



Appeal Ref: APP/C1435/W/23/3335625

LPA Ref: WD/2022/3222/MAO

**Land South of the A271 and east of
the A22, Lower Horsebridge,
Hailsham, East Sussex BN27 4DN**

Summary of Landscape

Proof of Evidence

For the appellant: Hertfordshire Holdings
Ltd

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1.0 Introduction

- 1.1 My name is Paul Warren. I am a Technical Director at tor&co (formerly Terence O'Rourke). I am a landscape architect and have been a Chartered Member of the Landscape Institute since 1993.
- 1.2 I hold a BA(Hons) degree in landscape design and a Diploma in Landscape Architecture, both from Manchester Metropolitan University.
- 1.3 Further details of my background and experience are included in my main Proof of Evidence.
- 1.4 I have been involved with the project from the outset and am familiar with the appeal site, its local context and the surrounding landscape.
- 1.5 The evidence which I have prepared and provide for this appeal referenced in this proof of evidence is true and has been prepared and is given in accordance with the guidance of my professional institution. I confirm that the opinions expressed are my true and professional opinions.

2.0 Scope of Evidence

- 2.1 My evidence addresses the landscape related reasons set out in the Council's wide-ranging Reason for Refusal (RfR) 1 and Statement of Case (SoC).

Main reason for refusal (ii) the effect of the proposed development on the landscape character and appearance of the site and the surrounding area and the visual impact and

Main reason for refusal (iii), whether the quantum of development proposed can be satisfactorily accommodated on site.

- 2.2 This summary Landscape POE should be read with reference to the Landscape and Visual Appraisal application document (CD1.14) which provides a comprehensive description of the site and its landscape context.
- 2.3 For convenience, Sections 3 to 10 of this Summary POE mirror the Sections of the main Landscape POE.

- 2.4 Section 3 contains analysis of the most recent WDC landscape character and sensitivity documents that show that the appeal site is not in a rural or countryside location.
- 2.5 Section 4 describes WDC's proposals for development in the area of the site, that will impact on the wider landscape context and highlights WDC's description of their development context as urban rural fringe.
- 2.6 Section 5 focuses on landscape character, value and sensitivity matters that are central to the appeal. It identifies the landscape and visual receptors and assesses their value for the purposes of later assessment. It assesses the rurality of character area LC1.
- 2.7 Section 6 describes the development proposals, the design and landscape strategy and a summary of the design revisions which have been incorporated in direct response to concerns regarding the setting of Brook House.
- 2.8 Section 7 sets out the assessment of the predicted landscape and visual impacts of the development.
- 2.9 Section 8 addresses main reason for refusal (ii), the effect of the proposed development on the landscape character and appearance of the site and the surrounding area and the visual impact.
- 2.10 Section 9 addresses main reason for refusal (iii), whether the quantum of development proposed can be satisfactorily accommodated on site.
- 2.11 Section 10 contains my conclusions.

3.0 Review of WDC landscape and sensitivity assessments

- 3.1 This section centres on evidence found in these four WDC documents; the Wealden Landscape Character Assessment May 2022 (CD9.1) the Landscape Sensitivity Assessment - Residential and Employment Development (November 2023) (CD9.2) and Landscape and Visual Appraisal - New Settlements and Large Urban extensions (November 2023) (CD9.3) and The South Wealden Growth Area Landscape and Ecology Assessment Study - 2017 (CD9.13)
- 3.2 The site is an area of field bounded by the A271 to the north and the A22 and Boship roundabout to the west. Wrapping around the site to the east, the Lower Horsebridge stream forms the eastern and southern boundaries with beyond an extensive area of grassland pasture on the north side of the Cuckmere River, extending eastwards.
- 3.3 The area which I later characterise as LC1, forming the wider setting of the site, is enclosed by the somewhat suburban edge of Lower Horsebridge to the north side. On the south side of the river, developments including Welbury Meadows and Solent Close that have arisen over the past 10-20 years enclose the LC1 landscape to the south, their urban appearance softened by intervening planting in their associated public open spaces.
- 3.4 RfR1 states that the development would appear as a highly urbanised housing estate out of keeping with the rural location, but notwithstanding the fact that it is not a rural location, the existing developments south of the river demonstrate how development in the river corridor can successfully integrate with and contribute to the landscape.
- 3.5 WDC consistently state in their SOC under reason (ii) that the site is located in 'open countryside'. They describe the wider area of landscape within which the site is located as being connected with the wider landscape and characterise it as '*still evidently open countryside*'. The proposed layout is described as '*unsuited to the rural location*' and it is a '*predominantly rural landscape close to the urban edge of Upper Horsebridge and Hailsham...*'

- 3.6 The latter phrase is probably the closest that WDC get in their SOC to acknowledging the urban-rural fringe location and character of the area centred on the Boship roundabout and extending through Lower Dicker.
- 3.7 In Section 3 of the main POE I demonstrate that WDC's own assessments curiously hint at, but never fully acknowledge the self-evident urban fringe characteristics of the area around the appeal site. I also show that the most detailed report commissioned by WDC on potential for development in the local area considered that the site had development potential subject to certain criteria being met and that the appeal proposals closely match those criteria.
- 3.8 I show that the most recent assessments of site sensitivity contained in the recent Wealden Landscape Sensitivity Assessment to Residential and Employment Development (November 2023) (CD9.2) contains inconsistencies and arbitrary 'variations' for site specific assessments that favour WDC's sites and score down the appeal site.
- 3.9 I show that the most detailed and considered report commissioned by WDC on potential for development in the local area, the South Wealden Growth Area Landscape and Ecology Assessment Study - 2017 (CD9.13), considered that the site had development potential subject to certain criteria being met.
- 3.10 My experience of the local landscape and assessment of its character shows that it has urban fringe characteristics. The main Landscape POE studies WDC's recent assessments and provides more detailed evidence on whether the appeal site is in countryside or urban fringe.
- 3.11 The main POE also highlights inconsistencies in the WDC assessments of sensitivity to development relating to their sites and the appeal site.
- 3.12 The South Wealden Growth Area Landscape and Ecology Assessment Study - 2017 (CD9.13) is the clearest assessment study relating to the site.
- 3.13 Appendix 2.6 of the report identifies the appeal site: '*The western corner of the site adjacent to the A267/A22 roundabout junction is less sensitive and is not in flood zones 2 and 3.*' This describes the appeal site.

- 3.14 The report notes some constraints, but is overall, positive about the potential for development on the site. It agrees with me that the appeal site is less sensitive, it says that development there could *'form a continuation to the existing concentration of development around the A22/A271 roundabout junction'*. and it agrees with me that *'it is likely that the strategic gap between Lower Horsebridge and Upper Horsebridge/Hailsham could be maintained intact.'*

4.0 Impacts to the future local landscape context of the appeal site by WDC promoted development

- 4.1 Growth of the area of north west Hailsham is indicated by two substantial areas of development and several smaller ones that would have a major effect on the landscape context of the site.
- 4.2 The main POE contains figures that illustrate that growth and the relationship it has with the appeal site.
- 4.3 WDC have resolved to approve their major Sports Hub less than 50m from the appeal site. The recent officer decision dated 25th January 2024 describes the site, quite factually, as being *'in an edge of settlement location in the urban-rural fringe.'* and *'on the edge of Hailsham'* (CD11.1).
- 4.4 The second area is the major employment site approximately 200m north of the site at the previously referred-to Knights Farm in open countryside north of Lower Dicker.
- 4.5 The future development of that area coupled with the sports facility will create a large new zone of urban and urban fringe land use in north west Hailsham and significantly changing the character of the area.
- 4.6 In the instance of the Sports Hub application, given WDC's stated sensitivities of the landscape, it is surprising that there is no landscape and visual appraisal or LVIA as part of the application, to inform the masterplanning of the site and to minimise impacts.
- 4.7 In 2023 tor&co carried out a landscape study to look at the potential landscape and visual effects of both WDC schemes. The landscape and visual impacts

will affect a much greater area than the appellant's site proposals and will impact on open countryside, which the appellants proposals will not.

- 4.8 If the Sports Hub is in the urban rural fringe or the edge of Hailsham, as confirmed by WDC's planning officer, the appeal site must logically also be in the urban rural fringe and within Hailsham.

5.0 Identifying receptors for landscape and visual assessment.

- 5.1 In my LVA, written prior to the introduction of the Landscape Character Assessment for Wealden District May 2022, I assessed the impacts on the appeal site and on two character areas from the Wealden Landscape and Settlement Character Assessment 2014 shown on Figure 8 of the LVA (CD1.14).
- 5.2 The new WDC assessments and the emergence of the Sports Hub and major employment site analysed in Section 4, point to the imminent changes to this area of north west Hailsham and are therefore relevant to the consideration of landscape value, sensitivity and assessment of landscape impact.
- 5.3 In the main POE I assess the appeal site's landscape setting's characteristics factually and methodically against the described key characteristics of LCA 3A *Uckfield to Hailsham Wooded Clay Vale* and find that the appeal site's landscape setting which I characterise as area LC1, does not share the characteristics of a rural area and at best has a low to moderate compatibility.
- 5.4 I have identified three character areas that relate to the landscape assessment of landscape character:
- LC1 - Area of open land in an urban fringe setting that is bounded by the A22, the A271, development south of the river and Lower Horsebridge north of the river. The appeal site is part of this area.
 - LC2 - Hailsham West assessment unit (excluding the part of LC1 within it)
 - LC3 - Landscape Character area 3A Uckfield to Hailsham Wooded Clay Vale (area of 3A of genuine rural character excluding LC2, the Hailsham West assessment unit)

5.5 Each of the landscape character areas has been assessed for 'value' in tables in the main POE based on Table 1 in the Landscape Institute Technical Guidance Note 02/21 Assessing landscape value outside national designations (CD9.5).

5.6 I describe the enclosure provided by existing development, vegetation and topography of the wider landscape setting, which acts to minimise the extent of visibility. I set out the detail of the visual receptors, including residents, local people using PRoWs and open space and persons using the road network.

6.0 Development proposals

6.1 The proposals are for an up to 124 dwelling residential development in the westernmost part of the appeal site, with associated infrastructure including a new vehicle access from the A271 and use of the remaining area of the site for biodiversity-led public open space.

6.2 The proposals are illustrated in the modified parameter plan 231703-TOR-XX-ZZ-DR-A-P011-revC (CD8.2) which indicates the development zone, maximum building heights (Areas of up to 12m and 9.5m) and the access arrangement and location. The highway access plan 332110699_5501_SK009_P02 provides detail relating to the new junction and road widening. Possible landscape design is shown on the illustrative masterplan 231703-TOR-XX-ZZ-DR-A-P010-revC (CD8.1) and the illustrative landscape strategy plan (Figure 14 of the main POE).

6.3 Details of the proposals elements that would cause temporary and permanent changes to landscape and visual receptors are included in the main Landscape POE.

6.4 At outline stage the precise form of the development and its articulation is not developed. However, the proposal is for 2.5 to 3 storey apartment buildings in the part of the site facing the Boship roundabout, the A271 and the A22.

6.5 The larger scale of buildings would be appropriate and proportionate to the scale of the roundabout and major highway environment and would also provide the necessary acoustic screening.

- 6.6 Where the proposals will address both the open landscape area and Lower Horsebridge, the design would emulate the development forms at Welbury Meadows and Solent Crescent where the developed area, like the appeal site proposals, extends up to the edge of flood zone 2, then transitions with substantial areas of landscape, softening the appearance of built form into the more open pastoral landscape.

7.0 Predicted landscape and visual impacts

- 7.1 I have assessed landscape impacts. The assessment found there will be inevitable effects on the site of substantial adverse effect due to the change from field to developed area and that there would be effects on the immediate part of character area LC1, but its similarity to other peripheral developments, mean that once planting has established it will assimilate well with them.
- 7.2 There would be no significant effects on the wider landscape. Significant landscape impacts are therefore restricted to the site and the localised LC1 area due to the visual enclosure provided by surrounding development and vegetation.
- 7.3 I have assessed visual impacts. Some substantial and adverse effects will be experienced by people who live on the A271 in the immediate vicinity of the site, at Lower Horsebridge and in developments in north Hailsham. People using the Hellingly PRow 11/2 will also experience significant effects. But these effects are localised and the remaining visual impacts are assessed as slight or negligible and so are not significant.

8.0 Response to main reason for refusal (ii) the effect of the proposed development on the landscape character and appearance of the site and the surrounding area and the visual impact.

- 8.1 WDC state that the site is in open countryside and at paragraph 3.1 they describe the site as being in a '*predominantly rural landscape close to the urban edge of Upper Horsebridge and Hailsham...*' RfR1 states that the development

would appear as a highly urbanised housing estate out of keeping with the rural location.

- 8.2 My response, detailed in the main POE addresses the main reason but also other landscape related points in the WDCSOC summarised in the following paragraphs.
- 8.3 The question of whether the site is in 'rural open countryside' or urban-rural fringe is addressed by reference to my main body of evidence in Sections 3, dealing with WDC's assessments, Section 4, addressing WDC's development proposals for north west Hailsham and Section 5 where I have transparently assessed the site landscape setting for rural attributes and found it lacking.
- 8.4 I deal with the issue of valued landscape, referring to my assessments of landscape value in Section 5 and referring to the fact that there is already a valued landscape in the form of a 'Locally Valued Landscape' in the parish.
- 8.5 I address WDC's assertion that the proposals will block the river corridor's connection to the wider countryside, pointing out that there is no wider countryside in the direction of the developable area.
- 8.6 I reject the idea that the development will as WDC assert, 'breach the development edge' referring to Section 4 where WEDC's development expansion plans are discussed.
- 8.7 I set out the landscape and visual impacts.

9.0 Response to main reason for refusal (iii), whether the quantum of development proposed can be satisfactorily accommodated on site.

- 9.1 WDC state: 'At this outline stage the applicant must demonstrate that the quantum of development proposed, accessed from the location detailed, can be adequately accommodated within the constraints of the site' and that they are 'of the view that the site cannot accommodate that level of development within the net developable area of the site'.

- 9.2 My response is that this is an outline application with access details provided and height parameters set and so the reserved matters are appearance, landscaping, layout and scale.
- 9.3 I respond to WDC's points regarding detail design pointing out that it is an outline application, but that the design strategy is set out in Section 6.
- 9.4 I respond to WDC's assertion in their SOC that the proposals '*would result in a scheme which is uncharacteristic and discordant with its surroundings both in terms of the open rural countryside landscape and the adjacent low-density development of Lower Horsebridge.*' by referring to my character analysis in Section 5 that show the area is not countryside or rural , by pointing to the similarities of design in local residential development and refer to Section 6 where we show that we consider the response to the adjacent developed are of Boship and Lower Dicker to be appropriate.

10.0 Conclusions

- 10.1 I refer to evidence in Sections 3, 4 and 5 showing that the appeal site is not in a rural or countryside location.
- 10.2 I show with reference to Section 3 that WDC have ignored advice on the appeal site's sensitivity and potential provided in their report. WDC's South Wealden Growth Area Landscape and Ecology Assessment Study 2017 (CD9.13)
- 10.3 I show WDC are applying different standards or judgements to the assessment of their sites and ascribing undue sensitivity to the area of the appeal site.
- 10.4 I refer to Section 4 to show the substantial changes in development and urbanising effect that WDC's plans will deliver and their landscape impact.
- 10.5 I reject the WDCSOC assertion that the Cuckmere River corridor is a 'valued landscape'.
- 10.6 I conclude that rather than harming the character of the river corridor, the extensive planting associated with the development, would enhance it.
- 10.7 Although an outline proposal, I conclude, referring to the several paragraphs in

Section 6 that describe the design strategy, that the proposals are an appropriate place-making response to the particular challenges of the site,

- 10.8 The proposals will not appear isolated as WDCSOC describe as Boship and Lower Dicker is already an established area of development.
- 10.9 I set out the assessed landscape and visual impacts, concluding that whilst there are some localised substantial adverse effects, on balance effects are limited.