood Development Plan (CSMNDP), and to which the appellants have lodged an objection. The appeal site currently forms an open break between Creech St Michael and Monkton Heathfield.

4 Site Context

- 4.1 The village of Creech St Michael has been a rural settlement for many centuries, prior to the growth of Taunton as the county town. Prior to the construction of the M5 in the mid 1970s, the village was one of many satellite settlements in the countryside around Taunton. **App c** shows maps illustrating changes in the locality during the 20th century. It is noted that “North End” was, originally, a separate place, being a hamlet between Creech St Michael and Langaller.
- 4.2 The origins of the village lie at what is the southern end of the village, along the River Tone. **App d** P3,4,5. The photographs show the origins of the village, exhibiting its historic character around the river crossing.
- 4.3 The construction of the Taunton & Bridgwater Canal in 1827 brought trade and prosperity to the village. North End remained as an outlying hamlet. **App e** P6,7,8. The photographs show the canal passing through the village. The historic properties remain and the canal has become a leisure resource.
- 4.4 The coming of the railway in the later part of the 19th century further expanded the economy of the village. **App f** P9,10. The village was served by a halt which was closed in the 1960s. The former station yard at the southern end of the village remains as a sizeable commercial centre with multiple employment uses.
- 4.5 As part of the construction of the M5 motorway Langaller Lane was realigned a new overbridge was built. The village continued to expand northwards following the provision of the new road, becoming more of a commuter settlement to Taunton.
- 4.6 Creech St Michael has continued to grow, with three new compartments of residential development around Hyde Lane, to the south and west of the village.

4.7 Aerial Photographs **App g**

The up to date situation regarding development, including the recent and on-going expansion of Monkton Heathfield along the A38, has recently been recorded by a series of aerial photographs commissioned by the LPA. The locality was photographed in August 2018. Photographs from cardinal compass points are at App g-1-4.

The aerial photographs show the appeal site in the context of the extent and location of recent development at Creech St Michael and at Monkton Heathfield. There is some slight distortion of scale owing to the camera lens used, but reference to the Taunton Deane Adopted Site Allocations Development Management Plan of 2016 provides a scalable comparison of field sizes.

Aerial Photograph 1 - Looking northwards

The view shows Creech St Michael in the middle distance with the appeal site beyond. Creech Heathfield lies to the north. To the west is the recently constructed urban extension at Monkton Heathfield. The photograph has been overlaid with the outline of what is proposed as further development of the Urban Extension. The green wedge is the remaining strip of land, between what will become a built up area, west of the M5.

Aerial Photograph 2 – Looking westwards

The view is of Creech St Michael in the foreground with Monkton Heathfield and the proposed Phase 2 extension in the middle distance. Recent development at Hyde Lane can be seen, adjacent to the M5, resulting in negligible separation between Creech St Michael and Monkton Heathfield with the M5 corridor occupying most of the intervening land. The appeal site is farmland which occupies the major portion of the gap between the settlements, lying either side of the M5, along Langaller Lane.

Aerial Photograph 3 – Looking southwards

The appeal site occupies the foreground, with recent development at Hopkins Field and Hyde Lane visible in the middle distance. The built area of Monkton Heathfield can be seen, with an overlay showing land yet to be developed, and with the spine road visible between. Taunton lies in the distance. A remnant of the old alignment of Langaller Lane, which is now a PRow T10/31, can be seen to the right of the photograph. This path ends without further access to the countryside. However there is an informal link through the field gate to footpath T10/20 which runs from the M5 overbridge, northwards along the M5 boundary.

Aerial Photograph 4 – Looking eastwards

Monkton Heathfield, contained by the eastern spine road, occupies the foreground. The overlay shows the extent of what will be a phase 2 extension of the urban expansion. The M5 is to the east at the top of the photograph. The appeal site lies beyond, effectively separating Creech St Michael from ongoing growth at Monkton Heathfield.

5 Scope of the Proposals

- 5.1 The plans which form the basis of the application for planning permission are Site Location Plan CSA/3042/109 (Red Line Boundary)
Proposed access - Prime Transport Planning P16071-002 (since revised)
- 5.2 All other material submitted by the appellant, including the Development Framework Plan, CSA 3042-106, is currently illustrative and could be altered, or a different scheme negotiated, once an outline planning permission is granted. However I am advised that the parties agree that the DFP could form the basis of conditions to be negotiated if this appeal is allowed.
- 5.3 The proposal before this Inquiry is that the appeal site could be developed for up to 200 homes and associated open space and a sustainable urban

drainage system, without detriment to the character of the locality or the wider landscape.

- 5.4 The appellant seeks to demonstrate this by reference to illustrative material, upon which a landscape and visual assessment has been based. The conclusion of this assessment which, in discussing the proposals and making various rankings of impacts, makes no reference to levels or the location and extent of the site boundary. It is based on an entirely hypothetical development scenario but which forms a part of the appellants reasoning that outline planning permission should be granted.

6 The appellants LVIA

- 6.1 The Guidelines for Landscape and Visual impact Assessment 3rd Ed 2013 (*The Guidelines*) provides a methodology for assessing the impact of development within the landscape. The provision of a LVIA is intended to assist decision makers by setting out a common basis between applicants and local planning authorities (LPAs), thus reducing time debating differences of approach and concentrating on the issues at hand.
- 6.2 The process seeks to arrive at a twofold judgement. Those of landscape impacts (on the physical landscape on and around the site), and of the visual impacts as a consequence of developing the land. Baseline studies and surveys are the starting point for an assessment.
- 6.3 Reaching a judgement of anticipated impacts of development proposals becomes less clear when moving on to the next stage of an assessment. It is at this stage where opinions begin to differ, between those promoting and those reviewing and possibly objecting to a scheme. The Guidelines acknowledge that professional opinions can differ to the point where a consensus cannot be reached.
- 6.4 The submitted LVIA is based on the tree survey and illustrative material in the Design and Access Statement and annotated photographs. The appellants'

photographs do not show the extent of the site boundary or any indication of the height of the proposed development. I am not aware of any other material which those undertaking the LVIA had at their disposal when undertaking the study in 2017. It appears that mostly professional judgement has been used to establish the relative impacts of the proposals.

6.5 The Local Planning Authority disagrees with the conclusions of the LVIA with regard to the degree of harm which the proposals might cause. The tree survey and accompanying impact assessment incorrectly categorises some trees and thus underestimates their landscape significance and the impact of the proposals. The LVIA underestimates the significance of the coalescence which will occur if the site is developed. This significance of this coalescence has since been assessed by independent consultants commissioned by Creech St Michael Parish Council.

6.6 With reference the following comment on the application from the LPA's landscape officer,

I support the findings of the LVIA produced by CSA environmental which conclude that the new development would be well related to the existing settlement edge of Creech St Michael.

My emphasis – this does not mean that the LPA accepts that the proposals do not have other negative implications under policy CP8 which states as follows;

Unallocated greenfield land outside of settlement boundaries will be protected and where possible enhanced. Development within such areas will be strictly controlled in order to conserve the environmental assets and open character of the area.

Development outside of settlement boundaries will be permitted where it will:

be in accordance with national, regional and local policies for development within rural areas (including those for protected Natura 2000 and Ramsar sites);

and

be appropriate in terms of scale, siting and design; and protect, conserve or enhance landscape and townscape character whilst maintaining green wedges and open breaks between settlements;

and

protect, conserve or enhance the interests of natural and historic assets;

*and
not exacerbate, and where possible improve the quality, quantity and
availability of the water resource, reduce flood risk (fluvial and surface
water);
and
protect habitats and species, including those listed in UK and Local
Biodiversity Action Plans,
and
conserve and expand the biodiversity of the Plan Area;
and
provide for any necessary mitigation measures.*

The siting of the development, as greenfield land outside of a settlement boundary, the impact of the nature and scale of the development on the open character of the area, and the resultant loss of an open break between Creech St Michael and Monkton Heathfield, together with partial information provided by the appellant, has resulted in planning permission being refused.

6.7 The content of the LVIA

I now turn to considering the LVIA in more detail, together with some consideration of what is proposed. The methodology suggested by the Guidelines, and followed by the appellant, is firstly to assess the sensitivity of landscape and visual receptors. This is professional jargon and is twofold. It can refer to an element of the landscape which would be affected if the development of the site went ahead. This includes policy designations as well as physical features. Secondly visual receptors are people. Those who, depending on their activity and location, will have a view of the site and the development proposed upon it. The GLVIA suggests a ranking for these, giving a value to each in order to establish the impact of the proposals. Matrices can be produced from such an analysis in order to assist in the appraisal of the proposals. A shortcoming of the LVIA process is that it is at this point when opinions can vary and professional judgement comes into play.

6.8 Landscape Receptors

The appeal site is currently in agricultural use and, crop by crop, is a monoculture with low landscape value. The appeal site is surrounded by hedgerows containing mature trees on three sides and is bordered by a hedgerow watercourse on its southern perimeter. **App h P11&12** show the hedgerows, watercourses and trees including T22, a mature oak tree, which form part of the rural scene along the footpaths which provide access to the countryside lying adjacent to the village. If the appeal site is developed the context of their location will change from rural to peri-urban.

The appellants LVIA assessment process is flawed by the conclusion that the loss of vegetation along Langaller Lane is of only medium sensitivity; the magnitude of change is claimed to be low; and that planting elsewhere around the site will compensate for the effects of accessing and developing the site. The full impact of creating the proposed access has not been accurately addressed by the LVIA. In the first week of December 2018 the appellant submitted revised and updated proposals for highways and access arrangements. I am not aware that there has been an updating of the LVIA with regard to the impact on the locality of the access. My examination of the latest access proposal is at Section 8 of my Proof.

6.9 Visual Receptors

The photographs shown in the LVIA, and the viewpoints they represent, are a fair representation of what can be seen at each location. Most are taken from PRoWs and other public viewpoints. In order to assess the sensitivity to change which various types of viewpoint are susceptible, the categories High, Medium and Low are used. The author of the LVIA has incorporated this methodology at Table VE1ff. The question is a matter of judgement as to whether the views on the PRoWs, on and around the appeal site, are of Medium or High Sensitivity. In order to suggest an association of the appeal site with the built up edge of the village, all the appellants photographs are framed, where possible, to include existing development around Crooks

Close, West View and Hopkins Field. To achieve this several are taken from the central highpoint of the agricultural field, to which the public have no legal access. Moreover, if the site is developed to the density and layout which the appellant's DFP suggests, there will be no view towards existing development from these viewpoints. The LVIA categorises the sensitivity of the footpath views as Medium. In fact the sense of openness and of being in the countryside when one is walking on footpaths T10/23 and 24 is far greater than the LVIA concludes. The suggestion that, by association with existing development, the appeal proposals are acceptable is erroneous. The LPA considers the sensitivity of the view from these paths to be high. The degree of change, from what is currently a walk in the countryside, to what might become a suburbanised footpath through a housing estate, is of a very high magnitude. It is one which cannot be mitigated by new landscape planting or semi manicured open space. **App h** P11, 12 show the appeal site and neighbouring field as arable land in the countryside.

7 The proposals - illustrative site layout

- 7.1 All the development proposals, other than the arrangement of the access point, are matters to be reserved for later consideration. The appellant has submitted illustrative material which, unless it forms part of a condition of planning permission, carries little weight. I am advised that this is a matter on which the parties may agree.
- 7.2 At present, pedestrian access to the village from the main site entrance requires crossing the road to the existing footpath on the north side of Langaller Lane. There is currently an unmade public footpath T10/24 at the eastern side of the site at North End, leading to a virtual footpath along the roadside into Creech St Michael, and for which the appellant has submitted an enhancement scheme.
- App j** P13, shows the approach to North End from PR0W T10/24. P14a/b shows the rural setting on the footpath at the entrance to the appeal site, P15 shows the route crossing a hard surfaced vehicle access to neighbouring

properties. The implications of upgrading this route are discussed by another witness but the adverse change in character is inevitable.

- 7.3 The townscape of Creech St Michael is already blighted by traffic management schemes, connecting the old village with North End. The appellants transport consultant has produced a document indicating additional mitigation extending back to the heart of the village (Plan 18119-101). These proposed additional highway “improvements” will only further disfigure the character of the village.
- 7.4 By undertaking works off site, the appellant also proposes the upgrading of footpath T10/23 to link with the recent residential development at Hopkins Field. **App k P 16, 17, 18.** The photographs show open countryside. The change in the character of the appeal site and footpaths therein will change irrevocably. Another witness will discuss the implications of any alteration to T10/23 south of the site, as it currently lies outside the application boundary
- 7.5 The suggested site layout creates, as its sole vehicular access point, a new junction on Langaller Lane. This currently is intended to provide a ghost island right turn for which a visibility splay will be required in both directions.

Another witness will provide the LPA/Highway authority response to these works. My assessment regarding the impact on trees and vegetation is as follows.

8 Access to the site

Landscape Impacts – Incorrect categorisation of trees - Loss of existing trees
Visual Impact - Extensive view of development - coalescence of settlements

- 8.1 It is proposed that a new vehicular access point will be constructed on the northern boundary of the site. This will require the removal of trees to create the required visibility splay, and which will open up the panorama across the

site. Whilst the provision of new planting elsewhere around the site is welcomed, the felling of trees along Langaller Lane cannot be compensated for, on a like for like basis, elsewhere around the development.

8.2 None of the trees along the boundary with Langaller Lane are in the control of the appellant. The tree survey, and the topographical survey on which it is based, have not recorded the location or size of the trees along the Langaller Lane boundary. The trees survey makes a blanket reference to these trees which are actually an important feature in the locality, contributing to views, to and from nearby rights of way, along the road itself, and forming an element of the local landscape character.

8.3 BS 5837:2012 *Trees in relation to design, demolition and construction – Recommendations*, requires that all woody species with a stem diameter greater than 75mm at 1.5m above ground level shall be individually recorded. It is permissible to record trees as a group if they form a cohesive arboricultural feature such as a screen or avenue. In the case of the trees which will be severely reduced in number by construction work, such as the need for a visibility splay, the attribution of the term group is misplaced. Moreover it is important for the LPA, when considering an application, to establish the scale and extent of the loss of trees when they make an important contribution to the locality. Neither the Tree Constraints Plan 9336/01 nor the text of the Arboricultural Impact Assessment makes any reference to, or assessment of, the scale and extent of the required visibility splay and consequent tree losses. The report misrepresents the situation by stating at para B11.1

The proposal to construct the residential accommodation and associated infrastructure requires the removal of sections of hedges and tree groups that have limited presence in the landscape and can be mitigated by the planting of new trees.

8.4 Guidance and recommendations on how trees are to be categorised is shown at Table 1 of BS5837:2012. A summary of the categories in the Table, and

the reasoning for the classifications, is included in the appellant's arboriculture report. The tree survey schedule describes the group T35 as providing "a belt of screening between the site and the road". In the report all the trees along Langaller Lane are assessed as being Category C2. "Trees of low quality" according to BS5837 Table 1.

However their size (the appellant's tree survey states 12m height) and their contribution to the local landscape, which is evident from the LVIA at Photographs 13 and 14, demonstrates that this assessment is incorrect. Contrary to the arboriculturists assertion that they "have limited presence in the landscape" the trees along Langaller Lane are the dominant feature in the scenery. The trees are more accurately categorised as being B2 "Trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals".

- 8.5 The tree constraints plan shows tree group 35 without any reference to the proposed eastwards visibility splay and I have therefore superimposed the two, before undertaking a site inspection to consider what the implications actually will be. **App m**
- 8.6 The tree survey schedule describes the species within T35 but in addition there are sycamore, dog rose and oak saplings which are becoming established as an understorey. The trees might have been planted as part of the creation of Langaller Lane on its current alignment in the 1970s but may be self sown. In either case all the trees have been cut back to ground level at some stage and many are now multi-stemmed from ground level as shown in **App m**. According the appellants Plan P16071-002D the suggested length of the eastwards visibility splay is a minimum of 119m and I estimate that there are around 70 trees at risk over this distance. Of these I estimate that 39 will have to be removed completely, with a further 31 requiring some cutting back and possible removal, subject to a detail design being agreed with the highway authority. During the course of the consideration of the application an extended right turn ghost island has been introduced into the schematic layout for the access. If the configuration of the access is extended

further there will be consequent additional loss of trees and boundary vegetation.

8.7 Views eastbound and west bound along Langaller Lane - see **Apps n and p**

Once the trees on Langaller Lane have been felled an open prospect across the appeal site will become the principal view between Creech St Michael and Monkton Heathfield. Travelling eastbound, on crossing the overbridge there will be an open view across the appeal site and drivers will immediately be faced with the right turn ghost island marking the site entrance. **App n P19** The hedgerow and most of tree group T35 will be felled to provide the required sightline, owing the curvature of the road as it enters North End P20&P21. The impact of the sightline is shown at **App p P22-24**. In these views the extent of the loss of vegetation is estimated at around 70 trees. When travelling westbound, on having passed the appeal site at the M5 overbridge, the view of Monkton Heathfield lies ahead. The sense that the two settlements are coalescing will increase if the appeal site is developed.

8.8 As regards the westwards visibility splay requirements, the appellants plan P16071-002D indicates there will be a loss of boundary vegetation along the embankment to the M5 overbridge. The extent of the splay is given as being up to 158m. There are no details of the content of the tree group (T2 in the tree survey schedule) with T4,5,6,7&8 having been placed by sight, within the group, by the arboricultural surveyor. Should the embankment need to be reprofiled, to accommodate the right turn into the appeal site, then further vegetation will be lost, or severely cut back, to provide the sightline. It will then need to be maintained in that state in perpetuity.

8.9 The consequence of constructing an access as shown on P16071-002D is that the existing trees will be felled on either side of the new entrance, over a distance, estimated to be in excess of 200m. This will create a wide view across the appeal site with new development being clearly visible. Drawings CSA/3042/110, CSA/3042/111 and CSA/3042/112 showing cross sections A-

AA, B-BB, C-CC, submitted by the appellant, clearly show the height and proximity of the proposed new houses. However the loss of existing vegetation within the visibility splay has not been acknowledged in these cross sections. I am not aware that these drawings have been updated to reflect the consequences of the redesign of the right turn into the appeal site. The current scheme incorporates a ghost island. As a consequence the open gap will be destroyed resulting in the perception of coalescence between Creech St Michael and Monkton Heathfield.

8.10 The assertions and conclusions within the tree information/arboricultural impact assessment provided by the appellant are incorrect. Paras B4.1 and 4.2 underestimate the value of the trees on Langaller Lane, together with underestimating the extent and impact of felling and replacement over time. Para B7.1 states that no pruning is required, but this not the case with regard to the creation of the visibility splays. Para B11.1 states that the trees have limited presence in the landscape. This is not the case.

8.11 Landscape & Townscape Visual Impacts - Highway signage

The new access will suburbanise Langaller Lane which, in the vicinity of the appeal site, is currently in the countryside, exhibiting all the aspects of its rural location. New elements around the access such a right turn island, illuminated or reflective “Keep Left” bollards, tactile paving, kerbs, direction signs, hazard warning signs, lighting, “Give Way” or “Stop” paint on the road surface, together with vegetation lost as a consequence of the visibility splay, will all contribute to the change in character of the locality from rural to suburban.

8.12 Landscape & Townscape Visual Impacts – Footpath surfacing

Footpath T10/24 crosses the field which forms the appeal site. It passes through whatever crop is being grown year by year. It is a footpath through a rural setting, albeit with the built up edge of the village in view. The greater part of the view is of open countryside to the south, west, and north of the appeal site. If the site is developed, as is suggested in the Framework

Plan/Illustrative layout, these open views will be lost, blocked by new houses. The path itself will be surfaced and will pass through a suburban housing estate. Examples of such settings can be seen at nearby Hopkins Field, where a new housing estate has recently been completed. **App k P18**

The LVIA alluded to the possibility of benefiting from the existing footpath ink south of the appeal site.(T10/23) In early December 2018 the appellant submitted a more detailed proposal for this. The proposed works would :

- Change the alignment of the path, including new surfacing.
- Fill in the existing drainage ditch and move it / the water course (which would be subject to the local drainage discharge consents).
- Raise the level of the footpath
- Introduce two new structures (box culverts) 1.8m deep

Such work will destroy the rural character of this footpath.

9 New housing developments

9.1 In the absence of any firm proposals the appellant has submitted some illustrations as to what the development might look like and what form it may take. Sketches and photographs of other developments are incorporated into the Design and Access Statement.

9.2 It is claimed that the housing development will respect and reflect the traditional vernacular of Creech St Michael but, as it will be a new housing estate, this seems unlikely. New residential areas have been created to the south of the appeal site together with those at Monkton Heathfield. If planning permission is granted the appeal site will be sold to a developer, probably a volume housebuilder, and examples of their products can be seen locally. Whilst allusions to the vernacular often form part of the detailed design of new homes, this is usually in the form of porches or rendering, or chimneys applied to a limited range of standard house types. The result is a pastiche of the true vernacular of the existing settlement.

- 9.3 The appellants framework plan shows a radial design for the new houses and this is further developed on drawings within the design and access statement. Page 30 of the DAS shows a layout of individual plots and the road access to each house. A detail is shown at P40. The traffic management proposals suggest the incorporation of changes in surface treatment and dog leg arrangements on the spine road.
- 9.4 The design is illustrative but, in principle, such a scheme is likely to be tortuous and difficult to negotiate, particularly to those homes farthest away from the Langaller Lane junction. In plan it has some similarities to the adjacent late 20th century development to the south, as acknowledged by the Councils landscape officer. The appellants LVIA claims that the design can be a reflection of local vernacular. However, the submitted scheme is simply a modern housing estate.
- 9.5 The appeal site is directly adjacent to the M5, at a level slightly above the carriageway. As mitigation for the traffic noise the appellant suggests that a 90m wide buffer and potential woodland belt could be established on the western boundary. The potential new planting is also offered as mitigation for tree losses on Langaller Lane. Whilst it is accepted that, in terms of numbers, new tree planting is welcomed, the function of the new tree belt and its potential contribution to landscape character, is entirely different to the trees on Langaller Lane. Moreover the timescale required to establish trees of a size matching those to be felled would be around 25-30 years.

10 Proposed Green Wedge

- 10.1 There is an existing green wedge on the western boundary of the M5 along the perimeter of the ongoing development at Monkton Heathfield. (Policy SS1 TD Core Strategy 2011-28) Independent consultants were commissioned by the LPA to review and update the existing landscape policy. Their report, dated June 2015, forms part of the Local Plan evidence base.

10.2 There is a proposal CSM 11, within the emerging Creech St Michael Neighbourhood Development Plan to establish a green wedge along the eastern boundary of the M5. **App r** The appeal site falls within the extent of the proposed green wedge and the appellant has objected to the proposals. The proposed green wedge was the subject of an independent assessment by the same consultants who provide the assessment of the Monkton Heathfield green wedge. Their conclusions are contained within their report of April 2018.

10.3 The report assessed three locations around Creech St Michael. With regard to the locality of the appeal site, the report assessed the coalescence of settlements as being significant. (WYG report page 13). It should be noted that the existing Monkton Heathfield green wedge does not function as a visual barrier and there is intervisibility between the appeal site and Manor Farm on the western side of the M5. **App r** .

11 **Summary & Conclusion**

- 11.1 The appeal site exhibits the characteristics of Landscape Type 1 “Farmed and Settled Low Vale” as described in the Taunton Deane Landscape Character Assessment.
- 11.2 The site occupies a strategic gap between Creech St Michael and Monkton Heathfield. This role can be clearly defended within TDBC policy CP8. Its role in the landscape is to separate the two settlements.
- 11.3 The site lies beyond the settlement boundary and is farmland in the countryside. National planning policy directs that decisions should recognise the intrinsic character of the countryside. Moreover, planning decisions should contribute to and enhance the natural local environment. Building on a site and then planting trees does not constitute enhancing the natural environment.
- 11.4 There are sensitive views from a network of well maintained and well used footpaths around and crossing the appeal site, which contribute to the character of the area as described in the Taunton Deane Landscape Character Assessment. If the site is developed these views will be adversely affected as they will irrevocably change in character from rural to suburban.
- 11.5 The appellant’s reliance on new planting to mitigate adverse effects is misguided. It will be several decades before planting, around the western perimeter of the site and elsewhere, makes any contribution to providing an appropriate setting for 200 houses.

- 11.6 The visibility splay will result in the loss of up to 70 trees subject to detailed design of the access. As a professional arboriculturist, my assessment is that these trees should be classified as Category B2 within the recommendations of BS5837:2012 and higher than is suggested by the appellant. The LVIA also underestimates the significance of the loss of these trees. Any planting in mitigation will take 25-30 years to achieve a compensatory size.
- 11.7 In the absence of the boundary vegetation along Langaller Lane an open prospect across the appeal site will become the principal view between Creech St Michael and Monkton Heathfield. When travelling westbound, on having passed the appeal site at the M5 overbridge, the view of Monkton Heathfield lies ahead. The sense that the two settlements are coalescing will increase.
- 11.8 The highway/footpath works which are required at North End and upgrading of footpaths at, and beyond, the site will suburbanise the locality, resulting in an irreversible change in character creating a peri-urban setting rather than the existing rural scene.
- 11.9 The suggested improvement of the footpath south of the appeal site is outside the application boundary, before this Inquiry. An assessment of the landscape and visual impact indicates that harm will be caused to the rural character of the area if the improvements were to be carried out.
- 11.10 The LPA contends that the magnitude of the proposals, combined with the sensitivity of the receptors, will lead to impacts which are greater than suggested by the appellant. Mitigation by landscape provision will not reduce these impacts. In the case of destroying the gap between the settlements, they are irreversible.

11.11 The appeal site lies within an independently assessed proposed Green Wedge, which is currently the subject of an examination of the Creech St Michael Neighbourhood Development Plan.

11.12 In respect of landscape matters the proposal for 200 new homes on the appeal site has been refused because (my emphasis) :-

*3. The development of this large open **unallocated greenfield area outside the settlement boundary of Creech St. Michael** it is considered would be **contrary to Policies CP8, DM1, DM2, and SP4** of the Taunton Deane Core Strategy 2012, and Policies ENV1, and SB1 of the Taunton Deane Site Allocations and Development Management Plan 2016. The proposed development if allowed would create a **significant visual intrusion** into this area of countryside **changing the character and appearance of the environment surrounding Creech St. Michael**, and would lead to a direct **loss of the important gap** separating Taunton and this outlying village settlement. The **coalescence** of the village with the greater Monkton Heathfield development planned for the eastern side of the M5 motorway is considered **unacceptable in visual terms** notwithstanding any proposed open space buffer set out with this application and the Green Wedge buffer which partially separates the Monkton Heathfield development from the Motorway. The site is **valued for its own intrinsic sake as part of the countryside** surrounding the village and should therefore be protected from sporadic unplanned development.*

I request that this appeal be dismissed.

Leithgoe –Inermis PoE

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